



Larry Hogan
Governor

Boyd K. Rutherford
Lt. Governor

Mary Pat Seurkamp, Ph.D.
Chair

James D. Fielder, Jr., Ph.D.
Secretary

MEMORANDUM

DATE: February 28, 2022

TO: Ms. Sara Fidler, President, Maryland Independent College and University Association

FROM: James D. Fielder, Jr., Ph.D.
Secretary



SUBJECT: §10-211 – Plan for Program of Cultural Diversity

As required by §10-211 of the Education Article, each independent higher education institution must submit a report on programs designed to promote and enhance cultural diversity on its campus to the Maryland Independent College and University Association by July 1 of each year. The Association is then required to submit a report on those programs' status to the Maryland Higher Education Commission on or before September 1. A memo containing guidelines established for public institutions has been attached for your convenience and guidance in drafting this report.

The Maryland Independent Colleges and Universities Association report will be included, unedited, in the 2022 Report on Institutional Programs of Cultural Diversity. In addition, this report will include a narrative summary provided by MHEC. Programs highlighted in the MICUA report will be included in this narrative.

Please submit your report to https://bit.ly/MHEC_CD_MICUA_2022 . Electronic copies of the MICUA narrative report must be submitted in a **searchable PDF format** on or before Thursday, September 1, 2022, in accordance with statutory requirements. If you have any further questions about this report, please feel free to contact Barbara Schmertz, Director of Research and Policy Analysis (barbara.schmertz@maryland.gov).

Thank you for your cooperation.

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§10–211.

(a) The private nonprofit institutions of higher education in the State are an important educational resource and are vital to the provision of postsecondary education in the State.

(b) The State shall continue to provide financial aid as provided by law to private nonprofit institutions of higher education to foster this important educational resource.

(c) (1) In this subsection, “cultural diversity” means the inclusion of those racial and ethnic groups and individuals that are or have been underrepresented in higher education.

(2) On or before July 1 of each year, each private nonprofit institution of higher education eligible for State aid under § 17–103 of this article shall submit a report on the institution’s programs to promote and enhance cultural diversity on its campus to the Maryland Independent College and University Association.

(3) (i) On or before September 1 of each year, the Maryland Independent College and University Association shall submit a report on the status of the programs reported to the Association under paragraph (2) of this subsection to the Commission.

(ii) The report submitted to the Commission under subparagraph (i) of this paragraph shall include an analysis of the best practices used by private nonprofit institutions of higher education to promote and enhance cultural diversity on their campuses.

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MEMORANDUM

DATE: February 28, 2022

TO: Segmental Advisory Council

FROM: James D. Fielder, Jr., Ph.D.
Secretary

SUBJECT: §11-406 – Plan for Program of Cultural Diversity

This memo is designed to provide additional guidance regarding the requirements for the annual Cultural Diversity report. Please read this memo carefully, as changes have been made from prior year's reports. In particular, please note the revised components of the report and the associated page limits.

In accordance with §11-406 of the Education Article (attached), the governing body of each Maryland public college and university is required to develop and implement a plan for a program of cultural diversity. These plans must be submitted to each institution's board by July 1, 2022.

Further, statute requires that each institution submit, by September 1 of each year, a report to the Maryland Higher Education Commission (MHEC) summarizing institutional progress toward the implementation of its plan for cultural diversity. According to statute, the Commission must monitor each institution's progress toward achieving the goals outlined in its plan and ensure compliance with the State's goals for higher education.

Additionally, the Commission is required to report its findings to the Senate Education, Health, and Environmental Affairs Committee; the Senate Budget and Taxation Committee; the House Appropriations Committee; and the House Committee on Ways and Means by December 1 of each year.

This year's reporting guidance is designed to balance ensuring compliance with the law and providing institutions an opportunity to highlight their activities tied to the diversity goals of the State Plan. In accordance with this, each institutional submission should include a **brief narrative (no more than seven pages)**, consisting of the sections outlined below. Please ensure all submissions adhere to these guidelines. Additional supplemental information such as data analysis or more comprehensive programmatic

information may be provided as an appendix; this appendix, if included, **MUST** be submitted as a separate document. All institutional narratives must adequately address the required elements within the seven-page limit to be considered compliant with the reporting requirement.

