

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 01 .01 - .10

3. Name of Promulgating Authority

Maryland Higher Education Commission

4. Name of Regulations Coordinator

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5. Name of Person to Call About this Document

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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

X- Reproposal of Substantively Different Text:

42: 1 Md. R 91-93 1/9/2015
 (vol.) (issue) (page nos) (date)

Under Maryland Register docket no.: 15-012-P.

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

- Yes **X-** 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

X- 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.

X- 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 7/2/15. 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

7/2/15

Title 13B
B MARYLAND HIGHER EDUCATION COMMISSION

Subtitle 08 FINANCIAL AID

13B.08.01 2 + 2 Transfer Scholarship Program

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

Notice of Proposed Action

[]

The Maryland Higher Education Commission proposes to adopt new Regulations .01 —.10 under COMAR 13B.08.01 2 + 2 Transfer Scholarship Program.

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 implement the 2 + 2 Transfer Scholarship Program established under §18-2501 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:

There are no new implementation costs for this regulation.

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

The regulations do not affect small businesses.

G. Small Business Worksheet:

Attached Document:

Title 13B

MARYLAND HIGHER EDUCATION COMMISSION

Subtitle 08 FINANCIAL AID

Chapter 01 2 + 2 Transfer Scholarship Program

.01 Purpose.

The purpose of the 2+2 Transfer Scholarship Program is to assist and encourage community college graduates to transfer to a 4-year institution within the State.

.02 Eligibility.

To be eligible for assistance under the 2+2 Transfer Scholarship Program, an applicant shall:

- A. Be a Maryland resident;
- B. Be currently enrolled at a community college in Maryland;
- C. Maintain a minimum cumulative 2.5 grade point average on a 4.0 scale while a student at a community college in Maryland;
- D. Have earned an associate's degree from a community college in Maryland by the end of the semester in which the applicant plans to transfer;
- E. Be accepted for admission to a degree program at a public senior higher education institution or a private nonprofit institution of higher education in Maryland;

F. Intend to enroll in a public senior higher education institution or a private nonprofit institution of higher education in Maryland in order to complete a bachelor's program;

G. On or after the fall semester of 2014, enroll as a full-time, degree-seeking student in a public senior higher education institution or a private nonprofit institution of higher education in Maryland by the fall semester following completion of the associate's degree;

H. In the case of an individual who is required to register with the Selective Service System, have complied with the registration requirement;

I. Timely file the Free Application for Federal Student Aid (FAFSA) form; and

J. Have demonstrated financial need, defined as a federally calculated expected family contribution (EFC) of \$10,000 or less as reported on the student's FAFSA.

.03 Application Procedures.

A. To be considered for the 2+2 Transfer Scholarship, students shall submit the application and all documents required by the Office for Student Financial Assistance.

B. Students applying for the 2+2 Transfer Scholarship shall provide:

(1) A completed online application form;

(2) A completed FAFSA application;

(3) A[n] *current* official [college] transcript *from a community college in the State* reflecting the applicant's *grade point average* [that the applicant has earned an associate's degree from a community college in the State]; [and]

(4) *Upon graduation, an official transcript from a community college in the State reflecting that an Associate's Degree has been conferred; and*

[(4)] (5) Documentation the student has registered with the Selective Service System, if applicable.

C. Students should file a FAFSA by March 1 each year for priority consideration. Applications will be accepted after the March 1 date and awards will be made with available funds

D. Each student shall agree to provide any information or documentation requested by OSFA for the purpose of administering this program and, if requested, to sign an authorization for the release of information to OSFA for the purpose of administering this program. The student's failure or refusal to provide requested information or a signed release may result in a determination of ineligibility[,] and the cancellation of an award[, and the denial of a request for the deferment or waiver of a service obligation].

.04 Award Amount.

A. Except as provided in §B of this regulation, the annual award amount shall be \$1,000.

B. The annual award amount shall be \$2,000 for a student who enrolls in a science, teaching, engineering, computer science, mathematics, or nursing program.

