

COALITION FOR EQUITY & EXCELLENCE IN MARYLAND HIGHER EDUCATION

PRESS RELEASE

COALITION SEEKS COURT RELIEF FOR UNEQUAL HIGHER EDUCATION SYSTEM IN MARYLAND

(Baltimore, MD, October 13, 2006) The Coalition for Equity and Excellence in Maryland Higher Education, Inc., in cooperation with the Lawyer's Committee for Civil Rights, and the NAACP Legal Defense Fund, filed a lawsuit today claiming that the State of Maryland is operating its public system of higher education in violation of its own laws and those of the federal government, according to coalition President David Burton. These violations, according to the suit, have resulted in irreparable harm and injury to the students of the state's four public historically Black institutions (HBIs).

The suit, filed in Baltimore City Circuit Court on behalf of students at historically Black universities in Maryland, names Governor Robert Ehrlich, the State of Maryland, the Maryland Higher Education Commission, its Chairman, Kevin O'Keefe, and MHEC Secretary, Dr. Calvin Burnett.

The lawsuit, filed today by retired Circuit Court Judge Kenneth L. Johnson, alleges that Maryland, among other things, has failed to operate its system of higher education in accordance with state and federal laws; failed to enhance Maryland's historically black institutions; has failed to develop high-demand academic programs at these institutions and ensure that they are not unnecessarily duplicated at nearby universities; and, failed to ensure that Maryland's public HBIs are comparable and competitive with traditionally White institutions (TWIs) in facilities, operations and programs.

The action by the Coalition follows several decisions to duplicate established missions and programs at Maryland's Black universities by the state's TWIs, the most recent being the November 2005 decision by the Maryland Higher Education Commission that gave Towson University the approval to begin offering a new MBA program, and the 2006 decision granting the University of Baltimore authority to offer full four-year academic programs, in direct competition to Baltimore area HBIs.

The issue, says Coalition President David Burton, is about more than program and mission duplication. "It is also about the failure of the State to ensure comparability between its Black and traditionally White institutions in their competitiveness for attracting students regardless of race," says Burton. "Earlier this year, the Legislative Black Caucus introduced a bill addressing the issue of program duplication and institutional comparability. While the section on comparability was not successful, the part allowing for court review of decisions by MHEC on program duplication was enacted by the General Assembly. The bill was later vetoed by Governor Ehrlich."

Burton says the coalition believes that Maryland has not fully complied with commitments made in agreements it had with the U. S. Department of Education's Office of Civil Rights. Under the agreements, the most recent of which expired in December 2005, the State promised to eliminate all remnants of its earlier segregated system of higher education by making HBIs comparable to TWIs in all respects.

The Coalition for Equity and Excellence in Maryland Higher Education was formed in 2006 as a nonprofit, Maryland-based organization. It is comprised of citizens with an interest in promoting and enhancing the quality of higher education in Maryland and seeks to ensure equity within the system. Members of the coalition were very active during the last legislative session advocating for passage of comparability legislation.

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