
By: ~~Delegate Hixson~~ **Delegates Hixson and Giannetti**

Introduced and read first time: January 28, 2002

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 5, 2002

CHAPTER 314

1 AN ACT concerning

2 **Higher Education - Student Financial Assistance - Eligibility**

3 FOR the purpose of allowing a recipient of certain State ~~scholarships, scholarships~~
4 and grants, or loans to hold certain other State ~~scholarships, scholarships and~~
5 grants, or loans, subject to certain conditions; requiring a student who holds
6 multiple State ~~scholarships, scholarships and~~ grants, or loans that have a
7 service obligation to fulfill the requirements of each of the service obligations,
8 subject to a certain condition; repealing certain prohibitions on a recipient's
9 holding certain other State scholarships and grants; altering the maximum
10 amount of the financial assistance that a recipient may receive under certain
11 scholarship and grant programs; altering the percentage of the service-related
12 disability that a veteran must sustain in order to be eligible for a certain
13 scholarship program; permitting a recipient of certain scholarships or grants to
14 retain those awards even if the maximum amount of the awards exceeds a
15 certain limit, subject to certain conditions; and generally relating to eligibility
16 requirements for certain State student financial assistance.

17 BY adding to

18 Article - Education

19 Section 18-113

20 Annotated Code of Maryland

21 (2001 Replacement Volume)

22 BY repealing and reenacting, with amendments,

23 Article - Education

24 Section 18-303, 18-304, 18-503, 18-601(d) and (e), 18-603, 18-701, 18-703(e),

25 and 18-2303

1 Annotated Code of Maryland
2 (2001 Replacement Volume)

3 BY repealing and reenacting, without amendments,

4 Article - Education
5 Section 18-601(c) and 18-703(b)
6 Annotated Code of Maryland
7 (2001 Replacement Volume)

8 BY repealing

9 Article - Education
10 Section 18-2208
11 Annotated Code of Maryland
12 (2001 Replacement Volume)

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

15 **Article - Education**

16 18-113.

17 (A) ~~EXCEPT FOR THE GUARANTEED ACCESS GRANT AWARDED UNDER § 18-301~~
18 ~~OF THIS TITLE, A STUDENT MAY HOLD A SCHOLARSHIP, SCHOLARSHIP AND GRANT,~~
19 ~~OR LOAN ISSUED UNDER THIS TITLE ALONG WITH ANY OTHER SCHOLARSHIP,~~
20 ~~SCHOLARSHIP AND GRANT, OR LOAN ISSUED UNDER THIS TITLE IF:~~

21 (1) ELIGIBILITY REQUIREMENTS ARE MET FOR EACH ~~SCHOLARSHIP,~~
22 ~~SCHOLARSHIP AND GRANT, OR LOAN RECEIVED; AND~~

23 (2) THE TOTAL OF ALL ~~SCHOLARSHIPS, SCHOLARSHIPS AND GRANTS, OR~~
24 ~~LOANS RECEIVED DOES NOT EXCEED:~~

25 (I) THE STUDENT'S TOTAL COST OF EDUCATION AS CERTIFIED BY
26 THE INSTITUTION THE STUDENT IS ATTENDING; AND

27 (II) THE EQUIVALENT ANNUAL ~~EXPENSE~~ EXPENSES OF A
28 FULL-TIME RESIDENT UNDERGRADUATE AT THE ~~UNIVERSITY OF MARYLAND~~
29 ~~COLLEGE PARK~~ 4-YEAR PUBLIC INSTITUTION OF HIGHER EDUCATION WITHIN THE
30 UNIVERSITY SYSTEM OF MARYLAND, OTHER THAN THE UNIVERSITY OF MARYLAND
31 UNIVERSITY COLLEGE AND UNIVERSITY OF MARYLAND, BALTIMORE, WITH THE
32 HIGHEST ANNUAL EXPENSES FOR A FULL-TIME RESIDENT UNDERGRADUATE.

