

Chapter 23

(House Bill 734)

AN ACT concerning

**Higher Education – Student Financial Assistance – Alterations and
Appropriation
(Maryland Student Investment Act)**

FOR the purpose of requiring the Maryland Higher Education Commission to focus on certain individuals in the near completer communication campaign for certain academic years; requiring the ~~Maryland Higher Education~~ Commission to use a certain annual family income determination when awarding a Guaranteed Access Grant; authorizing the Next Generation Scholars of Maryland Program to continue providing certain services to students when they attend an institution of higher education; ~~altering the maximum award amount for an Educational Assistance Grant~~; providing that a recipient of a Guaranteed Access Grant who becomes ineligible because of a change in family income shall remain eligible for the full award term applicable to the recipient ~~with a reduced award amount calculated by the Commission~~; ~~requiring the Governor to include in the annual budget bill a certain appropriation for Delegate Howard P. Rawlings Educational Excellence Awards~~; if a certain condition is met; authorizing a private career school to award scholarships under the Edward T. and Mary A. Conroy Memorial Scholarship Program and the Jean B. Cryor Memorial Scholarship Program; altering the eligibility requirements for the Veterans of the Afghanistan and Iraq Conflicts Scholarship to include stepchildren of certain individuals; requiring the Governor to include in the annual budget bill certain appropriations to the Maryland Higher Education Outreach and College Access Program, the Delegate Howard P. Rawlings Educational Excellence Awards, and the Edward T. Conroy and Jean B. Cryor Scholarship Fund; altering the qualifications for the 2+2 Transfer Scholarship Program; and generally relating to student financial assistance programs.

BY repealing and reenacting, without amendments,

Article – Education

Section ~~11-209(a), 11-1101(c), 18-303(a)(3), (b)(6), (c)(1) and (2)(v), and (e), and 18-303.1(a), (c), and (e), 18-601(a), (b), (c), and (f), 18-604(a) and (b), and 18-2102~~

Annotated Code of Maryland

(2018 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section ~~11-209(b), 11-1107, 18-303(d), 18-303.1(d), 18-304(e)~~ 18-304(c)(3)(ii) and (iii), 18-601(d)(1), 18-604(c), 18-2106, and 18-2503(10)

Annotated Code of Maryland

(2018 Replacement Volume and 2021 Supplement)

BY adding to

Article – Education

Section ~~18-304(d)~~ 18-304(c)(3)(iv) and (d) and 18-601(i)

Annotated Code of Maryland

(2018 Replacement Volume and 2021 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Education

11-209.

(a) In this section, “near completer” means an individual who has completed some college credits but does not have a college degree and is no longer attending an institution of higher education.

(b) (1) (i) The Commission, in collaboration with institutions of higher education, shall create a statewide communication campaign to identify near completers in the State and to encourage near completers to re-enroll in an institution of higher education to earn a degree.

(ii) For each of fiscal years 2020 through 2024, the Governor shall include in the State budget \$125,000 to the Commission to fund a statewide communication campaign.

(2) The communication campaign shall:

(i) Make use of a variety of marketing media, including billboards, brochures, and electronic resources;

(ii) Provide a centralized contact point for near completers to get information about and assistance with re-enrolling;

(iii) Make readily available contact information for each public institution of higher education in the State; [and]

(iv) Focus on near completers who:

1. Earned a minimum grade point average of 2.0 on a scale of 4.0 while in college; and

2. A. Earned at least 45 credit hours if the individual attended a community college; or

B. Earned at least 90 credit hours if the individual attended a senior higher education institution; AND

(V) FOR THE 2022–2023 AND 2023–2024 ACADEMIC YEARS, FOCUS ON NEAR COMPLETERS WHO ARE NO LONGER ATTENDING AN INSTITUTION OF HIGHER EDUCATION BECAUSE OF PERSONAL OR FINANCIAL REASONS RELATED TO THE COVID–19 PANDEMIC.

11–1101.

(c) “Program” means the Maryland Higher Education Outreach and College Access Program.

11–1107.

(A) For fiscal year 2023 [and each fiscal year thereafter], the Governor shall include in the annual budget bill an appropriation of \$200,000 for the Program.

(B) FOR FISCAL YEAR 2024 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$500,000 FOR THE PROGRAM.

18–303.

