

## Chapter 388

**(House Bill 781)**

AN ACT concerning

**Higher Education – Educational Excellence Award Eligibility – High School Diploma by Examination**

FOR the purpose of ~~specifying that a certain requirement to obtain a high school diploma shall be satisfied if a certain individual has obtained a high school diploma by examination~~ exempting certain individuals from certain requirements relating to the Guaranteed Access Grant, subject to certain qualifications; requiring certain individuals to meet certain qualifications under certain circumstances; altering a certain age for eligibility for the Guaranteed Access Grant under certain circumstances; providing for a delayed effective date for a certain provision of this Act; and generally relating to the eligibility for a Delegate Howard P. Rawlings Educational Excellence Award.

BY repealing and reenacting, without amendments,  
 Article – Education  
 Section 18–301(a)  
 Annotated Code of Maryland  
 (2014 Replacement Volume and 2017 Supplement)

~~BY adding to~~  
~~Article – Education~~  
~~Section 18–303.2~~  
~~Annotated Code of Maryland~~  
~~(2014 Replacement Volume and 2017 Supplement)~~

BY repealing and reenacting, with amendments,  
Article – Education  
Section 18–303  
Annotated Code of Maryland  
(2018 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 18–303(c)  
Annotated Code of Maryland  
(2018 Replacement Volume)  
(As enacted by Section 1 of this Act)

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.

~~18–302.2.~~

~~A REQUIREMENT UNDER THIS SUBTITLE TO OBTAIN A HIGH SCHOOL DIPLOMA SHALL BE SATISFIED IF THE INDIVIDUAL HAS SUCCESSFULLY OBTAINED A HIGH SCHOOL DIPLOMA BY EXAMINATION UNDER § 11 808 OF THE LABOR AND EMPLOYMENT ARTICLE.~~

18–303.

(a) Subject to subsection [(d)] (E) of this section, each recipient of 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] EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, 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;

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

(5) Enroll in college as a full-time student;

(6) Subject to subsection [(c)] (D) 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) (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:**

**(I) HAS SCORED A PASSING SCORE OF AT LEAST 165 PER MODULE ON THE DIPLOMA BY EXAMINATION;**

**(II) BEGINS COLLEGE WITHIN 1 YEAR OF ACHIEVING THE SCORE DESCRIBED UNDER ITEM (I) OF THIS PARAGRAPH OR, FAILING TO DO SO, PROVIDES EVIDENCE SATISFACTORY TO THE OFFICE OF EXTENUATING CIRCUMSTANCES;**

**(III) IS UNDER THE AGE OF 26 YEARS AT THE TIME OF RECEIVING THE FIRST AWARD;**

**(IV) ENROLLS IN COLLEGE AS A FULL-TIME STUDENT; AND**

**(V) SUBJECT TO SUBSECTION (D) OF THIS SECTION, HAS AN ANNUAL FAMILY INCOME BELOW A POVERTY INDEX DETERMINED BY THE COMMISSION.**

**[(c)] (D) 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.**

**[(d)] (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) For academic years 2017–2018 and 2018–2019, a student in grade 9 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 if the student otherwise meets the conditions of paragraph (1) of this subsection.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

### Article – Education

18–303.

(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:

(i) Has scored a passing score of at least 165 per module on the diploma by examination;

(ii) Begins college within 1 year of achieving the score described under item (i) of this paragraph or, failing to do so, provides evidence satisfactory to the Office of extenuating circumstances;

(iii) Is under the age of [26] 22 years at the time of receiving the first award;

(iv) Enrolls in college as a full-time student; and

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

SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect July 1, 2022.

SECTION ~~2~~ 4. AND BE IT FURTHER ENACTED, That, except as provided in Section 3 of this Act, this Act shall take effect July 1, 2018.

**Approved by the Governor, May 8, 2018.**