

# Policies

## Credit-by-Exam and Other Non-traditional Learning

Following is a list of the types of examinations and other non-traditional learning experiences that Frostburg State University will accept for credit towards a degree. Students will receive elective or required credit depending on the content of the test or other experience evaluated. As of May 2017, the programs listed here are the only forms of non-traditional credit accepted. Participants should consult the Admissions Office (301.687.4201) or the Associate Provost (301.687.4212) for the most up-to-date information.

Source	Score or Transcript Required
Advanced Placement Program (CEEB)	3 or higher
CLEP	Minimum score varies by subject area with no score lower than 50 accepted
International Baccalaureate	4 or higher on each standard/subsidiary or higher level exam
College Courses at High School	If credit is recorded on a college transcript
Departmental Exams from Other Colleges	If credit is recorded on a college transcript
Military Credit	If equivalent to courses in FSU's curriculum
Portfolio Credit from Other Colleges	If credit is recorded on a college transcript
FSU Special Departmental Exams	See following list of tests currently available

## Credit-by-Exam Policies

In addition to earning credit at FSU or transferring course credit from other accredited institutions, you may acquire credits through examination. The examinations accepted include Advanced Placement Examinations, College Level Examination Program (CLEP), International Baccalaureate exams and special departmental examinations.

### Recording of Credits

The grade AP, CL, IB, or CE (depending on the test) will appear on your transcript to indicate that the credits were earned by examination. Credit may be earned within your major as well as in general college and elective courses. Credit by exam will not be used in computing your cumulative grade point average.

## General Limitations

1. To earn credit by examination, you must be currently enrolled at Frostburg State University as a full-time or part-time student.
2. An examination cannot be used to remove a failure in a course completed at Frostburg or elsewhere.
3. An examination cannot be used to remove a low grade earned in a course completed at Frostburg or elsewhere.
4. An examination may not be repeated or retaken in order to earn a higher score.

## College Level Examination Program (CLEP)

CLEP is administered by the College Entrance Examination Board also. See the address in the Advanced Placement section, or consult <http://www.collegeboard.org/clep>.

The examinations consist of college-level general and subject examinations designed to measure knowledge acquired through means other than college course work.

The examinations stress understanding, the ability to perceive relationships, and a grasp of basic principles and concepts. General examinations are designed to measure general learning, often referred to as general education. Subject examinations are designed to measure achievement in the area of specific course or subject.

### Procedures

Procedures are identical with those noted above for Advanced Placement Examinations.

## Advanced Placement Examinations

Advanced Placement Examinations are available through the College Entrance Examination Board of the Educational Testing Service, Princeton, New Jersey 08540; [www.collegeboard.org/ap](http://www.collegeboard.org/ap).

You may receive credit by examination for grades of 3, 4 or 5 on the College Board Advanced Placement Examinations.

### Procedures

1. Make arrangements to take the Advanced Placement Examination at the appropriate time. Pay the examination fee to the appropriate agency.
2. Your official score must be sent directly by the testing agency to the Associate Provost. After you enroll at the University, you must request that your score be evaluated, and, if the score is high enough for credit to be given, reported to the Registrar's Office.
3. The credit will be recorded on your transcript without charge.

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## International Baccalaureate Programme

The International Baccalaureate Programme (IB) is a rigorous two-year curriculum offered in select secondary schools throughout the world. In order to receive college credit for IB, you must sit for the examination in each subject of study and ask IB to send an official transcript to FSU's Associate Provost.

Contact International Baccalaureate North America: toll free 1.866.826.4262; Fax 604.733.8970; [www.ibo.org](http://www.ibo.org).

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## Special Departmental Examinations

After paying a \$25 testing fee for each departmental exam, you may take a special examination in place of any course for which credit by examination has been established. If you pass the examination, the course will be waived, and you may receive credit for it by paying an additional processing fee. The department determines passing standards, as well as eligibility standards, if applicable. Students currently or formerly enrolled in a course are ineligible to take a special departmental exam to exempt from the same course.

### Procedures

1. Request permission from the Department Chair to be evaluated for credit in a particular course.
  2. Pay a \$25 administrative testing fee at the University & Student Billing Office.
  3. The Department Chair assigns an appropriate faculty member to evaluate you. In some cases, the department offers the exam on a regularly scheduled basis. See the list that follows.
  4. The faculty member evaluates your work according to quantitative and qualitative standards previously established by the department — for example, by an oral or written examination or by performance.
  5. If the faculty member's evaluation reveals that your achievement is equal or superior to that of a student passing the course in a traditional way, the department will report the grade of CE to the Registrar's Office on the form for granting course approval to students.
  6. Pay a processing fee of \$10 per credit hour to get the credit recorded on your transcript.
  7. You may take such exams only once.
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## Advanced Placement Tests (AP)

Following is the list of Advanced Placement Tests evaluated. Tests without course equivalency/credit listed may be accepted, but are not yet evaluated. Minimum score required is 3, unless otherwise noted

Title of Exam	FSU Course Equivalent(s)	Credit Hrs.	Title of Exam	FSU Course Equivalent(s)	Credit Hrs.
Art History	<i>Score of 3 or 4:</i> ART 100 Art Appreciation	3	English Language & Composition	<i>Score of 3 or 4:</i> ENGL 101 Freshman Composition	3
	<i>Score of 5:</i> ART 111 Honors: Art Appreciation	3		<i>Score of 5:</i> ENGL 111 Honors: Freshman Composition	3
Biology	BIOL 149 General Biology I	4	English Literature & Composition	<i>Score of 3:</i> ENGL 101 Freshman Composition	3
Calculus AB*	<i>Score of 3:</i> MATH 120 Pre-Calculus Mathematics	3		<i>Score of 4:</i> ENGL 101 Freshman Composition	
	<i>Score of 4 or 5:</i> MATH 236 Calculus I	4	<i>Score of 5:</i> ENGL 150 Introduction to Literature		3
<i>* FSU does not give credit for sub-scores.</i>			<i>Score of 5:</i> ENGL 111 Honors: Freshman Composition		3
Calculus BC	<i>Score of 3:</i> MATH 236 Calculus I	4	ENGL 250 Honors: Comparative Literature		3
	<i>Score of 4 or 5:</i> MATH 236 Calculus I	4			
	MATH 237 Calculus II	4			
Cambridge Capstone Seminar	<i>Score of 3 or 4:</i> IDIS 150 First-Year FSU Colloquium	3	Environmental Science	IDIS 160 Science, Technology and Society	3
	<i>Score of 5:</i> IDIS 151 Honors: First-Year FSU Colloquium	3	European History	HIST 195 History Elective	3
Cambridge Capstone Research Project	<i>Score of 3:</i> IDIS 195	3	French Language	FREN 101 Basic Elements of French I	3
				FREN 102 Basic Elements of French II	3
Cambridge A Level Global Perspectives and Research	<i>Score of 3 or 4:</i> IDIS 150 First-Year FSU Colloquium and IDIS 195	3 3	French Literature	FREN 195 French Elective	3
	<i>Score of 5:</i> IDIS 151 Honors: First-Year FSU Colloquium and IDIS 195	3 3	German Language	MDFL 195 Foreign Language Elective	6
			Govt. & Politics: Comparative	POSC 131 Introduction to Comparative Politics	3
Chemistry	<i>Score of 3 or 4:</i> CHEM 201 General Chemistry I	4	Govt. & Politics: U.S.	<i>Score of 3 or 4:</i> POSC 110 Introduction to American Politics	3
	<i>Score of 5:</i> CHEM 201 General Chemistry I CHEM 202 General Chemistry II	4 4	<i>Score of 5:</i> POSC 112 Honors: Introduction to American Politics	3	
Computer Science A	<i>Score of 3 or 4:</i> COSC 195 Computer Science Elective	3	Human Geography	<i>Score of 3 or 4:</i> GEOG 104 Human Geography	3
	<i>Score of 5:</i> COSC 240 Computer Science I	4	<i>Score of 5:</i> GEOG 114 Honors: Human Geography	3	
Computer Science Principles	<i>Score of 3:</i> COSC 195 Computer Science Elective	3	Internat'l. English Language/APIEL	<i>Not accepted</i>	
	<i>Score of 4 or 5:</i> COSC 101 The Discipline of Computer Science	3	Latin Literature	Evaluated at student request	
Economics: Macro	<i>Score of 3 or 4:</i> ECON 201 Principles of Economics (Macro)	3	Latin: Vergil	Evaluated at student request	
	<i>Score of 5:</i> ECON 211 Honors: Principles of Macroeconomics	3	Music Theory	<i>Score of 3 minimum:</i> MUSC 102 Theory I	3
Economics: Micro	<i>Score of 3 or 4:</i> ECON 202 Principles of Economics (Micro)	3	Aural Subscore	<i>Score of 3 minimum:</i> MUSC 104 Aural Skills I	1
	<i>Score of 5:</i> ECON 212 Honors: Principles of Microeconomics	3	Physics 1	<i>Score of 3:</i> PHSC 100 Cosmic Concepts	3
				PHSC 101 Measurement	1
				<i>Score of 4 or 5:</i> PHYS 215 General Physics I	4
			Physics 2	<i>Score of 3:</i> PHSC 100 Cosmic Concepts	3
				PHSC 101 Measurement	1
				<i>Score of 4 or 5:</i> PHYS 216 General Physics II	4

