

# HOUSE BILL 971

F2, O3

7lr3064  
CF SB 872

---

By: **Delegates Ebersole, Jones, Hettleman, Korman, Lam, Tarlau, M. Washington,  
and P. Young**

Introduced and read first time: February 6, 2017

Assigned to: Ways and Means

---

## A BILL ENTITLED

1 AN ACT concerning

2 **James W. Hubbard Inclusive Higher Education Grant Program**

3 FOR the purpose of establishing the James W. Hubbard Inclusive Higher Education Grant  
4 Program; providing for the purpose of the Program; requiring the Program to be  
5 administered jointly by the Maryland Higher Education Commission, the  
6 Department of Disabilities, and the Developmental Disabilities Administration;  
7 providing for the duties of the Commission, the Department, and the Administration  
8 under the Program; requiring the Governor to include a certain appropriation in the  
9 annual budget bill in certain fiscal years; establishing qualifications for an  
10 institution of higher education to be awarded a grant under the Program; requiring  
11 certain institutions of higher education to submit a certain report to the Commission,  
12 the Department, and the Administration that includes certain information on certain  
13 dates; requiring the Commission, the Department, and the Administration to submit  
14 a certain report to the General Assembly on or before a certain date; defining certain  
15 terms; and generally relating to the James W. Hubbard Inclusive Higher Education  
16 Grant Program.

17 BY adding to

18 Article – Education

19 Section 11–1201 through 11–1205 to be under the new subtitle “Subtitle 12. James  
20 W. Hubbard Inclusive Higher Education Grant Program”

21 Annotated Code of Maryland

22 (2014 Replacement Volume and 2016 Supplement)

23 Preamble

24 WHEREAS, In 2014, the State Department of Education estimated there were 5,338  
25 students in Maryland public schools classified as having an intellectual disability, of which  
26 947 were students between the ages of 18 and 21 years, nearing the age when they will be  
27 leaving high school; and

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 WHEREAS, Maryland students with intellectual and developmental disabilities lack  
2 access to higher education in Maryland despite their desire to attend college with their  
3 nondisabled peers because no inclusive higher education options exist in Maryland; and

4 WHEREAS, The development of an inclusive higher education program for students  
5 with intellectual and developmental disabilities would allow a student to attend an  
6 institution of higher education, pay tuition, and have access to undergraduate courses that  
7 support the student's desired outcomes and job aspirations; and

8 WHEREAS, Only 32% of adults with an intellectual disability between the ages of  
9 20 and 30 years are employed compared to 74% of people without disabilities; and

10 WHEREAS, Inclusive higher education programs in other states have been proven  
11 to significantly increase rates of employment for people with an intellectual disability; and

12 WHEREAS, Data from existing programs in other states shows that 77% of students  
13 with an intellectual disability who attend college receive a credential and 41% leave with a  
14 meaningful job; and

15 WHEREAS, Opportunities for inclusive higher education exist in 31 other states, but  
16 not in Maryland; now, therefore,

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

19 **Article – Education**

20 **SUBTITLE 12. JAMES W. HUBBARD INCLUSIVE HIGHER EDUCATION GRANT**  
21 **PROGRAM.**

22 **11–1201.**

23 **(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**  
24 **INDICATED.**

25 **(B) “ADMINISTRATION” MEANS THE DEVELOPMENTAL DISABILITIES**  
26 **ADMINISTRATION.**

27 **(C) “DEPARTMENT” MEANS THE DEPARTMENT OF DISABILITIES.**

28 **(D) (1) “INCLUSIVE HIGHER EDUCATION” MEANS ACCESS TO A PROGRAM**  
29 **OF HIGHER EDUCATION FOR STUDENTS WITH INTELLECTUAL AND DEVELOPMENTAL**  
30 **DISABILITIES THAT ALLOWS FOR, TO THE GREATEST EXTENT POSSIBLE, THE SAME**  
31 **RIGHTS, PRIVILEGES, EXPERIENCES, BENEFITS, AND OUTCOMES THAT RESULT**  
32 **FROM A COLLEGE EXPERIENCE AS THEIR PEER STUDENTS WITHOUT DISABILITIES.**

