

## Chapter 577

## (Senate Bill 664)

AN ACT concerning

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

FOR the purpose of ~~requiring certain public high school students, beginning in a certain school year, to confer with a high school counselor or certain designated representative regarding certain financial aid applications as a requirement for graduation; authorizing a student or the parent or legal guardian of a minor student to submit to a county board of education a certain form regarding certain financial aid applications; requiring a county board to waive a certain requirement under certain circumstances; requiring the State Department of Education to adopt certain regulations; requiring certain regulations to include certain guidelines; requiring each county board of education to encourage and assist certain high school students to complete and submit certain financial aid forms by a certain deadline; requiring each county board to develop a certain outreach plan; requiring each county board to update a certain outreach plan each year; providing for the contents of a certain outreach plan; requiring each county board to send a copy of a certain outreach plan to the State Department of Education, a certain advisory committee the Maryland Higher Education Commission, and certain committees of the General Assembly; requiring the Department, in coordination with the Maryland Higher Education Commission, to establish a certain advisory committee for a certain purpose; providing for the composition and duties of the advisory committee; requiring the advisory committee to submit a certain report to the Governor and General Assembly on or before a certain date each year beginning in a certain year and publicly post the report on certain websites; on or before a certain date each year; requiring each county board to report certain information to the Maryland Longitudinal Data System on or before a certain date each year for a certain number of years; requiring the Maryland Longitudinal Data System to disaggregate the information in a certain report to certain committees of the General Assembly on or before a certain date each year for a certain number of years; requiring the Financial Assistance Advisory Council in the Maryland Higher Education Commission to submit a certain report on or before a certain date and to review certain plans and data and make recommendations on certain plan updates on or before a certain date each year; requiring a county board to report certain information to the Department, a certain advisory committee, and certain committees of the General Assembly on or before a certain date each year for a certain number of years; requiring the Financial Assistance Advisory Council in the Maryland Higher Education Commission to update their bylaws to include a certain member; providing for the intent of the General Assembly; defining certain terms; and 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**

~~7–205.1.~~

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

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

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

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

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

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

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

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

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

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

~~(ii) THE REGULATIONS ADOPTED UNDER THIS PARAGRAPH SHALL INCLUDE GUIDELINES TO ENSURE THAT EACH STUDENT RECEIVES 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, OR A MSFAA IF INELIGIBLE TO COMPLETE A FAFSA, 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;**

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

~~(III)~~ (II) AT LEAST THREE EVENING OR WEEKEND FINANCIAL AID NIGHTS AT EACH SCHOOL THAT PROVIDE INFORMATION AND ASSISTANCE TO STUDENTS AND THEIR PARENTS OR GUARDIANS IN COMPLETING THE FAFSA OR MSFAA, OR THE MSFAA IF INELIGIBLE TO COMPLETE THE FAFSA;

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

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

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

~~(V)~~ (IV) A DESCRIPTION OF THE COUNTY'S STUDENT AWARENESS CAMPAIGN ABOUT COMPLETING THE FAFSA AND MSFAA, OR THE MSFAA IF INELIGIBLE TO COMPLETE THE FAFSA, AND THE POSTSECONDARY EDUCATION FINANCIAL AID PLANNING PROCESS, INCLUDING WHEN DURING THE HIGH SCHOOL YEARS STUDENTS WILL BEGIN RECEIVING INFORMATION; AND

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

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

2. UNACCOMPANIED AND HOMELESS YOUTH; AND

3. FOSTER CHILDREN.

(4) EACH COUNTY BOARD SHALL:

(I) UPDATE ITS OUTREACH PLAN EACH YEAR TO ADDRESS GAPS AND DISPARITIES AMONG SCHOOLS AND STUDENT POPULATIONS; AND

(II) ON OR BEFORE OCTOBER 1, 2022, AND EACH OCTOBER 1 THEREAFTER, EACH COUNTY BOARD SHALL SEND A COPY OF ~~THEIR~~ ITS OUTREACH PLAN REQUIRED UNDER THIS SUBSECTION TO THE DEPARTMENT, THE ~~ADVISORY COMMITTEE ESTABLISHED UNDER SUBSECTION (D) OF THIS SECTION~~ MARYLAND HIGHER EDUCATION COMMISSION, THE FINANCIAL ASSISTANCE ADVISORY COUNCIL, AND THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE ~~AND~~, THE HOUSE APPROPRIATIONS COMMITTEE, AND THE HOUSE

COMMITTEE ON WAYS AND MEANS, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE.