Title of Exam	FSU Course Equivalent(s)	Credit Hrs.
Physics C: Electricity & Magnetism	Score of 3:	
	PHSC 100 Cosmic Concepts	3
	PHSC 101 Measurement	1
	Score of 4 or 5:	
	PHYS 262 Prin. of Physics II: Electricity & Magnetism	4
Physics C: Mechanics	Score of 3:	
	PHSC 100 Cosmic Concepts	3
	PHSC 101 Measurement	1
	Score of 4 or 5:	
	PHYS 261 Principles of Physics I: Mechanics	4
Psychology	Score of 3 or 4:	
	PSYC 150 General Psychology	3
	Score of 5:	
	PSYC 151 Honors: General Psychology	3
Spanish Language	SPAN 101 Basic Elements of Spanish I	3
	SPAN 102 Basic Elements of Spanish II	3
Spanish Literature	SPAN 195 Spanish Elective	3

Title of Exam	FSU Course Equivalent(s)	Credit Hrs.
Statistics	Score of 3 or 4:	
	MATH 109 Elements of Appl. Prob. & Statistics	3
	Score of 5:	
	MATH 110 Honors: Elements of Appl. Prob. & Statistics	3
Studio Art: Drawing	ART 212 Drawing	3
Studio Art: 2D Design	ART 104 Two-Dimensional Design	3
Studio Art: 3D Design	ART 105 Three-Dimensional Design	3
U.S. History	HIST 103 History of the United States	3
	HIST 104 History of the United States	3
World History	HIST 114 World History	3

## International Baccalaureate Exams (IB)

Following is the list of International Baccalaureate Exams currently evaluated. Exams without course equivalency/credit listed may be accepted, but are not yet evaluated. Minimum score required is 4 on the Standard or Higher Level exam unless otherwise noted.

Title of Exam	FSU Course Equivalent(s)	Credit Hrs.	
Language A1	Score of 4 or 5 (Standard):		
	ENGL 101 Freshman Composition	3	
	Score of 6 or 7 (Standard):		
	ENGL 111 Honors: Freshman Composition	3	
	ENGL 250 Honors: Comparative Literature	3	
	Score of 4 (Higher Level):		
	ENGL 101 Freshman Composition	3	
	Score of 5 (Higher Level):		
	ENGL 101 Freshman Composition	3	
	ENGL 150 Introduction to Literature	3	
Language A2	Score of 6 or 7 (Higher Level):		
	ENGL 111 Honors: Freshman Composition	3	
	ENGL 250 Honors: Comparative Literature	3	
	Syllabus review required.		
	Contact Foreign Language Department.		
	Language B (French)	Score of 4 (Standard):	
		FREN 101 Basic Elements of French I	3
		Score of 5, 6 or 7 (Standard):	
		FREN 101 and 102 Basic Elements of French I and II	6
	(Spanish)	Score of 4 (Standard):	
SPAN 101 Basic Elements of Spanish I		3	
Score of 5, 6 or 7 (Standard):			
SPAN 101 and 102 Basic Elements of Spanish I and II		6	
Language B (Other languages)	Score of 4 or higher (Higher Level):		
	SPAN 101 and 102 Basic Elements of Spanish I and II	6	
	Syllabus review required. Contact Foreign Language Department.		

Title of Exam	FSU Course Equivalent(s)	Credit Hrs.
Language ab initio	Syllabus review required. Contact Foreign Language Department.	
Business & Management	BUAD 100 Introduction to Business	3
Economics	Score of 4 or 5:	
	ECON 200 Basic Economics	3
	Score of 6 or 7:	
	ECON 211 Honors: Principles of Macroeconomics	3
Geography	Score of 4 or 5:	
	GEOG 104 Human Geography	3
	Score of 6 or 7:	
	GEOG 114 Honors: Human Geography	3
History	Score of 4 or 5:	
	HIST 100 Contemp. World in Historical Perspective	3
	Score of 6 or 7:	
	HIST 111 Honors: Contemp. World in Historical Perspective	3
Special Topics in History	Syllabus review required. Contact History Department.	3
Info. Tech. in a Global Society	COSC 100 Introduction to Computer Science	3
Philosophy	Score of 4 or higher (Standard):	
	PHIL 101 Introduction to Philosophy	3
	Score of 4 or 5 (Higher Level):	
	PHIL 101 Introduction to Philosophy	3
	PHIL 195 Philosophy Elective	3
	Score of 6 or 7 (Higher Level):	
	PHIL 111 Honors: Introduction to Philosophy	3
	PHIL 195 Philosophy Elective	3

Title of Exam	FSU Course Equivalent(s)	Credit Hrs.
Psychology	Score of 4 or 5: PSYC 150 General Psychology	3
	Score of 6 or 7: PSYC 151 Honors: General Psychology	3
Social & Cultural Anthropology	SOCI 224 Cultural Anthropology	
Biology	BIOL 149 General Biology I	4
Chemistry	Score of 4 or 5: CHEM 201 General Chemistry I	4
	Score of 6 or 7: CHEM 201 General Chemistry I	4
	CHEM 202 General Chemistry II	4
Design Technology	PHYS 195 Physics Elective	3
Environmental Systems	IDIS 160 Science, Technology and Society	3
Physics	Score of 4 or 5 (Higher Level): PHYS 215 General Physics I	4
	Score of 6 or 7 (Higher Level): PHYS 215 General Physics I	4
	PHYS 216 General Physics II	4
Further Mathematics	Score of 4 (Standard): MATH 236 Calculus I	4
	Score of 5, 6 or 7: MATH 236 Calculus I and at least one additional course from MATH 237 or MATH 380.	4
	(Syllabus review required. Contact Math Dept.)	3-4

Title of Exam	FSU Course Equivalent(s)	Credit Hrs.
Mathematics Higher Level	Score of 4: MATH 120 Pre-Calculus Mathematics	3
	Score of 5, 6, or 7: MATH 120 Pre-Calculus Mathematics and at least one additional course from among MATH 236, MATH 237 or MATH 380. (Syllabus review required. Contact Math Department.)	3-4
Mathematical Methods	Score of 4 (Standard): MATH 119 College Algebra	3
	Score of 5, 6 or 7 (Standard): MATH 120 Pre-Calculus Mathematics	3
	Score of 4 (Higher Level): MATH 120 Pre-Calculus Mathematics	3
	Score of 5, 6 or 7 (Higher Level): MATH 236 Calculus I	4
Mathematical Studies	Score of 4 (Standard): MATH 104 Intro to Math. Problem-Solving	3
	Score of 5, 6 or 7: (Standard): MATH 104 Intro. to Math. Problem-Solving and possibly one additional course from among MATH 109, MATH 119, or MATH 120. (Syllabus review required. Contact Math Dept.)	3
Computer Science	Score of 4 or 5: COSC 100 Introduction to Computer Science	3
	Score of 6 or 7: COSC 110 Honors: Introduction to Computer Science	3
Visual Arts	Score of 4 or 5: ART 100 Art Appreciation	3
	Score of 6 or 7: ART 111 Honors: Art Appreciation	3
Music	MUSC 195 Music Elective	3
Theatre Arts	THEA 195 Theatre Elective	3

## College-Level Examination Program (CLEP)

Following is the list of College Level Examination Program exams currently evaluated. Exams without course equivalency/credit listed may be accepted but are not yet evaluated. Minimum score required is 50, unless otherwise noted.

