

MARYLAND REGISTER

Proposed Action on Regulations

Transmittal Sheet PROPOSED OR REPROPOSED Actions on Regulations	Date Filed with AELR Committee	TO BE COMPLETED BY DSD
	07/02/2015	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

1. Desired date of publication in Maryland Register: 7/24/2015

2. COMAR Codification

Title Subtitle Chapter Regulation

13B 08 06 .01-.10

3. Name of Promulgating Authority

Maryland Higher Education Commission

4. Name of Regulations Coordinator

Tonya L Johnson

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5. Name of Person to Call About this Document

Mark Blom

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6. Check applicable items:

- New Regulations

Amendments to Existing Regulations

 Date when existing text was downloaded from COMAR online: .

Repeal of Existing Regulations

Recodification

Incorporation by Reference of Documents Requiring DSD Approval

Reproposal of Substantively Different Text:

: Md. R
(vol.) (issue) (page nos) (date)

Under Maryland Register docket no.: --P.

7. Is there emergency text which is identical to this proposal:

Yes - No

8. Incorporation by Reference

Check if applicable: Incorporation by Reference (IBR) approval form(s) attached and 18 copies of documents proposed for incorporation submitted to DSD. (Submit 18 paper copies of IBR document to DSD and one copy to AELR.)

9. Public Body - Open Meeting

- OPTIONAL - If promulgating authority is a public body, check to include a sentence in the Notice of Proposed Action that proposed action was considered at an open meeting held pursuant to State Government Article, §10-506(c), Annotated Code of Maryland.

- OPTIONAL - If promulgating authority is a public body, check to include a paragraph that final action will be considered at an open meeting.

10. Children's Environmental Health and Protection

Check if the system should send a copy of the proposal to the Children's Environmental Health and Protection Advisory Council.

11. Certificate of Authorized Officer

I certify that the attached document is in compliance with the Administrative Procedure Act. I also certify that the attached text has been approved for legality by Mark Blom, Assistant Attorney General, (telephone #410-767-3311) on 7/2/2015. A written copy of the approval is on file at this agency.

Name of Authorized Officer

Mark Blom

Title

Assistant Attorney General

Telephone No.

410-767-3311

Date

7/2/2015

Title 13B
B MARYLAND HIGHER EDUCATION COMMISSION

Subtitle 08 FINANCIAL AID

13B.08.06 Jack F. Tolbert Memorial Student Grant Program

Authority: Education Article, §§11-105(u) and 18-204(c), Annotated Code of Maryland.

Notice of Proposed Action

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The Maryland Higher Education Commission proposes to add Chapter 06 Jack F. Tolbert Memorial Student Grant Program under Subtitle 08 FINANCIAL AID.

This action was considered by the Commission at an open meeting held on May 27, 2015, notice of which was given as required by the General Provisions Article, §3-302, Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to adopt regulations to implement the Jack F. Tolbert Memorial Student Grant Program under §18-1201 et seq. of the Education Article of the Annotated Code of Maryland.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Donna Thomas, Director, Office of Student Financial Assistance, Maryland Higher Education Commission, 6 N Liberty Street, 10th Floor, Baltimore, MD 21201, or call 410-767-3109, or email to donnae.thomas@maryland.gov, or fax to 410-332-0250. Comments will be accepted through August 24, 2015. A public hearing has not been scheduled.

Economic Impact Statement Part C

A. Fiscal Year in which regulations will become effective: FY 2016

B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?

Yes

C. If 'yes', state whether general, special (exact name), or federal funds will be used:

General funds.

D. If 'no', identify the source(s) of funds necessary for implementation of these regulations:

E. If these regulations have no economic impact under Part A, indicate reason briefly:

No new implementation costs for these regulations.

F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.

Small businesses are not impacted by the regulations.

G. Small Business Worksheet:

Attached Document:

Title 13B

MARYLAND HIGHER EDUCATION COMMISSION

SUBTITLE 08 FINANCIAL AID

Chapter 06 Jack F. Tolbert Memorial Student Grant Program

.01 Purpose.

The purpose of the Jack F. Tolbert Memorial Student Grant Program ("Tolbert Grant Program") is to provide financial assistance to full-time students attending an approved private career school in Maryland.

.02 Institutional Eligibility.

A. "Private career school" shall have the meaning as provided in Education Article §10-101 of the Annotated Code of Maryland.

B. To be eligible to participate in the Tolbert Grant Program, a private career school shall:

- (1) be approved by the Commission for a minimum of two years to operate a private career school in Maryland;*
- (2) not have any outstanding Notice of Deficiencies issued to the school by the Secretary; and*
- (3) have signed a participation agreement provided by the Commission.*

.03 Student Eligibility.

