

# SENATE BILL 664

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By: **Senator Ellis**

Introduced and read first time: February 3, 2021

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 28, 2021

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Education – ~~High School Graduation Requirements – Applications for Student~~**  
3 **Financial Aid – Outreach Plan and Advisory Committee**

4 FOR the purpose of ~~requiring certain public high school students, beginning in a certain~~  
5 ~~school year, to confer with a high school counselor or certain designated~~  
6 ~~representative regarding certain financial aid applications as a requirement for~~  
7 ~~graduation; authorizing a student or the parent or legal guardian of a minor student~~  
8 ~~to submit to a county board of education a certain form regarding certain financial~~  
9 ~~aid applications; requiring a county board to waive a certain requirement under~~  
10 ~~certain circumstances; requiring the State Department of Education to adopt certain~~  
11 ~~regulations; requiring certain regulations to include certain guidelines; requiring~~  
12 each county board of education to encourage and assist certain high school students  
13 to complete and submit certain financial aid forms by a certain deadline; requiring  
14 each county board to develop a certain outreach plan; providing for the contents of a  
15 certain outreach plan; requiring each county board to send a copy of a certain  
16 outreach plan to the State Department of Education, a certain advisory committee,  
17 and certain committees of the General Assembly; requiring the Department, in  
18 coordination with the Maryland Higher Education Commission, to establish a  
19 certain advisory committee for a certain purpose; providing for the composition and  
20 duties of the advisory committee; requiring the advisory committee to submit a  
21 certain report to the Governor and General Assembly on or before a certain date each  
22 year beginning in a certain year and publicly post the report on certain websites;  
23 requiring a county board to report certain information to the Department, a certain  
24 advisory committee, and certain committees of the General Assembly on or before a  
25 certain date each year for a certain number of years; defining certain terms; and

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



generally relating to ~~graduation requirements for~~ student financial aid planning for  
public high school students.

~~BY repealing and reenacting, without amendments,  
Article – Education  
Section 7–205.1(a)  
Annotated Code of Maryland  
(2018 Replacement Volume and 2020 Supplement)~~

BY adding to  
Article – Education  
Section ~~7–205.1(h)~~ 7–211  
Annotated Code of Maryland  
(2018 Replacement Volume and 2020 Supplement)

### Preamble

WHEREAS, The State recognizes that completion of the Free Application for Federal Student Aid (FAFSA) is one of the best predictors of whether a high school senior will go to college; and

WHEREAS, The State recognizes that high school seniors who complete the FAFSA are 84% more likely to immediately enroll in postsecondary education and FAFSA completion is associated with a 172% increase in immediate college enrollment; and

WHEREAS, The State recognizes that, during the 2019–2020 FAFSA cycle, approximately only 64% of Maryland’s graduating seniors completed the FAFSA and that rate varies dramatically by county; and

WHEREAS, In one Maryland county, only 25–39% of seniors completed the FAFSA; and

WHEREAS, Congress recently passed historic legislation expanding the eligibility for financial aid and dramatically simplifying the FAFSA by reducing the number of questions from 108 to 36, simplifying the calculation process, and declaring that all families making less than 175% of the federal poverty level will receive a maximum Pell grant award; and

WHEREAS, With the historic federal changes and the increased financial need due to COVID–19, now is the time to call for action to help Maryland’s students afford college; now, therefore,

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

### **Article – Education**

1 ~~7-205.1.~~

2 ~~(a) The State Board shall establish high school curriculum and graduation~~  
3 ~~requirements for all public schools in accordance with this section.~~

4 ~~(H) (1) BEGINNING IN THE 2022-2023 SCHOOL YEAR, AND EXCEPT AS~~  
5 ~~PROVIDED IN PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, EACH STUDENT, AS A~~  
6 ~~REQUIREMENT FOR GRADUATION, SHALL CONFER WITH A HIGH SCHOOL GUIDANCE~~  
7 ~~COUNSELOR OR OTHER DESIGNATED REPRESENTATIVE OF AN INSTITUTION OF~~  
8 ~~POSTSECONDARY EDUCATION OR A NONPROFIT ORGANIZATION, REGARDING:~~