Title of Exam	FSU Course Equivalent(s)	Credit Hrs.
<b>General</b>		
College Composition	ENGL 101 Freshman Composition	3
	<i>Score of 70 or higher:</i> ENGL 111 Honors: Freshman Composition	3
Humanities	HUMA 195 Humanities Elective	6
Mathematics	MATH 195 Mathematics Elective	6
Natural Sciences	SCIE 195 Natural Science Elective	6
Social Sciences & History	SOSC 195 Social Science Elective	6
<b>Composition and Literature</b>		
American Literature	ENGL 261 American Lit.: Colonial to Present	3
Analyzing & Interpreting Literature	ENGL 150 Introduction to Literature	3
	<i>Score of 70 or higher:</i> ENGL 250 Honors: Comparative Literature	3
English Literature	ENGL 260 British Literature: Beowulf to Present	3
College Composition Modular	ENGL 101 Freshman Composition	3
	<i>Score of 70 or higher</i> ENGL 250 Honors: Comparative Literature	3
<b>Foreign Languages</b>		
College-level French	<i>Level I: Score of 50 minimum:</i>	
	FREN 101 Basic Elements of French I	3
	FREN 102 Basic Elements of French II	3
	<i>Level II: Score of 59 minimum:</i>	
	FREN 101 Basic Elements of French I	3
	FREN 102 Basic Elements of French II	3
	FREN 211 French Grammar, Composition, and Conversation I	3
	FREN 212 French Grammar, Composition, and Conversation II	3
College-level German	Evaluated at student request	
College-level Spanish	<i>Level I: Score of 50 minimum:</i>	
	SPAN 101 Basic Elements of Spanish I	3
	SPAN 102 Basic Elements of Spanish II	3
	<i>LEVEL II: Score of 63 minimum:</i>	
	SPAN 101 Basic Elements of Spanish I	3
	SPAN 102 Basic Elements of Spanish II	3
	SPAN 211 Spanish Grammar, Composition, and Conversation I	3
	SPAN 212 Spanish Grammar, Composition, and Conversation II	3
<b>Social Sciences and History</b>		
American Government	POSC 110 Introduction to American Politics	3
	<i>Score of 70 or higher:</i> POSC 112 Honors: Introduction to American Politics	3

Title of Exam	FSU Course Equivalent(s)	Credit Hrs.
History of the U.S. I: Early Colonizations to 1877	HIST 103 History of the U.S. (to 1876)	3
History of the U.S. II: 1865 to the Present	HIST 104 History of the U. S. (1876 to present)	3
Human Growth & Development	<i>Score of 55 minimum required:</i> PSYC 210 Child Development	3
Intro to Educational Psychology	EDUC 202 Foundations of Learning and Instruction	3
Introductory Psychology	PSYC 150 General Psychology	3
	<i>Score of 70 or higher</i> PSYC 151 Honors: General Psychology	3
Introductory Sociology	SOCI 100 Intro to Sociology	3
	<i>Score of 70 or higher</i> SOCI 111 Honors: Introduction to Sociology	3
Principles of Macroeconomics	ECON 201 Principles of Economics (Macro)	3
	<i>Score of 70 or higher</i> ECON 211 Honors: Principles of Macroeconomics	3
Principles of Microeconomics	ECON 202 Principles of Economics (Micro)	3
	<i>Score of 70 or higher</i> ECON 212 Honors: Principles of Microeconomics	3
Western Civilization I: 1648	HIST 195 History Elective Ancient Near East to 1648	3
Western Civilization II:	HIST 195 History Elective 1648 to the Present	3
<b>Science and Mathematics</b>		
Calculus w/Elementary Functions	MATH 236 Calculus I	4
College Algebra	MATH 119 College Algebra	3
College Algebra-Trigonometry	MATH 120 Pre-Calculus Mathematics	3
College Mathematics	MATH 195 Mathematics Elective	3
General Biology	BIOL 149 General Biology I	4
General Chemistry	CHEM 201 General Chemistry I	4
<b>Business</b>		
Information Systems & Computer Applications: <i>Evaluated at student request</i>		
Introductory Business Law	BLAW 291 Legal Environment of Business	3
Principles of Accounting	ACCT 211 Financial Accounting	3
Principles of Management	MGMT 251 Management of Organizations	3
Principles of Marketing	MKTG 361 Principles of Marketing	3

## Special Departmental Exams

Below are listed special departmental examinations currently offered on campus. Students who believe they qualify for credit by exam must take the examination prior to signing up for the course. See the current Undergraduate Registration Guide for specific test dates or contact the department offering the exam for specific information.

Course	Credit Earned	
ACCT 211	Financial Accounting	3
ACCT 212	Managerial Accounting	3
ACCT 311	Intermediate Accounting I	3
BIOL 109	Human Biology & the Environment	4
BIOL 149	General Biology I	4
BMIS 320	Advanced Computer Applications in Business	3
COSC 100	Intro. to Computer Science	3
COSC 101	The Discipline of Computer Science	3
COSC 240	Computer Science I	4
COSC 350	Computer Org./Assem.Language	3
ENGL 101	Freshman Comp.	3
ENGL 308	Soc. Science Adv. Comp	3
ENGL 310	General Adv. Comp.	3
GEOG 103	Physical Geography	4
GEOG 104	Human Geography	3
GEOG 207	Physical Geology and Geomorphology	4
GEOG 208	Earth System History	4
GEOG 275	Fundamentals of Geographic Data Handling	3
HEED 100	Personal Wellness	2
MATH 104	Intro. to Math Problem-Solving	3
MATH 109	Elements of Probability & Statistics	3
MATH 118	Applied Mathematics for Business	3
MATH 119	College Algebra	3
MATH 120	Pre-Calculus Math.	3
MATH 220	Calculus for Applications I	3
MATH 236	Calculus I	4
MUSC 100	Introduction to Music Theory	2
MUSC 102	Tonal Analysis I	3
MUSC 104	Aural Musicianship I	2
PHSC 203	Physical Science	4
SOWK 375	Human Behavior & the Social Environment	3

You may also receive credit by accelerated placement in foreign languages by passing a higher level course with a grade of C or better. You must pay a fee of \$10 per credit. Accelerated placement credit is available in: FREN 101, 102, 211, 212, 250; SPAN 101, 102, 211, 212, 250 (3 credits per course).

# Policies

## USM Bylaws, Policies and Procedures of the Board of Regents

### Policy on Student Classification for Admission and Tuition Purposes

(Approved by the Board of Regents August 28, 1990; Amended July 10, 1998; Amended November 27, 2000; Amended April 11, 2003; Amended June 23, 2006, Amended February 15, 2008, Amended October 24, 2014; Amended April 10, 2015; Amended February 17, 2017. Amended June 16, 2017. Amended April 19, 2019.)

Check the USM website ([www.usmd.edu/regents/bylaws/SectionVIII](http://www.usmd.edu/regents/bylaws/SectionVIII)) for the most up-to-date version.

#### I. Policy

##### A. Purpose

To extend the benefits of its system of higher education while encouraging the economical use of the State's resources,<sup>1</sup> it is the policy of the Board of Regents of the University System of Maryland (USM) to recognize the categories of in-state and out-of-state residency for the purpose of admission and assessing tuition at USM institutions.

##### B. Qualification for In-State Status

Generally, in order to qualify for in-state status, a prospective, returning, or current student must demonstrate that he or she is a permanent Maryland resident. Under certain circumstances, as set forth in this Policy, students who are not permanent Maryland residents may qualify temporarily for in-state status. Students who do not qualify for in-state status under this Policy shall be assigned out-of-state status for admission and tuition purposes.

##### C. Standard of Proof

The student seeking in-state status shall have the burden of proving by clear and convincing evidence that he or she satisfies the requirements and standards set forth in this Policy. Assignment of in-state or out-of-state status will be made by each USM institution upon a review of the totality of facts known or presented to it.