(a) Subject to subsection (e) of this section, each recipient of a Delegate Howard P. Rawlings Educational Excellence Award shall:

(3) Demonstrate a definite financial need to:

(i) For an Educational Assistance Grant, the Office; or

(ii) For a Guaranteed Access Grant, the Office or an institution of higher education that complies with § 18–303.3 of this subtitle; and

(b) Except as provided in subsection (c) of this section, each recipient of a Guaranteed Access Grant shall:

(6) Subject to subsection (d) of this section, have an annual family income below a poverty index determined by the Commission; and

(c) (1) Subject to paragraph (2) of this subsection, an individual who has successfully obtained a high school diploma by examination under § 11–808 of the Labor and Employment Article is exempt from the requirements of subsection (b) of this section.

(2) An individual described under paragraph (1) of this subsection is eligible for a Guaranteed Access Grant if the individual:

(v) Subject to subsection (d) of this section, has an annual family income below a poverty index determined by the Commission.

(d) (1) To determine the annual family income eligibility of an applicant for a Guaranteed Access Grant, the Office or an institution of higher education that complies with § 18–303.3 of this subtitle may not consider an amount received by the applicant as an earned income credit under § 32 of the Internal Revenue Code.

(2) WHEN AWARDING A GUARANTEED ACCESS GRANT TO A STUDENT WHO PREQUALIFIED FOR THE AWARD UNDER SUBSECTION (E)(1) OR (2) OF THIS SECTION, THE COMMISSION SHALL USE THE ANNUAL FAMILY INCOME DETERMINATION USED WHEN THE STUDENT PREQUALIFIED ~~UNDER SUBSECTION (E)(1) OF THIS SECTION.~~

(e) (1) Except as provided in paragraph (2) of this subsection, a student in grade 7 or grade 8 who applies and qualifies for a Guaranteed Access Grant on the basis of financial need as established by the Commission shall prequalify for a Guaranteed Access Grant to be used at the time of enrollment in an institution of higher education by agreeing in writing, as a secondary and undergraduate student, to:

- (i) Satisfy the attendance policy of the applicable school;
- (ii) Refrain from substance abuse;
- (iii) Provide information required by the Commission or the State Board of Education;
- (iv) Apply for admission to an institution of higher education during the student's senior year of high school;
- (v) Complete and file on a timely basis applications for federal student aid for each year that the student plans to enroll in postsecondary education;
- (vi) Participate in the Next Generation Scholars of Maryland Program established in § 18–303.1 of this subtitle until the student graduates from high school and matriculates at an institution of higher education;
- (vii) Maintain a cumulative grade point average of at least 2.5 on a 4.0 scale or its equivalent; and
- (viii) Satisfy any other program requirements set by the Office, the Commission, the State Board of Education, or the State Department of Education.

(2) A student in grade 9 or grade 10 shall prequalify for a Guaranteed Access Grant to be used at the time of enrollment in an institution of higher education if the student:

(i) Otherwise meets the conditions of paragraph (1) of this subsection; and

(ii) 1. Is eligible for free or reduced priced meals; or

2. Attends a school that participates in the U.S. Department of Agriculture Community Eligibility Provision and the student is identified by:

A. Direct certification; or

B. Income information provided by the family of the student to the local school system on an alternative form developed by the Department.

18–303.1.

(a) (1) In this section the following words have the meanings indicated.

(2) “Fund” means the Next Generation Scholars of Maryland Program Fund.

(3) “Program” means the Next Generation Scholars of Maryland Program.

(c) The Program shall provide guidance and services to students who qualify for a Guaranteed Access Grant in accordance with § 18–303(e) of this subtitle to assist the students in successfully:

(1) Completing a college preparatory curriculum;

(2) Graduating from high school;

(3) Matriculating at an institution of higher education as defined in § 18–303 of this subtitle; and

(4) Making timely progress to complete a degree program.

(d) (1) The Department shall:

[(1)] (I) Publicize the Program through community outreach and marketing materials;

[(2)] (II) Award grants to nonprofit organizations to administer the Program;

[(3)] (III) Solicit applications from nonprofit organizations to administer the Program in local school systems; and

[(4)] (IV) Give priority to applications:

[(i)] 1. From Maryland-based nonprofit organizations; and

[(ii)] 2. That include business and institution of higher education partners.

(2) THE PROGRAM MAY CONTINUE TO PROVIDE SERVICES TO STUDENTS WHEN THEY ATTEND AN INSTITUTION OF HIGHER EDUCATION.

(e) In accordance with subsection (c) of this section, the services to be provided to students participating in the Program shall include:

(1) A high school graduation plan;

(2) Summer work or internship opportunities;

(3) Financial aid literacy assistance;

(4) Career interest assessments;

(5) Mentorship and one-on-one counseling;

(6) Visits to college campuses and workplaces;

(7) An intensive summer bridge or matriculation assistance program for students entering an institution of higher education directly from high school; and

(8) A plan to matriculate and graduate from an institution of higher education.