C. The scholarship may be used for tuition and mandatory fees for 3 years of study or 6 semesters of study, whichever is longer.

.05 Selections of Recipients and Award Notification.

A. Eligible applicants shall be ranked on the basis of cumulative grade point average.

B. Grades for credits earned as a community college student shall be used to calculate the cumulative grade point average.

C. Awards shall be made to applicants based on cumulative grade point average ranked highest to lowest. Awards shall be issued until the total funds appropriated for the program have been depleted.

D. Recipients shall be notified in writing of the scholarship award. A recipient shall provide written acceptance of the award to the Office of Student Financial Assistance by the date specified in the award notice or the award will be forfeited.

.06 Verification and Payment.

A. The Office of Student Financial Assistance has the authority to verify information concerning applicants and recipients for the purpose of administering this program.

B. At the request of OSFA, schools are required to verify the following using federal standards:

(1) Taxable and nontaxable income of student and parents (if a dependent student);

(2) Enrollment status (undergraduate or graduate);

(3) Dependency status; and

(4) Transaction number of ISIR used.

C. Schools shall provide updated and verified data to OSFA by the date established each year.

D. Information verified by the institutions will be used to update OSFA records. Awards for students with corrections and errors shall be recalculated and adjusted as specified in Regulation .05 of this chapter or canceled accordingly.

E. Each semester, eligible institutions shall certify on billing rosters provided by the Office of Student Financial Assistance that the recipient is:

(1) A Maryland resident;

(2) Enrolled for 12 or more hours as a degree-seeking undergraduate student; and

- (3) Making satisfactory academic progress toward a degree.

.07 Renewal and Continuation.

A. A 2+2 Transfer Scholarship may be renewed for a total of 3 years of study, or 6 semesters of study, whichever is longer, if the recipient:

- (1) Remains a resident of the State of Maryland;
- (2) Continues to be enrolled full-time as an undergraduate student in a degree program at a public senior higher education institution or a private nonprofit institution of higher education in Maryland;
- (3) Maintains a cumulative 2.5 grade point average on a 4.0 scale each academic year the recipient is enrolled at a public senior higher education institution or a private nonprofit institution of higher education in the State or provides evidence satisfactory to the administration of extenuating circumstances as specified under Regulation .09 of this chapter; and
- (4) Maintains the standards of the institution attended by the recipient.

B. Certification of Grade Point Average.

(1) Following the spring semester, the Office of Student Financial Assistance shall request the postsecondary institution to provide a certified cumulative grade point average for the academic year for the 2+2 Transfer Scholarship recipients attending that institution. The grade point average shall be computed using the procedures in use by the institution.

(2) OSFA also may ask the school to verify the recipient's grade point average by submitting an official transcript.

(3) The institution's calculation of the grade average is final. OSFA does not round any reported grade point averages.

(4) If the institution cannot compute a cumulative grade point average for the academic year, it shall submit a grade point average for each semester the student was enrolled during the academic year. If either semester average is below a 2.5, the institution shall report the number of hours attempted and the number of hours completed for the semesters in which the student is enrolled.

(5) If the reported calculation is below a 2.5 grade point average, the recipient's 2+2 Transfer Scholarship will not be renewed.

(6) A recipient whose award has been canceled may request reinstatement of the scholarship if the student's academic performance in summer school courses taken immediately following that academic year raises the cumulative grade point average to 2.5 or above.

.08 Nonrenewal of Award.

The 2+2 Transfer Scholarship will not be renewed if the student fails to:

- A. Maintain the academic standards of the institution;
- B. Maintain Maryland residency;
- C. Maintain a cumulative 2.5 grade point average; or
- D. Enroll as a full-time degree-seeking student taking at least 12 credit hours each semester.

.09 Appeals.