#### II. Determination of Residency Status

##### A. Criteria for Determination of Residency Status

An initial determination of residency status will be made at the time of admission and readmission based upon information provided by the student with the signed application certifying that the information provided is complete and correct. Additional information may be requested by the institution, to clarify facts presented. To qualify for in-state status, the student must demonstrate that for at least 12 consecutive months immediately prior to and including the last date available to register for courses for the semester/term for which the student seeks in-state status,

the student had the continuous intent to reside in Maryland indefinitely and for a primary purpose other than that of attending an educational institution in Maryland. The student will demonstrate the requisite intent by satisfying all of the following requirements for the 12-month period (or shorter period indicated):

1. Has continuously maintained his or her primary living quarters in Maryland.
2. Has substantially all personal property, such as household effects, furniture, and pets, in Maryland.
3. Has paid Maryland income tax on all taxable income, including all taxable income earned outside of Maryland, and has filed a Maryland Resident Tax Return.
4. Has registered all owned or leased motor vehicles in Maryland for at least 12 consecutive months, if previously registered in another state. Students who have lived in Maryland for at least 12 consecutive months but who have had their motor vehicle(s) registered in Maryland for less than 12 months will be deemed to have satisfied this requirement if they can show evidence that their owned or leased motor vehicle(s) was (were) registered in Maryland within 60 days after moving to the state.
5. Has possessed a valid Maryland driver's license for at least 12 consecutive months, if previously licensed to drive in another state. Students who have lived in Maryland for at least 12 consecutive months but who have held a Maryland driver's license for less than 12 months will be deemed to have satisfied this requirement if they can show evidence that their driver's license was issued in Maryland within 60 days after moving to the state.
6. Is currently registered to vote in Maryland, if previously registered to vote in another state (no time requirement).
7. Receives no public assistance from a state other than the State of Maryland or from a city, county, or municipal agency other than one in Maryland.
8. Has a legal ability under Federal and Maryland law to live permanently and without interruption in Maryland.

##### B. Presumption of Out-of-State Status

Either of the following circumstances raises a presumption that the student is residing in the State of Maryland primarily for the purpose of attending an educational institution and, therefore, does not qualify for in-state status under this Policy:

1. A student is attending school or living outside Maryland at the time of application for admission to a USM institution, or
2. A student is Financially Dependent on a person who is not a resident of Maryland. A student will be considered financially independent if the student provides 50% or more of his or her own living and educational expenses and has not been claimed as a dependent on another person's most recent tax returns.



### III. Change in Classification for Tuition

#### Purposes

##### A. Petition for Change in Classification for Tuition

###### Purposes

After the initial determination is made, a student seeking a change to in-state tuition status must submit a Petition for Change in

Classification for Tuition Purposes that includes all of the information the student wishes the institution to consider. All information must be submitted by the institution's deadline for submitting a petition for the semester for which the student seeks reclassification. Only one Petition may be filed per semester.

##### B. Criteria for Change in Tuition Status

A student seeking reclassification from out-of-state to in-state tuition status must demonstrate, by clear and convincing evidence, that for at least twelve (12) consecutive months immediately prior to and including the last date available to register for courses for the semester/term for which the student seeks in-state tuition status, the student had the continuous intent to 1) make Maryland his or her permanent home; 2) abandon his or her former home state; 3) reside in Maryland indefinitely; and reside in Maryland primarily for a purpose other than that of attending an educational institution in Maryland.

A student will demonstrate the requisite intent by satisfying all of the following requirements for a period of at least twelve (12) consecutive months (or for the shorter period of time indicated) immediately prior to and including the last date available to register for courses in the semester/term for which the student seeks in-state tuition status. Evidence of intent must be clear and convincing and will be evaluated not only by the amount presented but also based upon the reliability, authenticity, credibility and relevance of the evidence and the totality of facts known to the institution. The student must demonstrate (providing appropriate documentation as necessary) that for the relevant period he or she:

1. Continuously maintained his or her primary living quarters in Maryland.
2. Has substantially all of his or her personal property, such as household effects, furniture and pets, in Maryland.
3. Has paid Maryland income tax on all taxable income including all taxable income earned outside the State and has filed a Maryland Resident Tax Return.
4. Has registered all owned or leased motor vehicles in Maryland for at least 12 consecutive months, if previously registered in another state. Students who have lived in Maryland for at least 12 consecutive months but who have had their motor vehicle(s) registered in Maryland for less than 12 months will be deemed to have satisfied this requirement if they can show evidence that their owned or leased motor vehicle(s) was (were) registered in Maryland within 60 days after moving to the state.
5. Has possessed a valid Maryland driver's license for at least 12 consecutive months, if previously licensed to drive in another state. Students who have lived in Maryland for at least 12 consecutive months but who have held a Maryland driver's license for less than 12 months will be deemed to have satisfied this requirement if they can show evidence

that their driver's license was issued in Maryland within 60 days after moving to the state.

6. Is currently registered to vote in Maryland, if previously registered to vote in another state (no time requirement).
7. Receives no public assistance from a state other than the State of Maryland or from a city, county or municipal agency other than one in Maryland.
8. Has a legal ability under Federal and Maryland law to live permanently without interruption in Maryland.
9. Has either not raised the presumption set forth in Section II.B above; or alternatively, if the student's circumstances have raised the presumption set forth in Section II.B above, the student has rebutted that presumption.

##### C. Rebuttal Evidence

If the information received by the institution about the student has raised the presumption set forth in Section II.B, the student bears the burden of rebutting the presumption set forth in Section II.B by presenting additional evidence of objectively verifiable conduct to rebut the presumption and show the requisite intent. Rebuttal evidence of intent must be clear and convincing and will be evaluated not only by the amount presented but also based upon the reliability, authenticity, credibility and relevance of the evidence and the totality of facts known to the institution. Evidence that does not document a period of at least twelve (12) consecutive months immediately prior to and including the last date available to register for courses in the semester/term for which the student seeks in-state tuition status is generally considered an unfavorable factor under this Policy. The absence of objective, relevant evidence is generally considered an unfavorable factor. A student's statement of intent to remain in Maryland in the future is generally not considered to be objective evidence under this Policy.

For purposes of rebutting the presumption, additional evidence that will be considered includes, but is not limited to:

1. Source of financial support:
  - a. Maryland employment and earnings history through sources beyond those incident to enrollment as a student in an educational institution e.g., beyond support provided by work study, scholarships, grants, stipends, aid, student loans, etc., (Tuition costs will be considered as a student expense only to the extent tuition exceeds the amount of any educational scholarship, grant, student loan, etc.), **or**
  - b. Evidence the student is Financially Dependent upon a person who is a resident of Maryland.
2. Substantial participation as a member of a professional, social, community, civic, political, athletic or religious organization in Maryland, including professionally related school activities that demonstrate a commitment to the student's community or to the State of Maryland.
3. Registration as a Maryland resident with the Selective Service, if applicable.
4. Evidence that the student is married to a Maryland resident.

5. Evidence that the student attended schools in Maryland for grades K-12.
6. Evidence showing the student uses his or her Maryland address as his or her sole address of record for all purposes including on health and auto insurance records, bank accounts, tax records, loan and scholarship records, school records, military records, leases, etc.
7. An affidavit from a person unrelated to the student that provides objective, relevant evidence of a student's conduct demonstrating the student's intent to reside in Maryland primarily for a purpose other than that of attending an educational institution in Maryland.
8. Evidence of life and employment changes that caused the student to relocate to Maryland for reasons other than primarily educational purposes (e.g. divorce, family relocation, taking care of a sick family member, etc.)

#### **D. Appeal**

A student may appeal an adverse decision on a Petition for Change in Classification.

#### **E. Change in Circumstances Altering In-State Status**

The student shall notify the USM institution in writing within fifteen (15) days of any change in circumstances which may alter in-state status. Failure to do so could result in retroactive charges for each semester/term affected.

#### **F. Incomplete, Untimely, False or Misleading Information**

If necessary information is not provided by the institution's deadline, the USM institution may, at its discretion, deny or revoke in-state status. In the event incomplete, false, or misleading information is presented, the USM institution may, at its discretion, revoke in-state status and take disciplinary action provided for by the institution's policies. Such action may include suspension or expulsion. In such cases, the institution reserves the right to retroactively assess all out-of-state charges for each semester/term affected

### **IV. Criteria for Temporary Qualification of Non-Residents for In-State Status**

Non-residents with the following status shall be accorded the benefits of in-state status for the period in which they hold such status, if they provide clear and convincing evidence through documentation, by the institution's deadline for the semester for which they seek in-state status, showing that they fall within one of the following categories:

- A. A full-time or part-time (at least 50 percent time) regular employee of USM or a USM institution.
- B. The spouse or Financially Dependent child of a full-time or part-time (at least 50 percent time) regular employee of USM or a USM institution.
- C. An active duty member of the Armed Forces of the United States as defined in 38 U.S.C.A. § 101(10) as the United States Army, Navy, Marine Corps, Air Force, and Coast Guard, including the reserve components thereof, who is stationed in Maryland, resides in Maryland, or is domiciled in Maryland, or his/her spouse or a financially dependent child of that active duty

member. Spouses and children who qualify for exemptions under this provision will retain in-state status for tuition purposes as long as they are continuously enrolled, regardless of whether the active duty member's station assignment, residence, or domicile remains in Maryland.<sup>2</sup>