(C) (1) ON OR BEFORE JULY 1 EACH YEAR, BEGINNING IN 2023 AND ENDING IN 2028, EACH COUNTY BOARD SHALL REPORT TO THE ~~DEPARTMENT, THE ADVISORY COMMITTEE ESTABLISHED UNDER SUBSECTION (D) OF THIS SECTION, AND 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~~ MARYLAND LONGITUDINAL DATA SYSTEM ON:

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

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

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

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

(3) ON OR BEFORE OCTOBER 1 EACH YEAR, BEGINNING IN 2023 AND ENDING IN 2028, THE MARYLAND LONGITUDINAL DATA SYSTEM SHALL DISAGGREGATE THE INFORMATION REPORTED UNDER THIS SUBSECTION AND SUBMIT A REPORT TO THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE, THE HOUSE APPROPRIATIONS COMMITTEE, AND THE HOUSE COMMITTEE ON WAYS AND MEANS, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE.

(D) (1) ON OR BEFORE APRIL 1, 2022, THE FINANCIAL ASSISTANCE ADVISORY COUNCIL IN THE MARYLAND HIGHER EDUCATION COMMISSION SHALL SUBMIT A REPORT TO THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE, THE HOUSE APPROPRIATIONS COMMITTEE, AND THE HOUSE COMMITTEE ON WAYS AND MEANS, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, ON WAYS TO ASSIST COUNTY BOARDS WITH CONNECTING STUDENTS TO FINANCIAL AID OPPORTUNITIES, INCLUDING:

(I) IDENTIFYING BEST PRACTICES; AND

(II) COMPILING RELEVANT MATERIALS AND TOOLKITS.

(2) ON OR BEFORE DECEMBER 1, 2022, AND EACH DECEMBER 1 THEREAFTER, THE FINANCIAL ASSISTANCE ADVISORY COUNCIL IN THE MARYLAND HIGHER EDUCATION COMMISSION SHALL REVIEW THE PLANS SUBMITTED UNDER SUBSECTION (B)(4) OF THIS SECTION AND THE DATA REPORTED UNDER SUBSECTION (C)(1) OF THIS SECTION TO MAKE RECOMMENDATIONS ON UPDATES TO COUNTY BOARD OUTREACH PLANS.

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

~~(2) THE ADVISORY COMMITTEE SHALL BE COMPOSED OF MEMBERS WHO ARE:~~

~~(I) SCHOOL COUNSELORS;~~

~~(II) SCHOOL ADMINISTRATORS AND SCHOOL DISTRICT PERSONNEL;~~

~~(III) COLLEGE OR HIGH SCHOOL STUDENTS;~~

~~(IV) RELEVANT COMMUNITY-BASED COLLEGE ASSISTANCE ORGANIZATIONS; AND~~

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

~~(3) THE ADVISORY COMMITTEE SHALL:~~

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

~~2. DEVELOP RECOMMENDATIONS AND BEST PRACTICES TO ASSIST WITH THE IMPLEMENTATION OF THE OBJECTIVE SET FORTH IN SUBSECTION (B)(1) OF THIS SECTION, INCLUDING DATA REPORTING REQUIREMENTS FOR COUNTY BOARDS;~~

~~(II) IDENTIFY BEST PRACTICES, RELEVANT MATERIALS, TOOLKITS, AND ANY OTHER RESOURCES THAT WILL ASSIST COUNTY BOARDS IN~~

~~ACHIEVING THE OBJECTIVE OF INCREASING FAFSA AND MSFAA COMPLETION RATES; AND~~

~~(III) ASSESS AND DEVELOP RECOMMENDATIONS ON:~~

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

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

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

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

~~(i) ANALYZE DATA;~~

~~(ii) REVIEW THE OUTREACH PLANS SUBMITTED BY THE COUNTY BOARDS;~~

~~(iii) DISCUSS THE FAFSA AND MSFAA SUBMISSION PROCESS;~~  
~~AND~~

~~(iv) MAKE RECOMMENDATIONS TO THE DEPARTMENT AND THE MARYLAND HIGHER EDUCATION COMMISSION.~~

~~(5) THE ADVISORY COMMITTEE SHALL:~~

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

~~(ii) PUBLICLY POST THE REPORT ON THE WEBSITES OF THE DEPARTMENT AND THE MARYLAND HIGHER EDUCATION COMMISSION.~~

*SECTION 2. AND BE IT FURTHER ENACTED, That, on or before August 1, 2021, the Financial Assistance Advisory Council in the Maryland Higher Education Commission shall update the Council's bylaws to add a student services director member to the Council, appointed by the Public School Superintendents' Association of Maryland.*

*SECTION 3. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that each State agency that interacts with high school students shall establish a process to encourage high school students, when interacting with the agency, to complete the FAFSA, or the MSFAA if ineligible to complete the FAFSA.*

SECTION ~~3~~ 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2021.

**Enacted under Article II, § 17(c) of the Maryland Constitution, May 30, 2021.**