



**Report #10646: Fully Online Distance Education Program Registration
Submitted by the Maryland Higher Education Commission
December 1, 2015**

Executive Summary

Education Article §11-202.2(g) of the Annotated Code of Maryland requires the Maryland Higher Education Commission (MHEC) to submit to the Governor, and in accordance with §2-1246 of the State Government Article, the General Assembly, an annual fully online distance education program registration report. This report shall include:

- I. The number of institutions of higher education that apply for registration under this section;
- II. The type and size of the institutions that apply;
- III. The number of institutions approved for registration;
- IV. The number of institutions denied registration;
- V. The number of Maryland students enrolled in institutions required to register under this section;
- VI. The results of the requirements of §11-202.3 of this subtitle;
- VII. The number of institutions found to be in violation of the requirement to register under this section;
- VIII. Any fines imposed, and in what amounts, on institutions that violate this section; and
- IX. Any fine revenues collected from institutions for violation of this section.

Overview

During the November 1, 2014 through October 31, 2015 reporting period, MHEC received a total of 247 registration applications (as compared to 212 applications during the previous reporting period), including 54 initial applications and 193 renewal applications. During this time period, the Secretary of Higher Education issued registration to 226 out-of-state institutions. (Note: Registrations are still being accepted and processed for 2015-2016. Processing delays often occur when applications are missing vital information or documentation, and MHEC staff must work directly with institutional liaisons to ensure compliance.) During this reporting period, MHEC collected a total of \$168,500 in registration fees. Additionally, MHEC staff members continued to provide guidance to out-of-

state institutions that offer online programs that require a certificate of approval to operate in Maryland.

Responses

I. Number of institutions that applied in the reporting period: **247**

II. Type and size of institutions that applied:

Types of institutions that applied for registration with the Maryland Higher Education Commission

Type	Number of applicants for registration
Public	58
Private-for-profit	63
Private not-for-profit	126

Sizes of institutions that applied for registration with the Maryland Higher Education Commission¹

Very small two-year ² :	4	Small two-year ³ :	4
Medium two-year ⁴ :	2	Large two-year ⁵ :	1
Very large two-year ⁶ :	5	Very small four-year, primarily nonresidential ⁷ :	7
Very small four-year, primarily residential ⁸ :	2	Very small four-year, highly residential ⁹ :	3
Small four-year, primarily nonresidential ¹⁰ :	14	Small four-year, primarily residential ¹¹ :	20
Small four-year, highly residential ¹² :	11	Medium four-year, primarily nonresidential ¹³ :	18
Medium four-year, primarily residential ¹⁴ :	28	Medium four-year, highly residential ¹⁵ :	14
Large four-year, primarily nonresidential ¹⁶ :	32	Large four-year, primarily residential ¹⁷ :	30
Large four-year, highly residential ¹⁸ :	11	Special Focus Institution:	30
Not classified:	11		

¹ Based on Carnegie Classification of Institutions of Higher Education

² Fall enrollment data show full time equivalent (FTE) enrollment of fewer than 500 students at these associate's degree granting institutions.

³ Fall enrollment data show FTE enrollment of 500–1,999 students at these associate's degree granting institutions.

⁴ Fall enrollment data show FTE enrollment of 2,000–4,999 students at these associate's degree granting institutions.

⁵ Fall enrollment data show FTE enrollment of 5,000–9,999 students at these associate's degree granting institutions.

⁶ Fall enrollment data show FTE enrollment of at least 10,000 students at these associate's degree granting institutions.

⁷ Fall enrollment data show FTE enrollment of fewer than 1,000 degree-seeking students at these bachelor's degree granting institutions. Fewer than 25 percent of degree-seeking undergraduates live on campus and/or fewer than 50 percent attend full time (includes exclusively distance education institutions).

⁸ Fall enrollment data show FTE enrollment of fewer than 1,000 degree-seeking students at these bachelor's degree granting institutions. 25-49 percent of degree-seeking undergraduates live on campus and at least 50 percent attend full time.

⁹ Fall enrollment data show FTE enrollment of fewer than 1,000 degree-seeking students at these bachelor's degree granting institutions. At least half of degree-seeking undergraduates live on campus and at least 80 percent attend full time.

¹⁰ Fall enrollment data show FTE enrollment of 1,000–2,999 degree-seeking students at these bachelor's degree granting institutions. Fewer than 25 percent of degree-seeking undergraduates live on campus and/or fewer than 50 percent attend full time (includes exclusively distance education institutions).

¹¹ Fall enrollment data show FTE enrollment of 1,000–2,999 degree-seeking students at these bachelor's degree granting institutions. 25-49 percent of degree-seeking undergraduates live on campus and at least 50 percent attend full time.

