

# CHAPTER 491

(Senate Bill 834)

AN ACT concerning

**Education Delegate Howard P. Rawlings Program of Educational Excellence Awards - Educational Excellence Awards Guaranteed Access Grants - Eligibility Determination**

FOR the purpose of *designating a certain financial assistance program as the Delegate Howard P. Rawlings Program of Educational Excellence Awards*; prohibiting the Office of Student Financial Assistance from taking into consideration an applicant's receipt of certain tax credits for purposes of determining eligibility for ~~an Educational Excellence Award~~ a Guaranteed Access Grant; *requiring the publishers of the Annotated Code of Maryland to correct certain terminology rendered incorrect by this Act and to describe certain corrections in a certain editor's note*; and generally relating to *the Delegate Howard P. Rawlings Program of Educational Excellence Awards and* determining an applicant's eligibility for ~~an Educational Excellence Award~~ a Guaranteed Access Grant.

BY repealing and reenacting, without amendments,

Article – Education  
Section 18–301  
Annotated Code of Maryland  
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Education  
Section ~~18–307~~ 18–303  
Annotated Code of Maryland  
(2006 Replacement Volume)

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

**Article – Education**

18–301.

(a) There is a ***DELEGATE HOWARD P. RAWLINGS*** Program of Educational Excellence Awards in this State that are awarded under this subtitle.

(b) The Program shall consist of the following types of awards:

(1) Guaranteed Access Grants that are awarded to the neediest students to ensure that 100 percent of educational costs, as defined by regulations adopted by the Commission, are paid; and

(2) Educational Assistance Grants that are awarded to low and moderate income students to assist in paying educational costs, as defined by regulations adopted by the Commission.

~~18-307.~~

~~(a) (1) Except as provided in subsection (d) of this section, the Office shall compile and certify lists for the entire State that rank applicants by financial need.~~

~~(2) TO DETERMINE THE FINANCIAL NEED OF AN APPLICANT, THE OFFICE MAY NOT CONSIDER AN AMOUNT RECEIVED BY THE APPLICANT AS AN EARNED INCOME CREDIT UNDER § 32 OF THE INTERNAL REVENUE CODE.~~

~~(b) All funds for annual initial grants shall be awarded from the statewide list on the basis of greatest financial need.~~

~~(c) On or before May 1 of each year, the Office shall send each Senator and each Delegate a list of individuals in each legislative district to whom Educational Excellence Awards are awarded.~~

~~(d) (1) (i) If State funds are available for this purpose, institutions of higher education in the State may provide Educational Excellence Awards to students who otherwise meet the requirements for receiving an Educational Excellence Award but who apply after the March 1 deadline or have other extenuating circumstances.~~

~~(ii) Each year the Commission shall transfer at least \$2 million of the funds available under § 18-107(b) of this title for the purposes of this subsection.~~

~~(2) The Commission shall:~~

~~(i) Establish guidelines for the awarding of Educational Excellence Awards by the institutions of higher education to the students; and~~

~~(ii) Adopt regulations necessary for the implementation of this subsection.~~

~~(3) (i) The Commission shall allocate available funds to institutions of higher education based on the proportion of State residents enrolled at each institution who receive federal Pell Grants.~~

~~(ii) An institution of higher education that receives funds under this paragraph shall provide the Commission with an annual audit describing the disposition of the funds.~~

18-303.

(a) Subject to subsection [(c)] **(D)** of this section, each recipient of ~~an~~ **A DELEGATE HOWARD P. RAWLINGS Educational Excellence Award** shall:

(1) Be accepted for admission in the regular undergraduate program at an eligible institution or be enrolled in a 2-year associate degree program in which the course work is acceptable for transfer credit for an accredited baccalaureate program in an eligible institution;

(2) Be a resident of this State;

(3) Demonstrate to the Office a definite financial need; and

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

(b) Each recipient of a Guaranteed Access Grant shall:

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

(2) Begin college within 1 year of completing high school or, failing to do so, provide evidence satisfactory to the Office of extenuating circumstances;

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

- school;
- (4) Have successfully completed a college preparatory program in high school;
  - (5) Enroll in college as a full-time student;
  - (6) [Have] **SUBJECT TO SUBSECTION (C) OF THIS SECTION, HAVE an annual family income below a poverty index determined by the Commission; and**
  - (7) Satisfy any additional criteria the Commission may establish.

**(C) TO DETERMINE THE ANNUAL FAMILY INCOME ELIGIBILITY OF AN APPLICANT FOR A GUARANTEED ACCESS GRANT, THE OFFICE MAY NOT CONSIDER AN AMOUNT RECEIVED BY THE APPLICANT AS AN EARNED INCOME CREDIT UNDER § 32 OF THE INTERNAL REVENUE CODE.**

[(c)] (D) A student in grade 9 or grade 10 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:

- (1) Satisfy the attendance policy of the applicable school;
- (2) Refrain from substance abuse;
- (3) Provide information required by the Commission or the State Board of Education;
- (4) Complete and file on a timely basis applications for federal student aid for each year that the student plans to enroll in postsecondary education;
- (5) Participate in the College Readiness Outreach Program established in § 18-303.1 of this subtitle until the student graduates from high school and matriculates at an institution of higher education; and
- (6) Satisfy any other program requirements set by the Office, the Commission, the State Board of Education, or the State Department of Education.

SECTION 2. AND BE IT FURTHER ENACTED, That the publisher of the Annotated Code of Maryland, in consultation with the Department of Legislative Services, shall correct, with no further action required by the General Assembly, terminology under Title 18, Subtitle 3 of the Education Article referring to the Program

of Educational Excellence Awards rendered incorrect by this Act. The publisher shall adequately describe any such correction in an editor's note following an affected section.

SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2007.

**Approved by the Governor, May 17, 2007.**