9 ~~(i) THE FREE APPLICATION FOR FEDERAL STUDENT AID~~  
10 ~~(FAFSA) TO THE U.S. DEPARTMENT OF EDUCATION; OR~~

11 ~~(ii) THE MARYLAND STATE FINANCIAL AID APPLICATION~~  
12 ~~(MSFAA) TO THE MARYLAND HIGHER EDUCATION COMMISSION.~~

13 ~~(2) A STUDENT OR THE PARENT OR LEGAL GUARDIAN OF A MINOR~~  
14 ~~STUDENT MAY SUBMIT TO THE COUNTY BOARD A FORM SIGNED BY THE STUDENT OR~~  
15 ~~THE PARENT OR LEGAL GUARDIAN OF THE MINOR STUDENT STATING THAT THE~~  
16 ~~STUDENT UNDERSTANDS THE FAFSA OR MSFAA APPLICATION AND DECLINES TO~~  
17 ~~MEET WITH A HIGH SCHOOL GUIDANCE COUNSELOR OR OTHER DESIGNATED~~  
18 ~~REPRESENTATIVE OF AN INSTITUTION OF POSTSECONDARY EDUCATION OR A~~  
19 ~~NONPROFIT ORGANIZATION REGARDING THE APPLICATION.~~

20 ~~(3) A COUNTY BOARD SHALL WAIVE THE REQUIREMENT IN~~  
21 ~~PARAGRAPH (1) OF THIS SUBSECTION IF:~~

22 ~~(i) 1. A STUDENT COMPLETES ALL OTHER REQUIREMENTS~~  
23 ~~FOR GRADUATION IN THIS SECTION; AND~~

24 ~~2. THE STUDENT'S PRINCIPAL ATTESTS THAT THE~~  
25 ~~STUDENT HAS MADE A GOOD FAITH EFFORT TO COMPLETE THE FAFSA OR MSFAA;~~  
26 ~~OR~~

27 ~~(ii) A PARENT OR LEGAL GUARDIAN OF A STUDENT REQUESTS A~~  
28 ~~WAIVER DUE TO EXTENUATING CIRCUMSTANCES.~~

29 ~~(4) (i) THE DEPARTMENT SHALL ADOPT REGULATIONS TO~~  
30 ~~IMPLEMENT THE REQUIREMENTS OF THIS SUBSECTION.~~

31 ~~(ii) THE REGULATIONS ADOPTED UNDER THIS PARAGRAPH~~  
32 ~~SHALL INCLUDE GUIDELINES TO ENSURE THAT EACH STUDENT RECEIVES~~  
33 ~~ADEQUATE SUPPORT IN COMPLETING AND SUBMITTING THE FAFSA OR MSFAA.~~

~~SECTION 2. AND BE IT FURTHER ENACTED, That, on or before July 1 each year, beginning in 2023 and ending in 2028, each county board shall report to the Senate Education, Health, and Environmental Affairs Committee and the House Committee on Ways and Means, in accordance with § 2-1257 of the State Government Article:~~

~~(1) the number of students who completed and submitted the FAFSA or MSFAA in the immediately preceding school year;~~

~~(2) the number of students who declined to complete and submit the FAFSA or MSFAA in the immediately preceding school year; and~~

~~(3) the number of students who received a waiver under this Act in the immediately preceding school year.~~

**7-211.**

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

**(2) “FAFSA” MEANS THE FREE APPLICATION FOR FEDERAL STUDENT AID.**

**(3) “MSFAA” MEANS THE MARYLAND STATE FINANCIAL AID APPLICATION.**

**(B) (1) EACH COUNTY BOARD SHALL ENCOURAGE AND ASSIST AS MANY HIGH SCHOOL SENIORS AS POSSIBLE IN COMPLETING AND SUBMITTING A FAFSA OR MSFAA BY THE DEADLINE FOR ELIGIBILITY FOR STATE FINANCIAL AID SET BY THE MARYLAND HIGHER EDUCATION COMMISSION.**

**(2) A COUNTY BOARD SHALL DEVELOP AN OUTREACH PLAN TO ACHIEVE THE OBJECTIVE UNDER PARAGRAPH (1) OF THIS SUBSECTION.**

**(3) EACH OUTREACH PLAN SHALL INCLUDE:**

**(I) COMPLETION OF A DATA SHARING AGREEMENT WITH THE COMMISSION TO RECEIVE FAFSA FILING STATUS INFORMATION UNDER THE FEDERAL FAFSA COMPLETION INITIATIVE;**