III. Number of institutions approved for registration in the reporting period: **226**

IV. Number of institutions denied registration: **0**

V. Number of Maryland students enrolled at institutions required to register: **41,069**

VI. Results of the requirements of §11-202.3 of this subtitle:

§11-202.3

At least twice a year, the Commission shall peruse federal databases and other information sources to determine whether there are Maryland students who are enrolled in a fully online distance education program offered by an institution of higher education that is required to register with the Commission under § 11–202.2 of this subtitle, but that has failed to register with the Commission.

During the current reporting period, MHEC continued its investigatory efforts in compliance with §11-202.3, including follow-up with institutions accredited by the Distance Education and Training Council (DETC) that had not yet applied for registration in Maryland, and institutions identified through the Integrated Postsecondary Education Data System (IPEDS) as both having Maryland students enrolled and as offering distance education. These efforts have included letters sent to over 800 colleges and universities and have resulted in an additional 101 online registration applications received (to date). MHEC staff members continue to follow up with non-responding institutions to determine their status, as well as work with out-of-state institutional liaisons to facilitate the submission of new applications. MHEC is also looking into additional databases maintained by accrediting bodies and professional associations, similar to DETC, which are comprised of institutions with a significant distance education focus.

MHEC remains committed to online registration compliance. With the passing of the enabling legislation and adoption of regulations to join the State Authorization Reciprocity Agreement (SARA), and the approval of Maryland's SARA application by the Southern

¹² Fall enrollment data show FTE enrollment of 1,000–2,999 degree-seeking students at these bachelor's degree granting institutions. At least half of degree-seeking undergraduates live on campus and at least 80 percent attend full time.

¹³ Fall enrollment data show FTE enrollment of 3,000–9,999 degree-seeking students at these bachelor's degree granting institutions. Fewer than 25 percent of degree-seeking undergraduates live on campus and/or fewer than 50 percent attend full time (includes exclusively distance education institutions).

¹⁴ Fall enrollment data show FTE enrollment of 3,000–9,999 degree-seeking students at these bachelor's degree granting institutions. 25-49 percent of degree-seeking undergraduates live on campus and at least 50 percent attend full time.

¹⁵ Fall enrollment data show FTE enrollment of 3,000–9,999 degree-seeking students at these bachelor's degree granting institutions. At least half of degree-seeking undergraduates live on campus and at least 80 percent attend full time.

¹⁶ Fall enrollment data show FTE enrollment of at least 10,000 degree-seeking students at these bachelor's degree granting institutions. Fewer than 25 percent of degree-seeking undergraduates live on campus and/or fewer than 50 percent attend full time (includes exclusively distance education institutions).

¹⁷ Fall enrollment data show FTE enrollment of at least 10,000 degree-seeking students at these bachelor's degree granting institutions. 25-49 percent of degree-seeking undergraduates live on campus and at least 50 percent attend full time.

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Regional Education Board (SREB) in November 2015, we are realigning our processes to operate a dual track of compliance for online programs in the future: those falling under SARA and those requiring registration. As we move forward in these efforts, MHEC staff will investigate each nonresponsive or noncompliant institution's Web site to determine if it has revised and published its policies on enrolling Maryland students after having received one of our investigatory letters. We will also identify which institutions are in a SARA state, or are a SARA approved institution, to determine which institutions should be identified for further enforcement action.

VII. Number of institutions found to be in violation of the requirement to register: **95**

A total of 95 institutions were found to be in violation of the requirement to register as a result of MHEC's investigatory efforts summarized in Section VI. They were deemed in violation since it was determined that these non-registered institutions were already enrolling Maryland residents in fully online programs. As of this report, 70% (N=66) of these institutions have already submitted applications for registration, with the remaining 30% still in progress. No fines have been issued to these institutions to date, as MHEC staff members are still working with these institutions to bring them into compliance.

VIII. Any fines imposed, and in what amounts, on institutions that were found to be in violation: **0**

IX. Any fine revenues collected from institutions found to be in violation: **0**

Conclusion

Since 2012, MHEC has seen continued growth in the number of applications submitted through the out-of-state online registration process. As noted above, targeted compliance activities have yielded additional applications. However, MHEC anticipates a decrease in the number of online registration applications (both initial and renewal) during the upcoming reporting period as a result of Maryland's participation in SARA. To date, 32 states and over 500 individual colleges and universities have joined SARA. As previously discussed, Maryland's SARA application was approved by SREB in November 2015, and MHEC's Commissioners have approved an effective membership date of January 1, 2016. MHEC projects a corresponding decrease in revenues for both online registration and out-of-state certificates of approval, the full impact of which will not be felt until FY17. MHEC will offset a portion of these losses by charging in-state institutions an annual participation fee for SARA. A recently hired education analyst (replacement position) will coordinate both the online registration process and SARA portal agency responsibilities at MHEC and will be funded both by online registration fees and SARA fees.