A. Basis of Appeal. An appeal may [only] be filed *only* on the basis of:

- (1) Failure to maintain full-time enrollment; [or]
- (2) Failure to maintain a 2.5 cumulative grade point average[.]; and
- (3) *Changed financial circumstances.*

B. Appeal Based on Full-Time Enrollment.

- (1) "Full-time" means enrollment for at least 12 semester hours of courses each semester or its equivalent.
- (2) To be considered full-time, the actual time spent in the classroom, lab, supervised activity, or clinic shall equal 180 clock hours or more in a regular semester.
- (3) Students enrolled for at least 6 credit hours but less than 12 credits can appeal to receive the 2+2 Transfer Scholarship if they are participating in a specific course or activity (such as an internship or a practicum) that is required by the institution to complete their academic program. The student may appeal by submitting documentation, in addition to the appeal form, from the student's department chair that describes and confirms the program requirements for that semester, along with a catalog description of the program and classes involved. The documentation shall also list the number of clock hours required for each activity.

C. Appeal Based on Grade Point Average.

- (1) If a student fails to meet *the* grade point average requirement, the student may appeal on the basis of:
 - (a) A serious illness or injury of the student;
 - (b) A serious illness of a member of the student's immediate family;
 - (c) Serious emotional difficulties experienced by the student;
 - (d) The death of a member of the student's immediate family; or
 - (e) Other serious personal circumstances.
- (2) The student's appeal information shall clearly demonstrate that one or more of the factors in §C(1) of this regulation prevented the student from achieving the required grade point average.

(3) *The student's appeal shall be supported by documentation from an appropriate professional, such as a treating physician, psychologist, or health professional, sufficient to substantiate the student's claim.*

D. Appeal Based on Changed Financial Circumstances

(1) *A student may appeal if the student's financial circumstances change, after the filing of the student's application under Regulation .03, as a result of one of the following reasons:*

- (a) *The student's parent(s) or spouse dies;*
- (b) *The student or the student's parents' divorce or separate;*
- (c) *The student, student's parent (if dependent), or student's spouse (if independent) as defined by FAFSA becomes involuntarily unemployed for at least ten consecutive weeks in the current year; or*
- (d) *The student or the student's parent(s) loses, as a result of the student reaching the age of majority, benefits from Social Security, AFDC, or child support.*

(2) *The student's appeal shall be supported by appropriate documentation sufficient to substantiate the student's claim including, but not limited to, copies of:*

- (a) *A death certificate;*
 - (b) *A divorce decree or separation agreement;*
 - (c) *A notice of job termination or layoff;*
 - (d) *Federal tax transcript or W-2; and*
 - (e) *A copy of a termination notice of unemployment benefits.*
- (3) *If OSFA sustains a student's appeal, OSFA shall provide the following relief:*
- (a) *If the appeal was based on the death of the student's parent(s) or spouse, OSFA shall adjust the student's FASFA income information to exclude the income of the deceased;*
 - (b) *If the appeal was based on the student or the student's parents' divorce or separation, OSFA shall adjust the student's FASFA income information to exclude the income of the affected parent or spouse;*
 - (c) *If the appeal was based on the student, student's parent (if dependent), or student's spouse (if independent) becoming involuntarily unemployed for at least ten consecutive weeks in the current year, OSFA shall calculate the student's family contribution and total family income using an estimated income for the current calendar year; and*
 - (d) *If the appeal was based on the student or the student's parent(s) losing, as a result of the student reaching the age of majority, benefits from Social Security, TNAF, or child support, OSFA shall calculate the student's family contribution and total family income using an estimated income for the current calendar year.*

[D]E. Appeal Procedures.

(1) An appeal may only be filed by the submission of a completed appeal form to the Director of Student Financial Assistance.

(2) An appeal shall be received by OSFA within 45 days of the date the student is notified that the scholarship award has been nonrenewed.

(3) In completing the appeal form, the student shall document the conditions upon which the appeal is based as specified in §A of this regulation. Upon receipt of the appeal, the documentation shall be reviewed and a decision shall be rendered. The student shall be notified of the outcome of the appeal in writing.

.10 Funding.

The funding for the 2+2 Transfer Scholarship shall be as provided in the annual State budget. All awards are contingent upon the annual appropriation of funding.