A. To be eligible to participate in the Tolbert Grant Program, a student shall:

- (1) be enrolled in a private career school;*

- (2) be enrolled full-time (a minimum of 18 clock hours of instruction per week) in an approved program which is at least 100 clock hours in length;
- (3) be a resident of the state of Maryland;
- (4) pledge not to violate state or federal law concerning controlled dangerous substances during the term of the award; and
- (5) demonstrate financial need and meet any other financial requirement of this program.

.04 Award Amount.

- A. A Tolbert Grant award shall be \$500 per student per fiscal year.
- B. A Tolbert Grant award shall be used for tuition only.
- C. A recipient of a Tolbert Grant shall also be eligible to receive a Senatorial or Delegate Scholarship.

.05 Institutional Allocation and Notification.

- A. At the beginning of each fiscal year, each eligible school shall be notified of the number of grant awards that may be awarded to students attending the school during the fiscal year.
- B. Each eligible school shall be allocated a minimum of six grant awards for the fiscal year.
- C. Any remaining grant awards shall be allocated proportionately based on student enrollment as follows:
 - (1) Each eligible school's total enrollment for all eligible programs shall be divided by the total enrollment for all eligible programs offered by all eligible schools.
 - (2) The percent derived from the calculation in Regulation .05C(1) shall be multiplied by the total number of awards not allocated, and the result shall be the additional allocation per school.
 - (3) Calculations under Regulation .05C shall be based on the enrollments reported in the most recent Annual Reports submitted to the Commission by eligible schools for their eligible programs.

.06 Application for Student to Participate.

- A. A student shall apply by submitting the following documents to the private career school the student attends:
 - (1) an application on a form provided by the Commission; and
 - (2) a Student Aid Report (SAR) from a processed Free Application for Federal Student Aid (FAFSA).

.07 Qualification and Selection of Recipients.

- A. A private career school shall rank all applicants according to the Expected Family Contribution (EFC) from the applicant's Student Aid Report (SAR).
- B. Each eligible applicant shall be ranked from lowest to highest based on the applicant's reported Expected Family Contribution (EFC).
- C. Awards shall be given to applicants beginning with the applicant with the lowest Expected Family Contribution (e.g., \$0) and proceeding through the rankings until all awards have been made.
- D. To be eligible for the grant program, a student shall demonstrate financial need. The Expected Family Contribution (EFC) shall be at least \$500 less than the cost of tuition annually.
- E. During the fiscal year, a school shall select candidates for awards up to the total number of awards which the school has been allocated.
- F. A school shall submit candidates to the Office of Student Financial Aid in accordance with the following:
 - (1) The school shall submit the names of candidates, a copy of their Student Aid Report (SAR), and verification of their selection to the Commission by the assigned deadline date provided by the Commission for each semester during Summer, Fall, and Spring.
 - (2) A school must use at least 66% of its allocated awards by March 15.
 - (3) The school shall verify in a form approved by the Commission that each student selected has met each requirement identified in Regulation .03 and was selected in accordance with Regulations .06 and .07.

.08 Disbursement and Reallocation of Funds.

- A. The Commission shall accept award candidates from each eligible school three times per year by the assigned deadline date provided by the Commission for each semester during Summer, Fall, and Spring.
- B. The Commission shall transmit funds to a school in the amount of the grant awards following verification by the Commission that the candidates have been reviewed and selected by the school on the basis of the requirements of these regulations.
- C. A school shall credit an award to the student's account within five business days of receiving the funds from the Commission.
- D. If a school fails to use 66% or more of its allocated awards by March 15th the remaining unused awards shall be redistributed to schools meeting the 66% requirement, on a pro-rata basis, unless the school losing the awards can show that it has eligible candidates to whom it will make the remaining awards.
- E. The Commission shall notify schools of any reallocation of awards made after March 15th.

.09 Continuation and Renewal.

- A. A Tolbert Grant is renewable for a total of two years provided the recipient:
 - (1) continues to meet all requirements for eligibility identified in Regulation .03; and

(2) is making satisfactory progress towards a certificate of completion according to the approved academic and attendance standards of the private career school.

.10 Recordkeeping and Audits.

A. All financial books, records, and documents pertaining to this program shall be opened to inspection, review, and audit at all reasonable times by the Commission, the State auditor, or their authorized representatives.

B. A private career school shall retain all financial books, records, and documents relating to an award for five years after the close of the fiscal year in which the award was made.

C. A private career school shall include this program in any independent audit conducted for the school on financial aid programs.