

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 05 .01-.11

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.08.05 Delegate Scholarship 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 05 Delegate Scholarship 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 implement the Delegate Scholarship Program under §18-501 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:
- There are 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.
- The regulations do not impact small businesses.
- G. Small Business Worksheet:

Attached Document:

Title 13B

MARYLAND HIGHER EDUCATION COMMISSION

SUBTITLE 08 FINANCIAL AID

Chapter 05 Delegate Scholarship Program

.01 PURPOSE.

The purpose of the Delegate Scholarship Program is for Delegates in the Maryland General Assembly to provide financial assistance to full- and part-time students pursuing an undergraduate, graduate, or professional education.

.02 ELIGIBILITY.

A. The recipient shall be accepted for admission in the regular undergraduate, graduate, or professional program at an eligible institution or be enrolled in an associate's degree or certificate program in which the coursework is acceptable for transfer credit for an accredited baccalaureate program in an eligible institution.

B. The recipient shall attend an eligible institution for the number of credit hours for which the award was made.

C. Full-time enrollment is defined as 12 credit hours per semester for undergraduates and 9 credit hours per semester for graduate students.

D. Part-time enrollment is defined as 6 to 11 credits per semester for undergraduates and 6 to 8 hours for graduate students.

E. A recipient shall be enrolled at least part-time.

.03 ELIGIBLE INSTITUTIONS.

A. The following are eligible institutions:

- (1) A Maryland public or private college or university;
- (2) A private career school approved by the Commission to operate in Maryland;
- (3) An out-of-state institution that makes special provisions for disabled students and comparable special provisions are not available to that student at a Maryland institution; and
- (4) An out-of-state institution which offers a program not offered in Maryland under the following conditions and provisions:

(a) The applicant shall submit a written request to the Director of the Office of Student Financial Assistance identifying their major as one not offered at an institution in the State, attaching a copy of the relevant section of the out-of-state institution's catalog, and providing the applicant's full name, address, social security number, and State legislative district.

(b) The Director shall notify the student of a decision within 45 days of receipt of the request.

.04 METHODS OF AWARDING AND AWARD AMOUNT.

A. Each Delegate shall have a choice of two methods for awarding scholarships, the tuition and mandatory fees method and the set dollar method.

B. Each Delegate shall make an irrevocable selection of either the tuition and mandatory fees method or the set dollar method on an annual basis during each four-year term.

C. Tuition and mandatory fees method.

(1) Each Delegate shall award the equivalent of four, 4-year, full-time scholarships.

(2) A Delegate Scholarship award shall equal the actual tuition and mandatory fees charged to the recipient as follows:

College Type	Amount of Assistance
Community College	Tuition and Mandatory Fees
Public Four-Year College/University	Undergraduate Tuition and Mandatory Fees
Private Two-Year or Four-Year College/University	Up to Undergraduate Tuition and Mandatory Fees Maximum
Out-of-State School	Up to Undergraduate Tuition and Mandatory Fees Maximum
All Graduate Programs	Up to Undergraduate Tuition and Mandatory Fees Maximum

(3) A Delegate Scholarship may be awarded for a 1, 2, 3, or 4 year period.

(4) A Delegate may award two part-time scholarships for each full-time scholarship available; provided that a part-time Delegate Award may be renewed for a maximum of eight years and that the student is enrolled for between six credits and eleven credits each semester.

(5) A full-time tuition and mandatory fees Scholarship shall not exceed the maximum tuition and mandatory fees at the four-year public institution of higher education within the University System of Maryland, other than the University of Maryland University College and the University of Maryland, Baltimore, with the highest annual expenses for a full-time resident undergraduate.

(6) Mid-term increases in Scholarship funds will only be awarded if sufficient funds are available in the Delegate program.

(7) A summer session shall constitute a full semester for award calculation and administration purposes.

D. Set dollar method.

(1) Each Delegate shall have an annual budget in the amount of four times the tuition and mandatory fees at the four-year public institution of higher education within the University System of Maryland, other than the University of Maryland University College and the University of Maryland, Baltimore, with the highest annual expenses for a full-time resident undergraduate.

(2) The Delegate shall determine a set dollar amount to award each recipient.

(3) The minimum award shall be \$200 for the academic year and the maximum shall be one-half of the Delegate's budget for that academic year.

(4) Unawarded funds remaining in a Delegate's account at the end of an award year shall carry over into the following year for awarding.