18-304.

~~(e) (1) Except as provided in paragraphs (2) and (3) of this subsection, a Delegate Howard P. Rawlings Educational Excellence Award may be awarded in \$100 increments.~~

~~(2) (i) The amount of an Educational Assistance Grant made to a student in the student's first 2 academic years of enrollment may not be less than \$400 or more than [\$3,000] \$7,000.~~

~~(ii) Beginning in the third academic year of enrollment and for each academic year thereafter:~~

~~1. If the student successfully completed at least 30 credits in the prior academic year, the amount of an Educational Assistance Grant made to a student may not be less than \$400 or more than [\$3,000] \$7,000; or~~

~~2. If the student successfully completed at least 24 but less than 30 credits in the prior academic year, the award amount shall be equal to the amount the student would have otherwise received multiplied by the ratio of the number of credits successfully completed divided by 30.~~

~~(3) (i) All applicants who fulfill the requirements established in § 18-303(a) and (b) of this subtitle shall receive a Guaranteed Access Grant.~~

(c) (3) (ii) [The] **EXCEPT AS PROVIDED IN SUBPARAGRAPH (IV) OF THIS PARAGRAPH,** THE amount of a Guaranteed Access Grant made to a student in the student's first 2 academic years of enrollment shall be equal to 100 percent of the student's financial need as determined by the Office, not to exceed the equivalent annual expenses of a full-time resident undergraduate at the 4-year public institution of higher education within the University System of Maryland, other than the University of Maryland Global Campus and University of Maryland, Baltimore Campus, with the highest annual expenses for a full-time resident undergraduate.

(iii) [Beginning] **EXCEPT AS PROVIDED IN SUBPARAGRAPH (IV) OF THIS PARAGRAPH, BEGINNING** in the third academic year of enrollment and for each academic year thereafter:

1. If the student successfully completed at least 30 credits in the prior academic year, the award amount shall be equal to 100 percent of the student's financial need as determined by the Office, not to exceed the equivalent annual expenses of a full-time resident undergraduate at the 4-year public institution of higher education within the University System of Maryland, other than the University of Maryland Global Campus and University of Maryland, Baltimore Campus, with the highest annual expenses for a full-time resident undergraduate; or

2. If the student successfully completed at least 24 but less than 30 credits in the prior academic year, the award amount shall be equal to 100 percent multiplied by the ratio of the number of credits successfully completed divided by 30.

(IV) IF A RECIPIENT OF A GUARANTEED ACCESS GRANT BECOMES INELIGIBLE BECAUSE OF A CHANGE IN FAMILY INCOME, THE RECIPIENT SHALL REMAIN ELIGIBLE FOR THE FULL AWARD FOR THE FULL AWARD TERM APPLICABLE TO THE RECIPIENT UNDER THIS SUBTITLE, BUT THE COMMISSION SHALL REDUCE THE AWARD BASED ON A SLIDING SCALE DEVELOPED BY THE

COMMISSION IF THE RECIPIENT REMAINS ELIGIBLE TO RECEIVE A FEDERAL PELL GRANT.

(D) BEGINNING IN FISCAL YEAR 2024 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF ~~\$75,000,000~~ AT LEAST \$112,000,000 FOR DELEGATE HOWARD P. RAWLINGS EDUCATIONAL EXCELLENCE AWARDS MADE UNDER THIS SUBTITLE.

18-601.

(a) (1) In this section the following words have the meanings indicated.

(2) “Disabled public safety employee” means a State or local public safety employee who sustains an injury in the line of duty that:

(i) Precludes the individual from continuing to serve or be employed as a State or local public safety employee; and

(ii) In the case of a volunteer member of a fire department or ambulance or rescue company or squad, precludes the member from continuing to be employed in the nonpublic safety occupation in which the member is engaged at the time of the injury.

(3) “Fund” means the Edward T. Conroy and Jean B. Cryor Scholarship Fund.

(4) “School employee” includes an employee of a public or nonpublic school in the State.

(5) “State or local public safety employee” means a person who is employed in the State as:

(i) A career or volunteer member of a:

1. Fire department;

2. Ambulance company or squad; or

3. Rescue company or squad;

(ii) A law enforcement officer;

(iii) A correctional officer; or

(iv) A member of the Maryland National Guard who was a resident of this State at the time of death.