33 (B) A STUDENT WHO HOLDS MULTIPLE ~~SCHOLARSHIPS, SCHOLARSHIPS AND~~
34 ~~GRANTS, OR LOANS~~ ISSUED UNDER THIS TITLE THAT HAVE A SERVICE OBLIGATION
35 REQUIREMENT:

36 (1) MUST FULFILL THE TERMS OF EACH SERVICE OBLIGATION; AND

1 (2) MAY NOT FULFILL THE SERVICE OBLIGATIONS CONCURRENTLY.

2 18-303.

3 (a) [The recipient of an Educational Excellence Award may not hold any other
4 scholarship awarded under this title except for:

5 (1) An Economic Development Student Assistance Grant awarded under
6 § 18-701 of this title;

7 (2) A Distinguished Scholar Award under § 18-1101 of this title;

8 (3) A Maryland Science and Technology Scholarship awarded under §
9 18-2001 of this title;

10 (4) A Maryland Teacher Scholarship awarded under § 18-2202 of this
11 title; and

12 (5) A Maryland HOPE Scholarship awarded under § 18-2302 of this
13 title.

14 (b)] Each recipient of an Educational Excellence Award shall:

15 (1) Be accepted for admission in the regular undergraduate program at
16 an eligible institution or be enrolled in a two-year associate degree program in which
17 the course work is acceptable for transfer credit for an accredited baccalaureate
18 program in an eligible institution;

19 (2) Be a resident of this State;

20 (3) Demonstrate to the State Scholarship Administration a definite
21 financial need; and

22 (4) Accept any other conditions attached to the award.

23 [(c)] (B) Each recipient of a Guaranteed Access Grant shall:

24 (1) Have attained a grade point average of at least 2.5 on a 4.0 scale or
25 its equivalent at the end of the first semester of the senior year in high school and
26 have completed high school or, failing to do so, on the recommendation of the
27 recipient's high school principal, provide evidence satisfactory to the State
28 Scholarship Administration of extenuating circumstances;

29 (2) Begin college within 1 year of completing high school or, failing to do
30 so, provide evidence satisfactory to the State Scholarship Administration of
31 extenuating circumstances;

32 (3) Be under the age of 22 years at the time of receiving the first award;

33 (4) Have successfully completed a college preparatory program in high
34 school;

- 1 (5) Enroll in college as a full-time student;
- 2 (6) Have an annual family income below a poverty index determined by
3 the Commission; and
- 4 (7) Satisfy any additional criteria the Commission may establish.

5 18-304.

6 (a) (1) The Administration shall determine the amount of each Educational
7 Excellence Award based on the financial need of the applicant.

8 (2) In determining the amount of financial need, the Administration
9 shall consider regional cost-of-living differences.

10 (b) (1) Except as provided in paragraph (2) of this subsection, an
11 Educational Excellence Award may be awarded in \$100 increments and the award for
12 a single year may not be less than \$400 or more than \$3,000.

13 (2) (i) All applicants who fulfill the requirements established in §
14 18-303(b) and (c) of this subtitle shall receive a Guaranteed Access Grant.

15 (ii) The amount of a Guaranteed Access Grant shall be equal to 100
16 percent of the student's financial need as determined by the State Scholarship
17 Administration, not to exceed the equivalent annual expenses of a full-time resident
18 undergraduate at the [University of Maryland, College Park] 4-YEAR PUBLIC
19 INSTITUTION OF HIGHER EDUCATION WITHIN THE UNIVERSITY SYSTEM OF
20 MARYLAND, OTHER THAN THE UNIVERSITY OF MARYLAND UNIVERSITY COLLEGE
21 AND UNIVERSITY OF MARYLAND, BALTIMORE, WITH THE HIGHEST ANNUAL
22 EXPENSES FOR A FULL-TIME RESIDENT UNDERGRADUATE.

23 18-503.

24 (a) During each term in office, each Delegate may award the equivalent of four
25 4-year full-time scholarships, which may be awarded for either 1-, 2-, 3-, or 4-year
26 periods.

27 (b) (1) Each scholarship pays the tuition and mandatory fees at any eligible
28 institution.