- 1           **(2) “INCLUSIVE HIGHER EDUCATION” INCLUDES:**
- 2                   **(I) ACADEMIC ACCESS AND INCLUSIVE INSTRUCTION;**
- 3                   **(II) CAREER DEVELOPMENT;**
- 4                   **(III) CAMPUS ENGAGEMENT;**
- 5                   **(IV) SELF-DETERMINATION;**
- 6                   **(V) PARTICIPATION IN PAID WORK EXPERIENCES;**
- 7                   **(VI) ON- OR OFF-CAMPUS LIVING, WHEN AVAILABLE TO OTHER**  
8 **STUDENTS; AND**
- 9                   **(VII) INCLUSIVE SOCIAL ACTIVITIES.**

10           **(E) “PROGRAM” MEANS THE JAMES W. HUBBARD INCLUSIVE HIGHER**  
11 **EDUCATION GRANT PROGRAM ESTABLISHED UNDER THIS SUBTITLE.**

12 **11-1202.**

13           **(A) THERE IS A JAMES W. HUBBARD INCLUSIVE HIGHER EDUCATION**  
14 **GRANT PROGRAM.**

15           **(B) THE PROGRAM SHALL AWARD COMPETITIVE GRANTS TO INSTITUTIONS**  
16 **OF HIGHER EDUCATION TO DEVELOP AND IMPLEMENT PILOT PROGRAMS THAT**  
17 **PROVIDE INCLUSIVE HIGHER EDUCATION OPPORTUNITIES FOR STUDENTS WITH**  
18 **INTELLECTUAL AND DEVELOPMENTAL DISABILITIES.**

19 **11-1203.**

20           **(A) THE PROGRAM SHALL BE ADMINISTERED JOINTLY BY THE**  
21 **COMMISSION, THE DEPARTMENT, AND THE ADMINISTRATION.**

22           **(B) TO CARRY OUT THE PURPOSE OF THE PROGRAM, THE COMMISSION,**  
23 **THE DEPARTMENT, AND THE ADMINISTRATION SHALL:**

24                   **(1) DEVELOP AND SEND TO EACH INSTITUTION OF HIGHER**  
25 **EDUCATION IN THE STATE A DESCRIPTION OF THE PROGRAM, INCLUDING**  
26 **MATERIALS DESCRIBING THE PURPOSE AND GOALS OF THE PROGRAM, AN**  
27 **APPLICATION, COMPLIANCE REQUIREMENTS, AND AVAILABLE FUNDING;**

1           **(2) DEVELOP APPLICATION REQUIREMENTS AND REVIEW AND**  
2 **APPROVE APPLICATIONS; AND**

3           **(3) AWARD GRANTS TO INSTITUTIONS OF HIGHER EDUCATION ON A**  
4 **COMPETITIVE BASIS.**

5           **(C) FOR FISCAL YEARS 2019, 2020, AND 2021, THE GOVERNOR SHALL**  
6 **INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$250,000 FOR THE**  
7 **PROGRAM.**

8 **11-1204.**

9           **TO QUALIFY FOR A GRANT UNDER THE PROGRAM, AN INSTITUTION OF HIGHER**  
10 **EDUCATION SHALL DEVELOP A PILOT PROGRAM OF INCLUSIVE HIGHER EDUCATION**  
11 **THAT:**

12           **(1) OFFERS THE NECESSARY SUPPORTS TO STUDENTS WITH**  
13 **INTELLECTUAL AND DEVELOPMENTAL DISABILITIES TO ALLOW THESE STUDENTS,**  
14 **TO THE GREATEST EXTENT POSSIBLE, TO HAVE THE SAME RIGHTS, PRIVILEGES,**  
15 **EXPERIENCES, BENEFITS, AND OUTCOMES AS THEIR PEER STUDENTS WITHOUT**  
16 **DISABILITIES;**

17           **(2) ENSURES THAT STUDENTS WITH INTELLECTUAL AND**  
18 **DEVELOPMENTAL DISABILITIES:**

19           **(I) HAVE ACCESS TO A WIDE ARRAY OF ACADEMIC COURSES**  
20 **THAT ARE ATTENDED BY STUDENTS WITHOUT DISABILITIES;**

21           **(II) HAVE ACCESS AND SUPPORT FOR PARTICIPATION IN**  
22 **CAMPUS LIFE, INCLUDING SOCIAL ACTIVITIES AND ORGANIZATIONS, INSTITUTION**  
23 **FACILITIES, AND TECHNOLOGY; AND**