The 2022 report produced by MHEC will focus on the theme of Diversity, Equity and Inclusion and the institutional activities in this area. To that end, the institutional narratives should include the following:

- A summary of the institution's Diversity, Equity, and Inclusion (DEI)-explicit initiatives or efforts for the following four populations: (a) student, (b) faculty, (c) non-faculty staff, and (d) administration. (1 page for each population).
- A description of the governing, administrative, coordinating bodies, and institutional offices if any, that exist on campus that are solely dedicated to DEI. (1 page).
- A *description* of the institution's DEI data or metrics (including, but not limited to, Equity Scorecards, Equity Audits, Campus Climate Surveys). Please do not include actual data; include only a description of the data or metrics. This should also include a description of how these data assist in driving the institution's actions and interventions to eliminate educational diversity, inclusion and equity gaps (1 page).
- A description of how the diverse perspectives and voices of all students are captured and utilized in informing the campus's DEI efforts. (1 page)

Include the following as an appendix (does not count toward the page limits stated above):

- If applicable, a copy of the institution's current equity statement and/or diversity statement. Include a date that the statement was most recently adopted or changed.

In addition to these narratives, each institution should provide, **as an appendix**, a copy of the diversity plan in place during the reporting year (Academic Year 2021-2022). This should be the plan approved by the institution's Board on or before July 1, 2021. Those institutions that operate under a multi-year plan should provide the plan approved on or before July 1, 2021. Note that the required elements of this plan are defined in §11-406 of the Education Article.

Along with a narrative summary provided by MHEC, the Commission will include, unedited, these institutional reports and Cultural Diversity plans in the 2022 Report on Institutional Programs of Cultural Diversity.

Please submit your narratives and 2021-2022 Cultural Diversity Plan **in searchable PDF format** and the completed cover sheet certifying Board approval (attached) at https://bit.ly/MHEC_CD_2022. Any submissions not including the required cover sheet or in excess of the seven-page limit will be returned to the institution for revision.

Electronic copies of these documents must be submitted on or before Thursday, September 1, 2022, in accordance with statutory requirements. **Please note that MHEC does not have the statutory authority to grant exceptions to this deadline. If your governing board does not meet during the**

summer months, please ensure you provide sufficient time for approval prior to this statutory deadline for submission to the Commission. Additionally, please note that any necessary revisions may require additional board approval; if there are questions regarding the required elements of the submission, please ensure that you contact the Commission as soon as possible for clarification to ensure that you will remain compliant with the September 1 statutory deadline for submission to MHEC.

If you have any further questions about this report, please feel free to contact Barbara Schmertz, Director of Research and Policy Analysis (barbara.schmertz@maryland.gov). Thank you for your cooperation.

Enclosure

cc: Ms. Sara Fidler, President, Maryland Independent College and University Association

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§11-406.

(a) In this section, “cultural diversity” means the inclusion of those racial and ethnic groups and individuals that are or have been underrepresented in higher education.

(b) (1) (i) Each public institution of higher education in the State shall develop and implement a plan for a program of cultural diversity.

(ii) If an institution of higher education already has a program of cultural diversity, the institution of higher education shall develop and implement a plan for improving the program.

(iii) A plan developed and implemented under this subsection shall include an implementation strategy and a time line for meeting goals within the plan.

(2) A plan developed under paragraph (1) of this subsection shall include:

(i) A description of the way the institution addresses cultural diversity among its student, faculty, and staff populations;

(ii) A description of how the institution plans to enhance cultural diversity, if improvement is needed;

(iii) A process for reporting campus-based hate crimes, as defined under Title 10, Subtitle 3 of the Criminal Law Article and consistent with federal requirements under 20 U.S.C. 1092(f), known as the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act; and

(iv) A summary of any resources, including State grants, needed by the institution to effectively recruit and retain a culturally diverse student body.

(3) A plan developed under paragraph (1) of this subsection shall enhance cultural diversity programming and sensitivity to cultural diversity through instruction and training of the student body, faculty, and staff at the institution of higher education.

(c) (1) On or before July 1 of each year, each institution shall submit the plan developed under subsection (b) of this section to the governing body of the institution for the governing body's review.

(2) On or before September 1 of each year, the governing body of an institution shall submit a progress report regarding the institution's implementation of its plan to the Commission.

(d) (1) The Commission shall review the progress report submitted by each governing body under subsection (c) of this section to monitor compliance with the diversity goals of the State Plan for Higher Education.

(2) On or before December 1 of each year, the Commission shall submit a report, in accordance with § 2-1257 of the State Government Article, to the Senate Education, Health, and Environmental Affairs Committee, the Senate Budget and Taxation Committee, the House Appropriations Committee, and the House Committee on Ways and Means on the extent to which the institutions of higher education in the State are in compliance with the diversity goals of the State Plan for Higher Education.

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