



**Fully Online Distance Education Program Registration
Submitted by the Maryland Higher Education Commission
MSAR #10646
December 19, 2016**

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, 2015 through October 31, 2016 reporting period, MHEC received a total of 169 registration applications, including 22 initial applications and 147 renewal applications. During this time period, the Secretary of Higher Education issued registration to 82 out-of-state institutions. During this review period 17 of these institutions have been identified as participating in the State Authorization Reciprocity Agreements (SARA). (Note: Registrations are still being accepted and processed for the 2016-2017 academic year).

The applications are received and reviewed on an ongoing, rolling basis. An application

is not considered complete until all of the required documentation has been submitted in accordance with the registration procedures in §11-202.2(c). The outstanding applications are in the process of being reviewed, however, processing delays often occur when applications are missing vital information or insufficient documentation. MHEC staff must work directly with institutional liaisons to ensure compliance and obtain the missing documentation. This process lengthens the registration review process. Additionally, some institutions have not been responsive to initial requests for additional documentation or have submitted applications outside of the registration time-period in anticipation of membership in SARA. Notwithstanding, MHEC continues to enforce the online registration requirements with these institutions until membership in SARA has been established.

During this reporting period, MHEC collected a total of \$114,000 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: **169**
- 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	38
Private-for-profit	41
Private not-for-profit	90

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

Very small two-year ² :	6	Small two-year ³ :	1
Medium two-year ⁴ :	0	Large two-year ⁵ :	3
Very large two-year ⁶ :	1	Very small four-year, primarily nonresidential ⁷ :	9
Very small four-year, primarily residential ⁸ :	2	Very small four-year, highly residential ⁹ :	1
Small four-year, primarily nonresidential ¹⁰ :	5	Small four-year, primarily residential ¹¹ :	10
Small four-year, highly residential ¹² :	6	Medium four-year, primarily nonresidential ¹³ :	13
Medium four-year, primarily residential ¹⁴ :	20	Medium four-year, highly residential ¹⁵ :	15
Large four-year, primarily nonresidential ¹⁶ :	22	Large four-year, primarily residential ¹⁷ :	17
Large four-year, highly residential ¹⁸ :	11	Special Focus Institution:	21
Not classified:	6		

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.

III. Number of institutions approved for registration in the reporting period: **82**

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

V. Number of Maryland students enrolled at institutions required to register: **12,087**

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 previous reporting period, MHEC made 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. During that

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.

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.

¹⁸ Fall enrollment data show FTE enrollment of at least 10,000 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.

effort, MHEC sent letters to over 800 colleges and universities resulting in an additional 101 online registration applications received.

During the current reporting period, MHEC staff members have continued 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. Following the effort made by MHEC to identify noncompliant institutions, a number of institutions have also self-identified as needing to register. Many of these institutions have taken the appropriate steps to complete the online registration process. In order to ensure and increase compliance, MHEC is also reviewing 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. Following the enactment of legislation and the approval of Maryland's SARA application by the Southern Regional Education Board (SREB), Maryland became a member of SARA. In January 2016, the MHEC began implementing SARA and realigned processes to operate a dual track of compliance for online programs that fall under SARA and online program that require registration, in accordance with Maryland regulations.

In the instance that MHEC determines that an institution is noncompliant or nonresponsive with registration requirements, MHEC staff will investigate that institution's website to determine if it has revised and published its policies on enrolling Maryland students after having received notice that registration with our office is required. Following the successful results of the investigatory letters that were sent out by MHEC, a number of institutions have voluntarily contacted MHEC staff to inquire about out-of-state online registration procedures or to announce their participation in SARA. MHEC continues to make efforts to identify whether an institution is a member of SARA or a noncompliant entity that should complete online registration as required by §11-202.2. For any identified noncompliant institution, MHEC must then decide whether such an institution should be subject to further enforcement action, such as sanctions or fines, or prohibition from enrolling Maryland students. (Note: Maryland students that are enrolled in an institution that is found to be noncompliant will be allowed to complete the program in progress, in accordance with §11-204).

VII. Number of institutions found to be in violation of the requirement to register (during this reporting period): **30**

In the past, a number of 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. However, as of this report, fewer institutions have been found to be in violation of these requirements and most institutions have already submitted applications for registration, with some still in progress. Consequently, no fines have been imposed on any institutions to date, as MHEC staff members are still working with 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 has experienced a decrease in the number of online registration applications (both initial and renewal) during this reporting period as a result of Maryland's participation in SARA. Maryland's SARA application was approved by SREB in November 2015, and MHEC began implementing the agreement on January 1, 2016. To date, 44 states and the District of Columbia have joined SARA. There are currently over 1,000 individual colleges and universities that now participate in SARA. During this same period, MHEC has approved nineteen (19) Maryland institutions for membership in SARA. MHEC has seen 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 FY2017. MHEC has offset a portion of these losses by charging in-state institutions an annual participation fee for SARA. An education analyst position in Collegiate Affairs is devoted to the coordination of both the online registration process and the SARA portal agency responsibilities.