D. A veteran of the Armed Forces of the United States who provides documentation that he or she was honorably discharged and currently resides or is domiciled in Maryland.<sup>3</sup>

E. A veteran who lives in Maryland and was discharged from a period of at least 90 days of service in the active military, naval, or air service less than three years before the date of the veteran's enrollment and is pursuing a course of education with educational assistance under the Montgomery G.I. Bill (38 U.S.C. §3001) or the Post-9/11 G.I. Bill (38 U.S.C. §3301).<sup>4</sup> A veteran so described will continue to retain in-state status if the veteran is enrolled prior to the expiration of the three-year period following discharge, is using educational benefits under either chapter 30 or chapter 33, of title 38, United States Code, and remains continuously enrolled (other than during regularly scheduled breaks between courses, semesters, or terms) at the same school

F. Anyone who lives in Maryland, and:

1. Is using transferred Post-9/11 G.I. Bill benefits (38 U.S.C. §3319) and enrolls within three years of the transferor's discharge or release from a period of at least 90 days of service in the active military, naval or air service; or
2. Is using transferred Post-9/11 G.I. Bill benefits (38 U.S.C. §3319) and the transferor is a member of the uniformed services who is serving on active duty; or
3. Is using benefits under the Marine Gunnery Sergeant John David Fry Scholarship (38 U.S.C. §3311(b)(9)).<sup>5</sup>
4. Is entitled to rehabilitation under 38 U.S.C. §3102(a)

An individual as described in this Section IV.F will continue to retain in-state status if the individual is using educational benefits under chapter 30, 31, or 33, of title 38, United States Code, and remains continuously enrolled (other than during regularly scheduled breaks between courses, semesters, or terms) at the same school.

G. A member of the Maryland National Guard, as defined in the Public Safety Article of the Maryland Annotated Code, who joined or subsequently serves in the Maryland National Guard to: (i) provide a critical military occupational skill; or (ii) be a member of the Air Force Critical Specialty Code as determined by the National Guard.

H. For UMUC, only, a full-time active member of the Armed Forces of the United States on active duty, or his/her spouse.

I. A graduate assistant appointed through a USM institution for the semester/term of the appointment. Except through prior arrangement, this benefit is available only for enrollment at the institution awarding the assistantship.

### **V. Additional Procedures**

Each USM institution shall develop and publish additional procedures to implement this Policy. Procedures shall provide that on request the institution President or designee has the authority

to waive any requirement set forth in Section II if it is determined that the application of the requirements creates an unjust result. These procedures shall be filed with the Office of the Chancellor.

## VI. Definitions

**A. Financially Dependent:** For the purposes of this Policy, a financially dependent student is one who has been claimed as a dependent on another person's prior year tax returns or is a ward of the State of Maryland.

**B. Financially Independent:** For the purposes of this Policy, a financially independent student is one who provides 50% or more of his or her own living and educational expenses and has not been claimed as a dependent on another person's most recent tax returns.

**C. Parent:** A parent may be a natural parent, or, if established by a court order recognized under the law of the State of Maryland, an adoptive parent.

**D. Guardian:** A guardian is a person so appointed by a court order recognized under the laws of the State of Maryland.

**E. Spouse:** A spouse is a partner in a legally contracted marriage.

**F. Child:** A child is a natural child or a child legally adopted pursuant to a court order recognized under the law of Maryland.

**G. Regular Employee:** A regular employee is a person employed by USM or a USM institution who is assigned to a State budget line or who is otherwise eligible to enroll in a State retirement system. Examples of categories NOT considered regular employees are graduate students, contingent employees, and independent contractors.

### H. Continuous Enrollment:

1. Undergraduate Student – An undergraduate student who is enrolled at a USM institution for consecutive fall and spring semesters, until completion of the student's current degree program or unless on an approved leave of absence or participating in an approved program off-campus.
2. Graduate and Professional – Continuous enrollment for a graduate or professional student is defined by the institution in accordance with program requirements.

**I. Armed Forces of the United States:** As defined in 38 U.S.C.A. § 101(10) as the United States Army, Navy, Marine Corps, Air Force, and Coast Guard, including the reserve components thereof.

## VII. Implementation

This Policy as amended by the Board of Regents on April 19, 2019, shall be applied to all student tuition classification decisions effective Summer semester 2019 and thereafter.

## FSU Procedure for Residency Status Appeals

Any student who wishes to appeal the decision of residency status previously determined by the Office of the Registrar or the Admissions Office, may do so in writing to the Appeals Board for Residency Status. This board shall consist of representatives designated by the Provost, the Vice President for Student and Educational Services, and the Vice President for Administration and Finance. The appeal will be reviewed by the board members in the order listed. Only by unanimous agreement of the board members will the decision of the Office of the Registrar or Admissions be overruled. Upon request, the President or designee has the authority to waive any residency requirements if it is determined that the student is indeed a permanent resident and application of the criteria creates an unjust result.

A student desiring to appeal should obtain and submit the University System of Maryland "Petition for Change in Classification for Tuition" through the office that made the original residency status decision, the Office of the Registrar or the Admissions Office.

<sup>1</sup> Annotated Code of Maryland, Education Article §12-101.

<sup>2</sup> Annotated Code of Maryland, Education Article § 15-106.4.

<sup>3</sup> Annotated Code of Maryland, Education Article § 15-106.4.

<sup>4</sup> 38 U.S.C.A. § 3679(c).

<sup>5</sup> 38 U.S.C.A. § 3679(c)

# General Education and Transfer

TITLE 13B - MARYLAND HIGHER EDUCATION COMMISSION

Subtitle 06 General Education and Transfer

Chapter 01 Public Institutions of Higher Education

Authority: Education Article, 11-201 - 11-206 Annotated Code of Maryland

## .01 Scope and Applicability.

This chapter applies only to public institutions of higher education.

## .02 Definitions.

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

- (1) "A.A. degree" means the Associate of Arts degree.
- (2) "A.A.S. degree" means the Associate of Applied Sciences degree.
- (3) "A.A.T. degree" means the Associate of Arts in Teaching degree.
- (4) "A.F.A. degree" means the Associate of Fine Arts degree.
- (5) "Arts" means courses that examine aesthetics and the development of the aesthetic form and explore the relationship between theory and practice.
- (6) "A.S. degree" means the Associate of Sciences degree.
- (7) "A.S.E. degree" means the Associate of Science in Engineering degree.
- (8) "Associate's degree" includes an:
  - (a) A.A. degree;
  - (b) A.S. degree;
  - (c) A.A.S. degree;
  - (d) A.A.T. degree;
  - (e) A.F.A. degree; and
  - (f) A.S.E. degree.
- (9) "Biological and physical sciences" means courses that examine living systems and the physical universe. They introduce students to the variety of methods used to collect, interpret, and apply scientific data, and to an understanding of the relationship between scientific theory and application.
- (10) "Cumulative grade point average" means the average of grades received for completed coursework at all institutions attended.
- (11) "English composition courses" means courses that provide students with communication knowledge and skills appropriate to various writing situations, including intellectual inquiry and academic research.
- (12) "General education" means the foundation of the higher education curriculum providing a coherent intellectual experience for all students.
- (13) "General education program" means a program that is designed to:
  - (a) Introduce undergraduates to the fundamental knowledge, skills, and values that are essential to the study of academic disciplines;
  - (b) Encourage the pursuit of lifelong learning; and
  - (c) Foster the development of educated members of the community and the world.
- (14) "Humanities" means courses that examine the values and cultural heritage that establish the framework for inquiry into the meaning of life.
- (15) "Mathematics" means courses that provide students with numerical, analytical, statistical, and problem-solving skills.
- (16) "Native student" means a student whose initial college enrollment was at a given institution of higher education and who has not transferred to another institution of higher education since that initial enrollment.
- (17) "Parallel program" means the program of study or courses at one institution of higher education that has parallel courses and comparable objectives as those at another higher education institution, for example, a transfer program in psychology in a community college is definable as a parallel program to a baccalaureate psychology program at a 4-year institution of higher education.
- (18) "Receiving institution" means the institution of higher education at which a transfer student currently desires to enroll.
- (19) "Recommended transfer program" means a planned program of courses, both general education and courses in the major, taken at a community college, which is applicable to a baccalaureate program at a receiving institution, and ordinarily the first half of the baccalaureate degree.
- (20) "Reverse transfer" means a process whereby credits that a student earns at any public senior higher education institution in the State toward a bachelor's degree are transferrable to any community college in the State for credit toward an associate's degree.
- (21) "Sending institution" means the institution of higher education of most recent previous enrollment by a transfer student at which transferable academic credit was earned.
- (22) "Social and behavioral sciences" means courses that are concerned with the examination of society and the relationships among individuals within a society.