29 (2) The annual amount of a scholarship at a private institution or any
30 graduate or professional program may not exceed the equivalent annual tuition and
31 mandatory fees of an undergraduate program at the [University of Maryland]
32 4-YEAR PUBLIC INSTITUTION OF HIGHER EDUCATION WITHIN THE UNIVERSITY
33 SYSTEM OF MARYLAND, OTHER THAN THE UNIVERSITY OF MARYLAND UNIVERSITY
34 COLLEGE AND UNIVERSITY OF MARYLAND, BALTIMORE, WITH THE HIGHEST
35 ANNUAL EXPENSES FOR A FULL-TIME RESIDENT UNDERGRADUATE.

1 18-601.

2 (c) The Program is the Edward T. Conroy Memorial Scholarship Program.

3 (d) A person may apply to the Administration for a scholarship under this
4 section if the person:

5 (1) Is a resident of Maryland;

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

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

11 (3) Is at least 16 years old and a son or daughter of a member of the
12 armed forces who was a resident of this State at the time the parent:

13 (i) Died or was totally and permanently disabled as a result of
14 military service after December 7, 1941; or

15 (ii) Was declared to be a prisoner of war or missing in action, if that
16 occurred on or after January 1, 1960 as a result of the Vietnam conflict, and if the
17 child was born prior to or while the parent was a prisoner of war or missing in action;

18 (4) Was a prisoner of war on or after January 1, 1960 as a result of the
19 Vietnam conflict and was a resident of this State at the time the person was declared
20 to be a prisoner of war or missing in action;

21 (5) (i) Is at least 16 years old and a son or daughter of any State or
22 local public safety employee killed in the line of duty; or

23 (ii) Is the surviving spouse of any State or local public safety
24 employee killed in the line of duty;

25 (6) Is a disabled public safety employee; or

26 (7) Is a veteran, as defined under § 9-901 of the State Government
27 Article, who:

28 (i) Suffers a service-related disability of [50%] 25% or greater;
29 and

30 (ii) Has exhausted or is no longer eligible for federal veterans'
31 educational benefits.

32 (e) A scholarship awarded under this section:

33 (1) May be used for the tuition and mandatory fees at any eligible
34 institution; and

1 (2) May not:

2 (i) Exceed the equivalent annual tuition and mandatory fees of a
3 resident undergraduate student at the [University of Maryland, College Park]
4 4-YEAR PUBLIC INSTITUTION OF HIGHER EDUCATION WITHIN THE UNIVERSITY
5 SYSTEM OF MARYLAND, OTHER THAN THE UNIVERSITY OF MARYLAND UNIVERSITY
6 COLLEGE AND UNIVERSITY OF MARYLAND, BALTIMORE, WITH THE HIGHEST
7 ANNUAL EXPENSES FOR A FULL-TIME RESIDENT UNDERGRADUATE; and

8 (ii) Be less than the lesser of:

9 1. \$3,000; or

10 2. The equivalent annual tuition and mandatory fees of a
11 resident of the institution attended by the recipient of the scholarship.

12 18-603.

13 (a) There is a program of tuition assistance under this section.

14 (b) Any career or volunteer firefighter, ambulance or rescue squad member
15 who is a resident of Maryland shall receive full and complete reimbursement by the
16 Administration for tuition costs not to exceed the resident tuition rates at the
17 [University of Maryland, College Park] 4-YEAR PUBLIC INSTITUTION OF HIGHER
18 EDUCATION WITHIN THE UNIVERSITY SYSTEM OF MARYLAND, OTHER THAN THE
19 UNIVERSITY OF MARYLAND UNIVERSITY COLLEGE AND UNIVERSITY OF MARYLAND,
20 BALTIMORE, WITH THE HIGHEST ANNUAL EXPENSES FOR A FULL-TIME RESIDENT
21 UNDERGRADUATE, for courses credited toward a degree in fire service technology or
22 emergency medical technology.

23 (c) (1) The tuition reimbursement application shall be filed with the
24 Administration no later than July 1 immediately following the academic year for
25 which tuition reimbursement is sought.

26 (2) Payment shall be made 1 year after successful completion of each
27 academic year.

28 (3) Payment may be made only if the applicant is still employed or
29 actively engaged as a career or volunteer firefighter or ambulance or rescue squad
30 member in an organized fire department or ambulance or rescue squad in this State.
31 18-701.