**(II) PARTICIPATION IN THE MARYLAND COLLEGE APPLICATION CAMPAIGN;**

1                    (III) AT LEAST THREE EVENING OR WEEKEND FINANCIAL AID  
2 NIGHTS THAT PROVIDE INFORMATION AND ASSISTANCE TO STUDENTS AND THEIR  
3 PARENTS OR GUARDIANS IN COMPLETING THE FAFSA OR MSFAA;

4                    (IV) A DESCRIPTION OF PARTNERSHIPS, IF ANY, WITH:

5                    1. A COMMUNITY COLLEGE OR 4-YEAR INSTITUTION OF  
6 HIGHER EDUCATION SERVICING THAT JURISDICTION; OR

7                    2. NONPROFIT ORGANIZATIONS WITH THE PURPOSE OF  
8 ASSISTING STUDENTS WITH ACCESSING POSTSECONDARY EDUCATION OR COLLEGE  
9 ACCESS ORGANIZATIONS;

10                    (V) A DESCRIPTION OF THE COUNTY'S STUDENT AWARENESS  
11 CAMPAIGN ABOUT THE FAFSA AND MSFAA AND THE POSTSECONDARY EDUCATION  
12 FINANCIAL AID PLANNING PROCESS, INCLUDING WHEN DURING THE HIGH SCHOOL  
13 YEARS STUDENTS WILL BEGIN RECEIVING INFORMATION; AND

14                    (VI) PLANS TO ENSURE THAT STUDENTS AND THEIR FAMILIES  
15 FROM THE FOLLOWING POPULATIONS INTENTIONALLY RECEIVE THE NECESSARY  
16 INFORMATION, ASSISTANCE, AND SUPPORT:

17                    1. TRADITIONALLY UNDERSERVED STUDENTS,  
18 INCLUDING LOW-INCOME, MINORITY, AND NONNATIVE ENGLISH SPEAKERS;

19                    2. UNACCOMPANIED AND HOMELESS YOUTH; AND

20                    3. FOSTER CHILDREN.

21                    (4) ON OR BEFORE OCTOBER 1, 2022, AND EACH OCTOBER 1  
22 THEREAFTER, EACH COUNTY BOARD SHALL SEND A COPY OF THEIR OUTREACH PLAN  
23 REQUIRED UNDER THIS SUBSECTION TO THE DEPARTMENT, THE ADVISORY  
24 COMMITTEE ESTABLISHED UNDER SUBSECTION (D) OF THIS SECTION, AND THE  
25 SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE AND  
26 THE HOUSE COMMITTEE ON WAYS AND MEANS, IN ACCORDANCE WITH § 2-1257 OF  
27 THE STATE GOVERNMENT ARTICLE.

28                    (C) (1) ON OR BEFORE JULY 1 EACH YEAR, BEGINNING IN 2023 AND  
29 ENDING IN 2028, EACH COUNTY BOARD SHALL REPORT TO THE DEPARTMENT, THE  
30 ADVISORY COMMITTEE ESTABLISHED UNDER SUBSECTION (D) OF THIS SECTION,  
31 AND THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS  
32 COMMITTEE AND THE HOUSE COMMITTEE ON WAYS AND MEANS, IN ACCORDANCE  
33 WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE ON:

1                   **(I) THE NUMBER OF STUDENTS WHO COMPLETED AND**  
2 **SUBMITTED THE FAFSA OR MSFAA IN THE IMMEDIATELY PRECEDING SCHOOL**  
3 **YEAR;**

4                   **(II) THE NUMBER OF STUDENTS WHO DID NOT COMPLETE AND**  
5 **SUBMIT THE FAFSA OR MSFAA IN THE IMMEDIATELY PRECEDING SCHOOL YEAR;**  
6 **AND**

7                   **(III) THE NUMBER OF STUDENTS WHO COMPLETED THE FAFSA**  
8 **OR MSFAA BY THE DEADLINE FOR ELIGIBILITY FOR STATE FINANCIAL AID.**

9                   **(2) A COUNTY BOARD SHALL REPORT THE DATA REQUIRED UNDER**  
10 **PARAGRAPH (1) OF THIS SUBSECTION, DISAGGREGATED BY HIGH SCHOOL.**