- (23) “Transfer student” means a student entering an institution for the first time having successfully completed a minimum of 12 semester hours at another institution that are applicable for credit at the institution the student is entering.

## **.02-1 Admission of Transfer Students to Public Institutions.**

### **A. Admission to Institutions.**

- (1) Subject to §B of this regulation, a student attending a public institution who has completed an associate’s degree or who has completed 60 or more semester hours of credit, may not be denied direct transfer to another public institution if the student attained a cumulative grade point average of at least 2.0 on a 4.0 scale or its equivalent at the sending institution, except as provided in §A(4) of this regulation.
- (2) Subject to §B of this regulation, a student attending a public institution who has not completed an associate’s degree or who has completed fewer than 60 semester hours of credit, is eligible to transfer to a public institution regardless of the number of credit hours earned if the student:
  - (a) Satisfied the admission criteria of the receiving public institution as a high school senior; and
  - (b) Attained at least a cumulative grade point average of 2.0 on a 4.0 scale or its equivalent at the sending institution.
- (3) Subject to §B of this regulation, a student attending a public institution who did not satisfy the admission criteria of a receiving public institution as a high school senior, but who has earned sufficient credits at a public institution to be classified by the receiving public institution as a sophomore, shall meet the stated admission criteria developed and published by the receiving public institution for transfer.
- (4) If the number of students seeking admission exceeds the number that can be accommodated at a receiving public institution, admission decisions shall be:
  - (a) Based on criteria developed and published by the receiving public institution on the institution’s website; and
  - (b) Made to provide fair and equal treatment for native and transfer students.

### **B. Admission to Programs.**

- (1) A receiving public institution may require additional program admission requirements to some programs if the standards and criteria for admission to the program:
  - (a) Are developed and published by the receiving public institution; and
  - (b) Maintain fair and equal treatment for native and transfer students.
- (2) Courses taken at a public institution as part of a recommended transfer program leading toward a baccalaureate degree shall be applicable to related programs at a receiving public institution granting the baccalaureate degree.

### **C. Receiving Institution Program Responsibility.**

- (1) The faculty of a receiving public institution is responsible for development and determination of the program requirements in major fields of study for a baccalaureate degree, including courses in the major field of study taken in the lower division.
- (2) A receiving public institution may set program requirements in major fields of study which simultaneously fulfill general education requirements.
- (3) A receiving public institution, in developing lower division course work, shall exchange information with other public institutions to facilitate the transfer of credits into its programs.
- (4) A receiving public institution shall ensure that any changes to program standards and criteria for admission and the transfer of credits maintain the fair and equal treatment of native and transfer students, and are communicated in a timely manner.

## **.03 General Education Requirements for Public Institutions.**

A. While public institutions have the autonomy to design their general education program to meet their unique needs and mission, that program shall conform to the definitions and common standards in this chapter, and incorporate the general education knowledge and skills required by the Middle States Commission on Higher Education Standards for Accreditation. No later than August 1, 2017, a public institution shall satisfy the general education requirement by:

- (1) Requiring each program leading to the A.A. or A.S. degree to include not less than 28 and not more than 36 semester hours, and each baccalaureate degree program to include not less than 38 and not more than 46 semester hours of required core courses, with the core requiring, at a minimum, course work in each of the following five areas:
  - (a) Arts and humanities,
  - (b) Social and behavioral sciences,
  - (c) Biological and physical sciences,
  - (d) Mathematics, and
  - (e) English composition; or
- (2) Conforming with COMAR 13B.02.02.16D(2) (b)—(c).

B. Each core course used to satisfy the distribution requirements of §A(1) of this regulation shall carry at least 3 semester hours.

C. General education programs of public institutions shall require at least:

- (1) Two courses in arts and humanities;
- (2) Two courses in social and behavioral sciences;
- (3) Two science courses, at least one of which shall be a laboratory course;

- (4) One course in mathematics, having performance expectations demonstrating a level of mathematical maturity beyond the Maryland College and Career Ready Standards in Mathematics (including problem-solving skills, and mathematical concepts and techniques that can be applied in the student's program of study); and
- (5) One course in English composition, completed with a grade of C or better.

#### D. Institution-Specific Requirements.

- (1) In addition to the five required areas in §A of this regulation, a public institution may include up to 8 semester hours in course work outside the five areas. These courses may be integrated into other general education courses or may be presented as separate courses. Examples include, but are not limited to, Health, Diversity, and Computer Literacy.
- (2) Public institutions may not include the courses in this section in a general education program unless they provide academic content and rigor equivalent to the areas in §A(1) of this regulation.

E. General education programs leading to the A.A.S. degree shall include at least 18 semester hours from the same course list designated by the sending institution for the A.A. and A.S. degrees. The A.A.S. degree shall include at least one 3-semester-hour course from each of the five areas listed in §A(1) of this regulation.

F. A course in a discipline listed in more than one of the areas of general education may be applied only to one area of general education.

G. A public institution may allow a speech communication or foreign language course to be part of the arts and humanities category.

H. Composition and literature courses may be placed in the arts and humanities area if literature is included as part of the content of the course.

I. Public institutions may not include physical education skills courses as part of the general education requirements.

J. General education courses shall reflect current scholarship in the discipline and provide reference to theoretical frameworks and methods of inquiry appropriate to academic disciplines.

K. Courses that are theoretical may include applications, but all applications courses shall include theoretical components if they are to be included as meeting general education requirements.

L. Notwithstanding §A(1) of this regulation, a public 4-year institution may require 48 semester hours of required core courses if courses upon which the institution's curriculum is based carry 4 semester hours.

M. Public institutions shall develop systems to ensure that courses approved for inclusion on the list of general education courses are designed and assessed to comply with the requirements of this chapter.

## .04 Transfer of Education Program Credit.

### A. Transfer of Credit to Another Public Institution

- (1) Credit earned at any public institution in the State is transferable to any other public institution if the:
  - (a) Credit is from a college or university parallel course or program;
  - (b) Grades in the block of courses transferred average 2.0 or higher; and
  - (c) Acceptance of the credit is consistent with the policies of the receiving institution governing native students following the same program.
- (2) If a native student's "D" grade in a specific course is acceptable in a program, then a "D" earned by a transfer student in the same course at a sending institution is also acceptable in the program. Conversely, if a native student is required to earn a grade of "C" or better in a required course, the transfer student shall also be required to earn a grade of "C" or better to meet the same requirement.

### B. Credit Earned in or Transferred From a Community College.

- (1) Except as provided in §B(5) of this regulation, at least 60 credits but not more than 70 credits of general education, elective, and major courses that a student earns at any community college in the State toward an associate's of art or an associate's of science degree shall be transferrable to any public senior higher education institution in the State for credit toward a bachelor's degree.
- (2) To be transferrable, a credit shall have been earned in accordance with the student's degree plan.
- (3) Courses taken at a public institution as part of a recommended transfer program leading toward a baccalaureate degree shall be applicable to related programs at the receiving public institution granting the degree if successfully completed in accordance with the receiving institution's policies governing native students in the same program.
- (4) Students earning an A.A.S. or A.F.A. degree shall have their credits evaluated in a manner that maximizes the transfer of articulated and elective credit.
- (5) A community college and a public senior higher education institution may provide in an articulation agreement for the transfer of credits in addition to credits transferred under §B(1) of this regulation.

### C. Nontraditional Credit.

- (1) The assignment of credit for AP, CLEP, or other nationally recognized standardized examination scores presented by transfer students is determined according to the same standards that apply to native students in the receiving institution, and the assignment shall be consistent with the State minimum requirements.
- (2) Transfer of credit from the following areas shall be consistent with COMAR 13B.02.02. and shall be evaluated by the receiving institution on a course-by-course basis according to

the same standards that apply to native students at the receiving institution:

- (a) Technical courses from career programs;
  - (b) Course credit awarded through articulation agreements with other segments or agencies, which should be developed in collaboration with all public institutions, including course credit awarded by articulation with Maryland public secondary schools;
  - (c) Credit awarded for clinical practice or cooperative education experiences;
  - (d) Credit awarded for life and work experiences; and
  - (e) Credit awarded for training, coursework, or education through the military.
- (3) The basis for the awarding of the credit shall be indicated on the student's transcript by the receiving institution.
  - (4) The receiving institution shall inform a transfer student of the procedures for validation of course work for which there is no clear equivalency. Examples of validation procedures include ACE recommendations, portfolio assessment, credit through challenge, examinations, and satisfactory completion of the next course in sequence in the academic area.
  - (5) The receiving baccalaureate degree-granting institution shall use validation procedures when a transferring student successfully completes a course at the lower-division level that the receiving institution offers at the upper-division level. The validated credits earned for the course shall be substituted for the upper-division course.