24           **(III) ARE ABLE TO ACCESS AND USE CAMPUS RESOURCES**  
25 **AVAILABLE TO STUDENTS WITHOUT DISABILITIES;**

26           **(3) PROVIDES STUDENTS WITH INTELLECTUAL AND**  
27 **DEVELOPMENTAL DISABILITIES WITH THE SUPPORTS AND EXPERIENCES**  
28 **NECESSARY TO SEEK AND SUSTAIN COMPETITIVE EMPLOYMENT;**

29           **(4) DEVELOPS AND PROMOTES THE SELF-DETERMINATION SKILLS**  
30 **OF STUDENTS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES;**

1           **(5) OFFERS PEER MENTORING;**

2           **(6) COORDINATES WITH THE STATE DEPARTMENT OF EDUCATION,**  
3 **INCLUDING THE DIVISION OF REHABILITATION SERVICES AND OTHER**  
4 **STAKEHOLDERS IN THE DEVELOPMENT OF THE INCLUSIVE HIGHER EDUCATION**  
5 **PILOT PROGRAM;**

6           **(7) ADOPTS ADMISSIONS STANDARDS THAT DO NOT REQUIRE A**  
7 **STUDENT WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES TO**  
8 **PARTICIPATE IN A CURRICULUM-BASED, ACHIEVEMENT COLLEGE ENTRANCE EXAM**  
9 **THAT IS ADMINISTERED NATIONWIDE;**

10           **(8) INCLUDES THE DEVELOPMENT OF A MEANINGFUL CREDENTIAL**  
11 **FOR STUDENTS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES TO EARN**  
12 **ON SUCCESSFUL COMPLETION OF THE INCLUSIVE HIGHER EDUCATION PILOT**  
13 **PROGRAM; AND**

14           **(9) MEETS THE REQUIREMENTS OF A COMPREHENSIVE TRANSITION**  
15 **PROGRAM UNDER THE FEDERAL HIGHER EDUCATION OPPORTUNITY ACT SO THAT**  
16 **STUDENTS ENROLLED IN THE INCLUSIVE HIGHER EDUCATION PILOT PROGRAM ARE**  
17 **ELIGIBLE FOR FEDERAL FINANCIAL AID.**

18   **11-1205.**

19           **(A) BEGINNING JANUARY 1, 2019, AND EACH 6 MONTHS THEREAFTER, AN**  
20 **INSTITUTION OF HIGHER EDUCATION AWARDED A GRANT UNDER THE PROGRAM**  
21 **SHALL SUBMIT TO THE COMMISSION, THE DEPARTMENT, AND THE**  
22 **ADMINISTRATION A REPORT THAT INCLUDES:**

23           **(1) A PLAN FOR THE SUSTAINABILITY OF THE INCLUSIVE HIGHER**  
24 **EDUCATION PILOT PROGRAM, INCLUDING ENROLLMENT PROJECTIONS;**

25           **(2) ANY NEEDS FOR TRAINING, TECHNICAL ASSISTANCE, AND OTHER**  
26 **CAPACITY NECESSARY TO PROVIDE FOR CONTINUATION OF THE INCLUSIVE HIGHER**  
27 **EDUCATION PILOT PROGRAM; AND**

28           **(3) LESSONS LEARNED BY THE INSTITUTION AND IDENTIFICATION OF**  
29 **BEST PRACTICES WITH THE GOAL OF PROMOTING THE DEVELOPMENT OF A**  
30 **STATEWIDE MODEL PROGRAM OF INCLUSIVE HIGHER EDUCATION FOR USE BY**  
31 **OTHER INSTITUTIONS OF HIGHER EDUCATION IN THE STATE.**

32           **(B) ON OR BEFORE JUNE 30, 2019, AND EACH YEAR THEREAFTER, THE**  
33 **COMMISSION, THE DEPARTMENT, AND THE ADMINISTRATION SHALL SUBMIT A**  
34 **REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE**

1 STATE GOVERNMENT ARTICLE, ON THE EFFECTIVENESS AND SUCCESS OF THE  
2 PROGRAM.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
4 1, 2017.