32 (a) There is a program of Economic Development Student Assistance Grants
33 awarded under this subtitle for students who pledge to work in fields of geographic or
34 critical shortage in this State upon completion of their studies.

35 (b) The purpose of the Program is to:

1 (1) Provide financial assistance to students enrolled at institutions of
2 higher education in the State; and

3 (2) Address the economic development needs of the State.

4 (c) Subject to subsection (c-1) of this section, a recipient of an Economic
5 Development Student Assistance Grant under this subtitle shall:

6 (1) Be a resident of the State;

7 (2) Be selected by the Administration from qualified applicants based on
8 standards established and approved by the Commission;

9 (3) Sign a letter of intent to enroll at an eligible institution in the State
10 in an eligible program as specified for each field in which there is a geographic or
11 critical shortage in this State as provided in this subtitle;

12 (4) Furnish a guaranteed promissory note to the Commission or its
13 designee with security satisfactory to the Commission;

14 (5) After completion of studies in an eligible program, perform the
15 service obligation as specified for each field in which there is a geographic or critical
16 shortage as provided in this subtitle; and

17 (6) Satisfy any additional criteria the Commission may establish.

18 (c-1) The provisions of subsection (c)(4) of this section may be waived by the
19 Commission when a recipient is undergoing extraordinary circumstances as
20 determined by the Commission.

21 (d) [(1) Except as provided in paragraph (2) of this subsection, a recipient of
22 a grant under this subtitle may not receive any other form of State-sponsored
23 financial assistance.

24 (2) (i) A recipient of a grant under this subtitle may receive an
25 Educational Excellence Award granted under § 18-301 of this title.

26 (ii) A recipient of a nursing scholarship awarded under § 18-706 of
27 this subtitle also may receive:

28 1. A senatorial scholarship awarded under Subtitle 4 of this
29 title;

30 2. A delegate scholarship awarded under Subtitle 5 of this
31 title; and

32 3. A distinguished scholar award granted under Subtitle 11
33 of this title.

1 (e)] (1) The recipient of an Economic Development Student Assistance Grant
2 shall repay the Commission the funds received as set forth in § 18-112 of this title if
3 the recipient does not:

4 (i) Complete the specified degree, attain the licensure or
5 certification required, or fulfill other requirements as provided in this subtitle; and

6 (ii) Perform the service obligation as specified in each section of
7 this subtitle for 1 year for each year that the recipient has a grant awarded under this
8 subtitle.

9 (2) (i) Except as otherwise provided in this section, the Administration
10 shall waive the repayment of the grant award at the rate of 1 year for each year that
11 the recipient performs the service obligation.

12 (ii) A recipient shall begin repayment at any time during the period
13 that the recipient is no longer performing the service obligation.

14 (3) A recipient may delay repayment as long as the recipient remains a
15 student enrolled at least part time in a degree-granting program.

16 (4) Except as otherwise provided in this subtitle, repayment shall be
17 made to the State within 6 years after the repayment period begins and shall follow
18 a repayment schedule established by the Administration.

19 (5) The Administration may waive or defer repayment in the event of
20 disability or extended sickness which prevents the recipient from fulfilling the service
21 obligation required under this subtitle.

22 [(f)] (E) The repayment of the grant award by a recipient who is not yet
23 required by the provisions of this subtitle to begin repayment of the award and who
24 accepts employment that fulfills the service obligation shall be forgiven, for the
25 purposes of this subtitle, at a rate of 1 year for each year that the recipient performs
26 the service obligation.

27 [(g)] (F) The Commission may adopt guidelines or regulations necessary to
28 implement this subtitle.

29 [(h)] (G) (1) The Commission may restructure an existing Economic
30 Development Student Assistance Grants Program, as necessary, to address the
31 existing critical shortages under the Program.

32 (2) The Commission shall adopt regulations necessary to implement any
33 changes under paragraph (1) of this subsection.

34 (3) The Commission shall notify the General Assembly of any changes
35 implemented under this subsection.

1 [(i)] (H) Funds for the Economic Development Student Assistance Grants
2 Program shall be as provided in the annual budget of the Commission by the
3 Governor.