#### D. Program Articulation.

- (1) Recommended transfer programs shall be developed through collaboration between the sending and receiving institutions. A recommended transfer program represents an agreement between the two institutions that allows students aspiring to the baccalaureate degree to plan for seamless transfer. These programs constitute first-year/sophomore level course work to be taken at the community college in fulfillment of the receiving institution's lower division course work requirement.
- (2) Recommended transfer programs in effect at the time that this regulation takes effect, which conform to this chapter, may be retained.

#### E. Reverse Transfer of Credit

- (1) Subject to §E(2) of this regulation, a community college shall accept for reverse transfer any credits that an individual earned at a public senior institution up to 45 credits. Credits in excess of 45 credits may be accepted in accordance with the community college's policy.
- (2) To be eligible for the transfer of credit under §E(1) of this regulation, a student shall have completed at least 15 credits at the community college to which the credits are transferred.
- (3) Community colleges and public senior institutions shall develop a process to identify students eligible for reverse transfer at no cost to the student.

#### F. Transfer of General Education Credit

- (1) A student transferring to one public institution from another public institution shall receive general education credit for work completed at the student's sending institution as provided by this chapter.
- (2) A completed general education program shall transfer without further review or approval by the receiving institution and without the need for a course-by-course match.
- (3) Courses that are defined as general education by one institution shall transfer as general education even if the receiving institution does not have that specific course or has not designated that course as general education.
- (4) A Maryland community college shall accept 28—36 credits of general education as specified in Regulation .03(C) of this chapter as completion of the general education requirements at the community college, without further review or the need for a course-by-course match.
- (5) The receiving institution shall give lower-division general education credits to a transferring student who has taken any part of the lower-division general education credits described in Regulation .03 of this chapter at a public institution for any general education courses successfully completed at the sending institution.
- (6) Except as provided in Regulation .03M of this chapter, a receiving institution may not require a transfer student who has completed the requisite number of general education credits at any public college or university to take, as a condition of graduation, more than 10—18 additional semester hours of general education and specific courses required of all students at the receiving institution, with the total number not to exceed 46 semester hours. This provision does not relieve students of the obligation to complete specific academic program requirements or course prerequisites required by a receiving institution.
- (7) Each public institution shall designate on or with the student transcript those courses that have met its general education requirements, as well as indicate whether the student has completed the general education program.
- (8) Associate Degrees.
  - (a) While there may be variance in the numbers of hours of general education required for associate's degrees at a given institution, the courses identified as meeting general education requirements for all degrees shall come from the same general education course list and exclude technical or career courses.
  - (b) A student possessing an associate's degree who transfers into a receiving institution with fewer than the total number of general education credits designated by the receiving institution shall complete the difference in credits according to the distribution as designated by the receiving institution. Except as provided in Regulation .03M of this chapter, the total general education credits for baccalaureate degree-granting public receiving institutions may not exceed 46 credits.

(9) Student Responsibilities. A student is held:

- (a) Accountable for the loss of credits that:
  - (i) Result from changes in the student's selection of the major program of study;
  - (ii) Were earned for remedial course work; or
  - (iii) Exceed the total course credits accepted in transfer as allowed by this chapter; and
- (b) Responsible for meeting all requirements of the academic program of the receiving institution.

## **.05 Academic Success and General Well-Being of Transfer Students.**

### A. Sending Institutions.

- (1) Community colleges shall encourage their students to complete the associate degree in a recommended transfer program that includes both general education courses and courses applicable toward the program at the receiving institution.
- (2) Community college students are encouraged to choose as early as possible the institution and program into which they expect to transfer.
- (3) The sending institution shall:
  - (a) Provide to community college students information about the specific transfer-ability of courses and programs to 4-year colleges;
  - (b) Transmit information about transfer students who are capable of honors work or independent study to the receiving institution; and
  - (c) Promptly supply the receiving institution with all the required documents if the student has met all financial and other obligations of the sending institution for transfer.

### B. Receiving Institutions.

- (1) Admission requirements and curriculum prerequisites shall be stated explicitly in institutional publications.
- (2) A receiving institution shall admit transfer students from newly established public colleges that are functioning with the approval of the Maryland Higher Education Commission on the same basis as applicants from regionally accredited colleges.
- (3) A receiving institution shall evaluate the transcript or transcripts of a degree-seeking transfer student as expeditiously as possible, and notify the student of the results within 20 working days of the receipt of all official transcripts. The receiving institution shall inform a student of the courses that are acceptable for transfer credit and the courses that are applicable to the student's intended program of study.
- (4) A transfer student shall be provided the same opportunity as a native student to pursue the program and degree requirements that were in effect at the time that the student enrolled at the sending institution provided they have been

continuously enrolled and otherwise meet the same requirements of the native student.

## **.06 Programmatic Currency.**

- A. Maryland public institutions shall collaborate to develop and provide to students current and accurate information on transferable programs and courses.
- B. Upon approval of new baccalaureate programs, recommended transfer programs shall be developed with each community college.
- C. When considering curricular changes, institutions shall notify each other of the proposed changes that might affect transfer students. An appropriate mechanism shall be created to ensure that both 2-year and 4-year public colleges provide input or comments to the institution proposing the change. Sufficient lead time shall be provided to effect the change with minimum disruption. Transfer students are not required to repeat equivalent course work successfully completed at a community college.

## **.07 Transfer Mediation Committee.**

- A. Sending and receiving institutions that disagree on the transferability of general education courses as defined by this chapter shall submit their disagreements to the Secretary, who shall appoint a Transfer Mediation Committee to adjudicate the disagreement. Members appointed to the Transfer Mediation Committee shall be representative of the public 4-year colleges and universities and the community colleges.
- B. The Transfer Mediation Committee shall address general education issues at the course or curricular level, not individual student cases. As appropriate, the Committee shall consult with faculty on curricular issues.
- C. The findings of the Transfer Mediation Committee are considered binding on both parties.

## **.08 Appeal Process.**

- A. Notice of Denial of Transfer Credit by a Receiving Institution.
  - (1) Except as provided in §A(2) of this regulation, a receiving institution shall inform a transfer student in writing of the denial of transfer credit not later than mid-semester of the transfer student's first semester, if all official transcripts have been received at least 15 working days before mid-semester.
  - (2) If transcripts are submitted after 15 working days before mid-semester of a student's first semester, the receiving institution shall inform the student of credit denied within 20 working days of receipt of the official transcript.
  - (3) A receiving institution shall include in the notice of denial of transfer credit:
    - (a) A statement of the student's right to appeal; and
    - (b) A notification that the appeal process is available in the institution's catalog.



- (4) The statement of the student’s right to appeal the denial shall include notice of the time limitations in §B of this regulation.
- B. A student believing that the receiving institution has denied the student transfer credits in violation of this chapter may initiate an appeal by contacting the receiving institution’s transfer coordinator or other responsible official of the receiving institution within 20 working days of receiving notice of the denial of credit.
- C. Response by Receiving Institution.
  - (1) A receiving institution shall:
    - (a) Establish expeditious and simplified procedures governing the appeal of a denial of transfer of credit; and
    - (b) Respond to a student’s appeal within 10 working days.
  - (2) An institution may either grant or deny an appeal. The institution’s reasons for denying the appeal shall be consistent with this chapter and conveyed to the student in written form.
  - (3) Unless a student appeals to the sending institution, the written decision in §C(2) of this regulation constitutes the receiving institution’s final decision and is not subject to appeal.
- D. Appeal to Sending Institution.
  - (1) If a student has been denied transfer credit after an appeal to the receiving institution, the student may request the sending institution to intercede on the student’s behalf by contacting the transfer coordinator of the sending institution.
  - (2) A student shall make an appeal to the sending institution within 10 working days of having received the decision of the receiving institution.
- E. Consultation Between Sending and Receiving Institutions.
  - (1) Representatives of the two institutions shall have 15 working days to resolve the issues involved in an appeal.
  - (2) As a result of a consultation in this section, the receiving institution may affirm, modify, or reverse its earlier decision.