11                   **(D) (1) THE DEPARTMENT, IN COORDINATION WITH THE MARYLAND**  
12 **HIGHER EDUCATION COMMISSION, SHALL ESTABLISH AN ADVISORY COMMITTEE TO**  
13 **PROVIDE GUIDANCE TO COUNTY BOARDS AND HIGH SCHOOLS WITH INFORMATION,**  
14 **RESOURCES, AND BEST PRACTICES ON UNIVERSAL FAFSA OR MSFAA**  
15 **COMPLETION AND PLANNING FOR FINANCIAL AID FOR POSTSECONDARY**  
16 **EDUCATION OF ALL MARYLAND STUDENTS.**

17                   **(2) THE ADVISORY COMMITTEE SHALL BE COMPOSED OF MEMBERS**  
18 **WHO ARE:**

19                   **(I) SCHOOL COUNSELORS;**

20                   **(II) SCHOOL ADMINISTRATORS AND SCHOOL DISTRICT**  
21 **PERSONNEL;**

22                   **(III) COLLEGE OR HIGH SCHOOL STUDENTS;**

23                   **(IV) RELEVANT COMMUNITY-BASED COLLEGE ASSISTANCE**  
24 **ORGANIZATIONS; AND**

25                   **(V) FINANCIAL AID, ENROLLMENT, OR OTHER RELEVANT**  
26 **OFFICIALS FROM COMMUNITY COLLEGES AND 4-YEAR HIGHER EDUCATION**  
27 **INSTITUTIONS IN THE STATE.**

28                   **(3) THE ADVISORY COMMITTEE SHALL:**

29                   **(I) 1. ANALYZE THE DATA FROM THE COUNTY BOARDS; AND**

30                   **2. DEVELOP RECOMMENDATIONS AND BEST PRACTICES**  
31 **TO ASSIST WITH THE IMPLEMENTATION OF THE OBJECTIVE SET FORTH IN**

1 SUBSECTION (B)(1) OF THIS SECTION, INCLUDING DATA REPORTING  
2 REQUIREMENTS FOR COUNTY BOARDS;

3 (II) IDENTIFY BEST PRACTICES, RELEVANT MATERIALS,  
4 TOOLKITS, AND ANY OTHER RESOURCES THAT WILL ASSIST COUNTY BOARDS IN  
5 ACHIEVING THE OBJECTIVE OF INCREASING FAFSA AND MSFAA COMPLETION  
6 RATES; AND

7 (III) ASSESS AND DEVELOP RECOMMENDATIONS ON:

8 1. THE ADEQUACY OF CURRENT SCHOLARSHIP FUNDING  
9 AS COMPARED TO THE NEEDS OF STUDENTS IN THE STATE;

10 2. THE EFFICIENCY AND EFFECTIVENESS OF THE  
11 MARYLAND HIGHER EDUCATION COMMISSION'S FAFSA AND MSFAA  
12 PROCESSING AND DATA SHARING PRACTICES; AND

13 3. THE ADEQUACY OF SUPPORTS FOR HIGH SCHOOL  
14 COUNSELORS AND SCHOOL ADMINISTRATORS IN THE EFFORT TO PREPARE  
15 STUDENTS FOR COLLEGE.

16 (4) THE ADVISORY COMMITTEE SHALL MEET AT LEAST TWICE  
17 ANNUALLY TO:

18 (I) ANALYZE DATA;

19 (II) REVIEW THE OUTREACH PLANS SUBMITTED BY THE  
20 COUNTY BOARDS;

21 (III) DISCUSS THE FAFSA AND MSFAA SUBMISSION PROCESS;  
22 AND

23 (IV) MAKE RECOMMENDATIONS TO THE DEPARTMENT AND THE  
24 MARYLAND HIGHER EDUCATION COMMISSION.

25 (5) THE ADVISORY COMMITTEE SHALL:

26 (I) SUBMIT A REPORT OF ITS FINDINGS AND  
27 RECOMMENDATIONS ON OR BEFORE AUGUST 1, 2022, AND EACH AUGUST 1  
28 THEREAFTER TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE  
29 STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY; AND

30 (II) PUBLICLY POST THE REPORT ON THE WEBSITES OF THE  
31 DEPARTMENT AND THE MARYLAND HIGHER EDUCATION COMMISSION.

1           SECTION ~~3~~ 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2 July 1, 2021.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.