(6) “Surviving spouse” means a person who has not remarried.

(7) “Victim of the September 11, 2001, terrorist attacks” means a Maryland resident who was killed as a result of the attacks on the World Trade Center in New York City, the attack on the Pentagon in Virginia, or the crash of United Airlines Flight 93 in Pennsylvania.

(b) There is a program of scholarships that are awarded by eligible postsecondary institutions under this section.

(c) (1) The program for military and public safety personnel and their eligible dependents is the Edward T. and Mary A. Conroy Memorial Scholarship Program.

(2) The program for eligible dependents of public and nonpublic school employees is the Jean B. Cryor Memorial Scholarship Program.

(d) (1) A person may apply to an eligible postsecondary institution for a scholarship under this section if the person:

(i) 1. Is accepted for admission or enrolled in the regular undergraduate, graduate or professional program at an eligible institution; [or]

2. Is enrolled in a 2-year terminal certificate program in which the course work is acceptable for transfer credit for an accredited baccalaureate program in an eligible institution; OR

3. IS ENROLLED IN A PRIVATE CAREER SCHOOL;

(ii) Is at least 16 years old; and

(iii) Meets the other eligibility criteria specified in this section.

(f) (1) Each postsecondary institution shall determine the eligibility of persons who apply to the institution for the Edward T. Conroy Memorial Scholarship Program and the Jean B. Cryor Memorial Scholarship Program.

(2) Funds for the Edward T. Conroy Memorial Scholarship Program and the Jean B. Cryor Memorial Scholarship Program shall be allocated by the Commission to each postsecondary institution based on the number of eligible recipients attending each institution.

(3) In October and February of each year, each postsecondary institution shall report to the Commission the number of eligible recipients attending the institution.

(4) The Commission shall allocate funds for awards to postsecondary institutions upon verification of eligible recipients attending the institutions.

(5) If funds cannot be allocated in the fiscal year in which awards are made, priority shall be given to allocating funds for those awards in the following fiscal year.

(I) FOR FISCAL YEAR 2024 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF AT LEAST \$4,000,000 TO THE FUND.

18-604.

(a) For purposes of this section, an individual served in the Afghanistan or Iraq conflict if the individual was a member of the uniformed services of the United States who served in:

(1) Afghanistan or contiguous air space, as defined in federal regulations, on or after October 24, 2001, and before a terminal date to be prescribed by the United States Secretary of Defense; or

(2) Iraq or contiguous waters or air space, as defined in federal regulations, on or after March 19, 2003, and before a terminal date to be prescribed by the United States Secretary of Defense.

(b) There is a Veterans of the Afghanistan and Iraq Conflicts Scholarship.

(c) An individual may apply to the Office for a scholarship under this section if the individual:

(1) Is a resident of Maryland;

(2) (i) Is accepted for admission or enrolled in the regular undergraduate program at an eligible institution; or

(ii) Is accepted for admission or enrolled in a 2-year terminal certificate program in which the course work is acceptable for transfer credit for an accredited baccalaureate program in an eligible institution; and

(3) (i) 1. Is a veteran, as defined under § 9-901 of the State Government Article, who served in the Afghanistan or Iraq conflict;

2. Is an active duty member of the armed forces who served in the Afghanistan or Iraq conflict; or

3. Is a member of a reserve component of the armed forces of the United States or the Maryland National Guard who was activated as a result of the Afghanistan or Iraq conflict described in subsection (a) of this section; or

(ii) Is a son, daughter, STEPSON, STEPDAUGHTER, or spouse of:

1. A veteran or active duty member of the armed forces who is serving or has served in the Afghanistan or Iraq conflict; or

2. A member of the reserve or Maryland National Guard who was activated as a result of the Afghanistan or Iraq conflict described in subsection (a) of this section.

18-2102.

There is a James Proctor Scholarship Program in the State.

18-2106.

(a) The Governor [may] SHALL include in the [State] ANNUAL budget BILL an appropriation OF AT LEAST \$400,000 [for scholarships under] TO the Program FOR SCHOLARSHIP AWARDS.

(b) These funds appropriated under subsection (a) of this section shall be divided and distributed equally to each HBCU.

18-2503.

To qualify for a 2+2 Transfer Scholarship, an applicant shall:

(10) Have demonstrated financial need, defined [as a federally calculated expected family contribution (EFC) of \$10,000 or less as reported on the student's FAFSA] BY THE COMMISSION; and

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2022.

Enacted under Article II, § 17(b) of the Maryland Constitution, April 9, 2022.