.05 APPLICATION AND SELECTION PROCEDURES.

A. Each Delegate shall establish a written application and selection process for applicants.

B. A Delegate's written selection process may use any factors that the Delegate considers appropriate.

C. The Office of Student Financial Assistance shall refer applicant inquiries directly to the appropriate Delegates.

.06 AWARDING PROCEDURES.

A. A Delegate shall inform the Office of Student Financial Assistance when they have selected a recipient.

B. The Office of Student Financial Assistance will provide the Delegate with demographic student information of students assigned in their district. The Delegate is required to notify the Office of Student Financial Assistance of their method of awarding and how the awards will be administered for the year.

C. If the Delegate requests that the Office of Student Financial Assistance awards recipients on their behalf, student awards will be determined based on eligibility criteria outlined in Regulation .02.

D. For each recipient selected, the delegate shall provide the Office of Student Financial Assistance with written notification of the student's:

- (1) Full name;*
- (2) Social security number;*
- (3) Date of birth;*
- (4) Address;*
- (5) Award amount;*
- (6) Name of school attending; and*
- (7) Enrollment status.*

E. Upon receipt of the information in Regulation .06D, the Office of Student Financial Assistance shall officially notify the student of the award offer.

F. An award recipient shall accept the Delegate award within the timeframe established by the Office of Student Financial Assistance.

G. In the event an award which is cancelled due to the lack of a timely response will be reinstated upon written request provided that funds are available.

H. A Delegate may choose to utilize an outside organization in determining scholarship awards under the following provisions:

- (1) The organization must adhere to all pertinent statutory and regulatory provisions;*
- (2) The Office of Student Financial Assistance shall send all information concerning applicants and the awarding of scholarship funds directly to the Delegate, who shall forward the information to the outside organization to recommend awards;*
- (3) The organization shall forward the names of all students recommended for an award to the Delegate's office for approval;*
- (4) The Delegate shall forward all students selected for award to the Office of Student Financial Assistance for processing; and*
- (5) The outside organization shall not share any student information with any party other than the Delegate.*

.07 PAYMENT.

A. At the beginning of each school term, institutions shall be asked to review billing rosters provided by the Office of Student Financial Assistance and certify that the Delegate Scholarship recipient is a Maryland resident, enrolled in an eligible program for the number of credits for which the award was made, and making Satisfactory Academic Progress.

B. Upon receipt of the institution's certification, the Office of Student Financial Assistance shall disburse the respective funds directly to the institution to be credited to the student's account.

.08. RENEWAL AND CONTINUATION.

A. Delegate Scholarship awards are not automatically renewed on an annual basis. Recipients must reapply to their delegate annually.

B. A recipient shall inform the Office of Student Financial Assistance in writing of any change to the student's name, address, institution of attendance, or enrollment status.

.09 REVOCATION OF AWARD.

A. An award shall be revoked under the following circumstances:

- (1) The criteria in Regulations .07 and .08 are not met;*
- (2) The recipient makes a change to their name, address, state of residence, institution of attendance, or enrollment status and fails promptly to inform the Office of Student Financial Assistance in writing; or*
- (3) Funds are no longer available.*

.10 APPEALS PROCEDURES.

A. An applicant may appeal a decision of ineligibility or of the revocation of an award.

B. An applicant may not appeal a denial of a Delegate Scholarship made for reasons other than a determination of ineligibility.

C. An appeal shall be filed with the Director of the Office of Student Financial Assistance within 30 calendar days of the date of the notice of ineligibility or revocation..

D. An appeal shall be in writing and detail reasons and/or circumstances that would justify reversal of the original decision.

E. The Director of the Office of Student Financial Assistance or designee will review each appeal in consultation with the Delegate and issue a decision no later than sixty (60) calendar days after receiving the appeal.

F. All decisions of the Director or designee are final.

.11 NOTIFICATION OF DELEGATE FUNDS BALANCE.

A. The Office of Student Financial Assistance shall notify each Delegate of their scholarship funds balance.

B. The Office of Student Financial Assistance shall send an Applicant Roster to each Delegate at the end of April which lists all students who have filed a need-based application by the March 1 deadline and award renewals.

C. The Office of Student Financial Assistance will continue to update Delegates of Applicant Roster information including the names of new applicants and new awardees.

D. The Office of Student Financial Assistance may update rosters throughout the year.

E. If a Delegate does not award all of their scholarship funds during the fiscal year, those funds shall be carried forward into the following fiscal year.