- (3) The receiving institution shall inform a student in writing of the result of the consultation.
- (4) The decision arising out of a consultation constitutes the final decision of the receiving institution and is not subject to appeal.

**.09 Periodic Review.**

- A. Report by Receiving Institution.
  - (1) A receiving institution shall report annually the progress of students who transfer from 2-year and 4-year institutions within the State to each community college and to the Secretary of the Maryland Higher Education Commission.
  - (2) An annual report shall include ongoing reports on the subsequent academic success of enrolled transfer students, including graduation rates, by major subject areas.
  - (3) A receiving institution shall include in the reports comparable information on the progress of native students.
- B. Transfer Coordinator. A public institution of higher education shall designate a transfer coordinator, who serves as a resource person to transfer students at either the sending or receiving campus. The transfer coordinator is responsible for overseeing the application of the policies and procedures outlined in this chapter and interpreting transfer policies to the individual student and to the institution.
- C. The Maryland Higher Education Commission shall establish a permanent Student Transfer Advisory Committee that meets regularly to review transfer issues and recommend policy changes as needed. The Student Transfer Advisory Committee shall address issues of interpretation and implementation of this chapter.

*Effective date: December 4, 1995 (22:24 Md. R. 1901) Regulation .02B amended effective July 1, 1996 (23:13 Md. R. 946) Regulation .02-1 adopted effective April 6, 1998 (25:7 Md. R. 528) Regulation .03 amended effective July 1, 1996 (23:13 Md. R. 946); July 18, 2016 (43:14 Md. R. 779)*

*Regulation .05A amended effective July 1, 1996 (23:13 Md. R. 946)*

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*Chapter revised effective April 24, 2017 (44:8 Md. R. 405)*

# University Procedures for Review of Alleged Arbitrary and Capricious Grading

## Grounds for Grievance

The following procedures implement the University System of Maryland Policy for Review of Alleged Arbitrary and Capricious Grading (BOR III-1.20) and are designed to provide a means for a student to seek review of final course grades alleged to be arbitrary and capricious. In this policy the term arbitrary and capricious grading means 1) the assignment of a course grade to a student on some basis other than performance in the course; 2) the assignment of a course grade to a student by unreasonable application of standards different from the standards that were applied to other students in that course; or 3) the assignment of a course grade by a substantial and unreasonable departure from the instructor's initially articulated standards.

Alleging a final grade to have been determined in an arbitrary and capricious manner is the sole ground upon which a student may seek review under these procedures. Since matters within the instructor's sphere of academic judgment — such as choice of instructional and evaluation methods, criteria, and standards for evaluation — are not grounds for grievance, the burden of proving arbitrary and capricious grading by clear and convincing evidence will rest with the student.

## How to Undertake a Grade Grievance

Students or faculty who desire additional information about the procedures that follow should contact the Associate Provost. Class days are days classes are in session in the subsequent semester after the grade that the student wants to grieve is assigned. The timetable portrays the maximum time allotted. Participants can meet their responsibilities any time before the specified day.

### Stage I: Mediation

A student seeking review for a final grade in a course should make a reasonable effort to confer with the instructor (in person or in writing) and attempt to resolve the matter informally. If this effort is unsuccessful, the student approaches the chair of the department offering the course to request mediation of the grade dispute. This action must be taken no later than the 15th class day of the semester subsequent to the term in which the grade was received. The chair will inform the student of the grounds proper to a grade grievance, as stated above. The chair also will review relevant material and consult with the instructor in an effort to resolve the issue of the grade. (If the instructor involved is the chair, the student approaches the senior faculty member in the department to

request mediation.) Mediation must be completed no later than the 25th class day.

In cases where a resolution mutually acceptable to the student and the instructor is not forthcoming, and the student wishes to pursue a formal grievance, the student may proceed to Stage II.

### Stage II: Formal Grievance

As a precondition to filing a formal grievance, a student must fulfill all of his/her responsibilities and meet the deadline specified in Stage I: Mediation above.

No later than the end of the 30th class day of the semester, a student still wishing to grieve a grade must file a written grievance with the instructor's College dean. This grievance must describe in detail the bases for the allegation that the grade was arbitrary and capricious, and include all evidence supporting that claim. The student must send copies of this statement to the instructor and the chair.

Within 10 class days of receipt of a student's written, Stage II grievance, the dean will dismiss the grievance if the student 1) did not participate in Stage I: Mediation and/or meet the deadline specified in Stage I; 2) did not file the Stage II appeal by the stated deadline; 3) does not furnish evidence that the allegations, if true, constitute arbitrary and capricious grading, as defined above; and/or 4) has filed a complaint concerning the same grade with the ADA/EEO Compliance Office alleging discrimination or sexual harassment.

If the grievance is not dismissed, the dean shall ask the instructor to respond to the grievance in writing within ten class days, addressing the response to the dean and copying the student and the chair. The dean will ask the chair to forward all documentary evidence collected during the mediation stage to the dean.

If the grievance is not dismissed, the dean shall appoint a grade grievance committee of three tenured faculty members and shall set the date for an informal, non-adversarial grade grievance hearing to occur within five class days following the due date for a written response from the instructor. The student, the instructor, and the chair will be invited to attend the hearing, and may present relevant evidence. The dean also will attend and may choose to participate in the discussion. In keeping with the informal nature of the hearing, neither the student nor the instructor may be accompanied by a representative or advisor. If the academic records of other students in the grievant's class are relevant to the discussion, the grievant must be excused for that portion of the hearing to protect the privacy of other students. The grade grievance committee shall forward its written recommendation to the dean within five class days after the conclusion of the hearing. The dean may accept, reject or alter the recommendation. The dean shall render a decision to the student in writing, either in support of the original grade or of a grade change, with copies to the instructor, the chair and the members of the grade grievance committee. If the dean recommends a grade change and the instructor refuses to change the grade, the dean will vacate and replace the grade in question.

In deciding whether the circumstances justify changing the grade, the dean shall determine whether the grievant has provided clear and convincing evidence of arbitrary and capricious grading. The dean's decision is final.

# Student Records

## Annual Notification

Under the Family Educational Rights and Privacy Act (FERPA), students have certain rights regarding the inspection and disclosure of education records directly related to the student and maintained by the University. These rights include:

3. The right to inspect and review the student's educational records within forty-five (45) days of the day the University receives a request of access. Requests for inspection should be made in writing and directed to the Office of the Registrar.
4. The right to request an amendment of the student's education records if the student believes that they are inaccurate, misleading or otherwise in violation of the student's privacy rights under FERPA. A request to amend education records must be made in writing and submitted to the Registrar. The request must clearly identify the part of the record the student wants changed and why it should be changed. If the University decides not to amend the record as requested, the University will notify the student of its decision, and if the decision is negative, the procedures for a hearing regarding the request.
5. The right to consent to disclosures by the University of personally identifiable information contained in the student's education records, except to the extent FERPA authorizes disclosure without consent. The University discloses education records without a student's prior written consent under several exceptions to FERPA, including the exception for disclosure to school officials with legitimate education interests. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill professional responsibilities for the University. A "school official" is any person employed by the University in any administrative, supervisory, academic, research or support staff position; any person or company with whom the University has contracted (such as an auditor or collection agent); or any student serving on an official committee such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.
6. Upon request, the University also discloses education records without consent to officials of another school in which a student seeks or intends to enroll.
7. The following categories of information are considered by the University to be directory information and may be disclosed without the student's prior consent unless the student submits a Directory Restrictions Form using PAWS: name; local, home and email address; local and home telephone number; major field of study; classification; dates of attendance, degrees, honors and awards received; officially recognized activities and sports; weight and height for athletes; and most recent school or educational institution attended.
8. The Directory Restrictions Form in PAWS can be found using the following path: Student Center> "other academics" drop down box>FERPA-Restrict Directory Info.
9. Note that directory information may be released to commercial organizations and may be used for solicitation purposes. However, restricting release of directory information will prevent the University from providing such information to prospective employers and other organizations, media, friends and family.
10. A student may permit inspection of education records by parents, guardians or others by completing a Release of Information Form in PAWS on an annual basis. The form can be found using the following path: Student Center>"other academics" drop down box> FERPA-Release of Info. Release of Information Forms are purged at the completion of each academic year. If a student wishes to permit inspection of education records for the upcoming academic year, a new form must be completed.
11. The right to file with the U.S. Department of Education a complaint if the student believes that the University has failed to comply with the requirements of FERPA. Complaints may be filed with the Family Policy and Regulations Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-5901.