4 18-703.

5 (b) (1) Economic Development Student Assistance Grants to be known as
6 the Sharon Christa McAuliffe Memorial Teacher Education Award may be awarded as
7 teacher education tuition assistance grants.

8 (2) The Administration shall award annually to eligible applicants
9 tuition assistance grants for the education of persons to teach in areas of critical or
10 geographic shortage.

11 (3) The recipient of a teacher education tuition assistance grant shall use
12 the award at an eligible institution.

13 (4) The State Board of Education may adopt rules and regulations to
14 determine academic criteria for selection of tuition assistance recipients from eligible
15 applicants.

16 (e) (1) For a full-time student, the annual amount of tuition assistance shall
17 be equal to the cost of tuition, mandatory fees, and room and board, not to exceed the
18 lesser of costs incurred for the program required for teacher certification in an area of
19 critical or geographic shortage or the sum of these costs for a full-time undergraduate
20 in-State resident student at the [University of Maryland, College Park] 4-YEAR
21 PUBLIC INSTITUTION OF HIGHER EDUCATION WITHIN THE UNIVERSITY SYSTEM OF
22 MARYLAND, OTHER THAN THE UNIVERSITY OF MARYLAND UNIVERSITY COLLEGE
23 AND UNIVERSITY OF MARYLAND, BALTIMORE, WITH THE HIGHEST ANNUAL
24 EXPENSES FOR A FULL-TIME RESIDENT UNDERGRADUATE.

25 (2) For a part-time student, the amount of an award may not exceed the
26 applicable cost of tuition and mandatory fees for a comparable undergraduate
27 in-State student at the [University of Maryland, College Park] 4-YEAR PUBLIC
28 INSTITUTION OF HIGHER EDUCATION WITHIN THE UNIVERSITY SYSTEM OF
29 MARYLAND, OTHER THAN THE UNIVERSITY OF MARYLAND UNIVERSITY COLLEGE
30 AND UNIVERSITY OF MARYLAND, BALTIMORE, WITH THE HIGHEST ANNUAL
31 EXPENSES FOR A FULL-TIME RESIDENT UNDERGRADUATE.

32 [18-2208.

33 Except for an Educational Excellence Award under § 18-301 of this article or a
34 Distinguished Scholar Award under § 18-1101 of this article, the recipient of a
35 Maryland Teacher Scholarship may not hold any other scholarship awarded under
36 this title.]

37 18-2303.

38 [(a) Except for an Educational Excellence Award under § 18-301 of this title or
39 a Distinguished Scholar Award under § 18-1101 of this title, the recipient of a

1 Maryland HOPE Scholarship may not hold any other scholarship awarded under this
2 title.

3 (b)] Each recipient of a Maryland HOPE Scholarship shall:

4 (1) Be accepted for admission in a regular undergraduate program at an
5 eligible institution in the State;

6 (2) Be a resident of the State;

7 (3) Earn a cumulative grade point average of at least 3.0 on a 4.0 scale or
8 its equivalent in core curriculum courses as calculated and indicated on the high
9 school transcript after the first semester of the senior year of high school;

10 (4) Begin attending an eligible institution within 2 years of completing
11 high school or, failing to do so, provide evidence satisfactory to the Administration of
12 extenuating circumstances;

13 (5) Enroll as a full-time student at an eligible institution;

14 (6) Have an annual total family income of \$95,000 or below;

15 (7) Accept any other conditions attached to the award; and

16 (8) Satisfy any additional criteria the Maryland Higher Education
17 Commission may establish.

18 SECTION 2. AND BE IT FURTHER ENACTED, That an individual who, on
19 the effective date of this Act, holds more than one scholarship or grant that was
20 awarded under a program under Title 18 of the Education Article, and whose
21 aggregate awards under that title exceed the maximum amount permitted under this
22 Act, may continue to hold each of those scholarships or grants so long as the
23 individual continues to meet the eligibility and renewal criteria for each financial
24 assistance program.

25 ~~SECTION 2. 3.~~ AND BE IT FURTHER ENACTED, That this Act shall take
26 effect ~~October~~ July 1, 2002.