

Office of the Provost

Statement on Internships/Practica in Maryland

March 26, 2014

Upon the advice of the Office of University Counsel, with the conclusion of the Spring 2014 semester, **George Mason University cannot grant credit for internships or practica conducted in Maryland**, except (1) when prior and explicit approval for the university to operate in that state has been obtained or (2) in some circumstances relating to federal contracts or federal agencies.

This directive follows recent changes in the application of State of Maryland regulations. The Maryland Higher Education Commission (MHEC) has recently interpreted the awarding of credit for practica and internships conducted in that state as having a “physical presence” there. As a result, out-of-state institutions that wish to award credit for internships must follow an approval process.

The regulations provide for a means for applying for permission to operate in Maryland, but there are practical constraints. The fees are considerable and charged on a program-by-program basis, so the university will not be able to pursue such approval unless there is a significant and demonstrated student demand for a particular program.

Even then, however, there is no guarantee that Maryland will grant permission to operate. The apparent intent behind this definition is to preserve internship and practica opportunities in certain high demand areas—education and nursing, in particular—for Maryland residents enrolled at Maryland institutions.

The university is aware of how this interpretation will constrain programs and foreclose opportunities, and is considering multiple options for response:

- Negotiation. SCHEV officials will contact MHEC officials to attempt to negotiate some reconsideration of the interpretation on the basis of the adverse impact on Maryland residents enrolled in *any* out-of-state institution. (A Maryland resident enrolled at UVA, for example, would not be able to do an internship at home over the summer and receive credit for it unless that UVA explicitly sought and obtained permission.)
- Approval. The university could pursue permission to operate for selected programs.
- Litigation. The Maryland regulatory scheme—a transparent attempt to stifle competition—gives rise to a cause of action based on restraint of trade. Any litigation, either as plaintiff or defendant, would take years to resolve

Thus, in addition, departments are encouraged to consider adapting curricula, *if appropriate*, and encouraging students to seek non-credit internships.

It's conceivable that Virginia could also pursue similar legislation. Even if that were politically feasible, it would not fully solve the problem because some internship opportunities are specific to Maryland and not duplicated elsewhere in Virginia.

FAQs

When does this prohibition take effect?

Credit will be granted for internships currently underway in the Spring 2014 semester, but for no future semesters unless permission from the State of Maryland is sought and granted.

What about non-credit internships?

George Mason University cannot arrange for students to pursue internships in the State of Maryland, for credit or any other kind of formal recognition (such as a non-credit-bearing degree requirement). However, students are completely free to make independent arrangements for non-credit activities that they feel would enhance their educational experiences.

What about jobs?

Students are free to seek employment in Maryland, but again, George Mason University cannot recognize that experience for credit.

What about federal agencies?

Some exceptions may be made for internships with federal agencies. Students may pursue experiential learning for credit (1) through sponsored research contracts with federal agencies or (2) with agencies operating under federal jurisdiction . However, please note that working with a federal agency does **not** automatically mean that the agency is operating under federal jurisdiction, and such exceptions must be arranged with care.

I have a specific question, or think I have special circumstances that constitute an exception. Who should I ask to find out more?

Students should direct their questions to the unit from which they are seeking credit for the proposed internship. Academic units should then route outstanding questions through their deans' offices and to the Office of the Provost, which will formulate answers in conjunction with the Office of University Counsel.