

# HOUSE BILL 939

F1

1lr2644

---

By: **Delegate Arikan**

Introduced and read first time: February 2, 2021

Assigned to: Ways and Means and Appropriations

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Education – Student Education Grant Program – Established**

3 FOR the purpose of establishing the Student Education Grant Program in the Department  
4 of Education; establishing the purpose of the Program; authorizing certain students  
5 to apply to the Department to receive a grant from the Program; providing for the  
6 renewal of a grant from the Program; requiring the Department to establish an  
7 application and approval process for the Program; requiring the Department to  
8 distribute grants in a certain manner; requiring each grant to be not less than a  
9 certain amount; requiring the Department to use certain funds in providing grants  
10 under the Program; authorizing the Department to adopt certain regulations;  
11 prohibiting the Department from adopting certain regulations; defining certain  
12 terms; and generally relating to the Student Education Grant Program.

13 BY adding to

14 Article – Education

15 Section 5–222

16 Annotated Code of Maryland

17 (2018 Replacement Volume and 2020 Supplement)

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

20 **Article – Education**

21 **5–222.**

22 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
23 INDICATED.

24 (2) “ELIGIBLE STUDENT” MEANS A STUDENT WHO IS UNABLE TO

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 ATTEND THE PUBLIC SCHOOL THEY ARE ASSIGNED TO ATTEND BY THE LOCAL  
2 SCHOOL SYSTEM BECAUSE THE SCHOOL IS NOT OPEN ON THE FIRST DAY OF SCHOOL  
3 FOR THE 2021–2022 SCHOOL YEAR.

4 (3) “OPEN” MEANS, AT THE TIME OF APPLICATION:

5 (I) THE SCHOOL IS OFFERING FULLY IN–PERSON LEARNING  
6 FOR ALL CLASSES IN THE SCHOOL; AND

7 (II) THE SCHOOL HAS NOT RESTRICTED ANY IN–PERSON  
8 SCHOOL SPORTS OR EXTRACURRICULAR ACTIVITIES.

9 (4) “PROGRAM” MEANS THE STUDENT EDUCATION GRANT  
10 PROGRAM.

11 (B) (1) THERE IS A STUDENT EDUCATION GRANT PROGRAM IN THE  
12 DEPARTMENT.

13 (2) THE PURPOSE OF THE PROGRAM IS TO PROVIDE GRANTS TO  
14 ELIGIBLE STUDENTS IN THE STATE TO ATTEND AN OPEN NONPUBLIC SCHOOL  
15 APPROVED TO OPERATE IN THE STATE.

16 (C) (1) AN ELIGIBLE STUDENT MAY APPLY TO THE DEPARTMENT TO  
17 RECEIVE A GRANT FROM THE PROGRAM TO BE USED TO ATTEND AN OPEN  
18 NONPUBLIC SCHOOL DURING THE SCHOOL YEAR.

19 (2) A STUDENT WHO RECEIVES A GRANT FOR THE 2021–2022 SCHOOL  
20 YEAR SHALL CONTINUE TO RECEIVE A GRANT EACH YEAR THE STUDENT IS  
21 ENROLLED IN A NONPUBLIC SCHOOL UNTIL THE EARLIER OF THE DATE ON WHICH  
22 THE STUDENT:

23 (I) TURNS 21 YEARS OLD; OR

24 (II) GRADUATES FROM HIGH SCHOOL.

25 (D) (1) THE DEPARTMENT SHALL ESTABLISH AN APPLICATION PROCESS  
26 TO VERIFY THAT A STUDENT IS ELIGIBLE FOR THE PROGRAM.

27 (2) THE DEPARTMENT SHALL REVIEW APPLICATIONS IN A TIMELY  
28 MANNER AND APPROVE APPLICATIONS IF THE STUDENT MEETS THE REQUIREMENTS  
29 OF AN ELIGIBLE STUDENT.

30 (3) ALL STUDENTS ELIGIBLE FOR A GRANT SHALL RECEIVE A GRANT

1 FROM THE PROGRAM.

2 (E) (1) IF THE DEPARTMENT VERIFIES THAT A STUDENT IS AN ELIGIBLE  
3 STUDENT, THE DEPARTMENT SHALL DISTRIBUTE A GRANT TO THE ELIGIBLE  
4 STUDENT.

5 (2) EACH GRANT FROM THE PROGRAM SHALL EQUAL NOT LESS THAN  
6 THE STATE SHARE OF THE FOUNDATION PROGRAM, AS DEFINED IN § 5-202(A) OF  
7 THIS SUBTITLE, FOR THE COUNTY THAT THE STUDENT RESIDES IN.

8 (F) IN PROVIDING GRANTS, THE DEPARTMENT SHALL USE FUNDS  
9 DISTRIBUTED TO THE LOCAL SCHOOL SYSTEM UNDER THE FOUNDATION PROGRAM  
10 ESTABLISHED UNDER § 5-202 OF THIS SUBTITLE.

11 (G) (1) THE DEPARTMENT MAY ADOPT REGULATIONS ONLY TO:

12 (I) ESTABLISH THE PROCESS FOR GRANT APPLICATIONS AND  
13 RENEWALS; AND

14 (II) ESTABLISH THE PROCESS FOR DISTRIBUTING THE GRANTS,  
15 INCLUDING REDIRECTING FOUNDATION PROGRAM FUNDING TO ELIGIBLE  
16 STUDENTS.

17 (2) THE DEPARTMENT MAY NOT ADOPT REGULATIONS TO:

18 (I) ALTER THE DEFINITION OF AN ELIGIBLE STUDENT; OR

19 (II) REQUIRE ANY ADDITIONAL CRITERIA FOR GRANT  
20 APPLICATIONS.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
22 1, 2021.