

MARYLAND REGISTER

Proposed Action on Regulations

Transmittal Sheet PROPOSED OR REPROPOSED Actions on Regulations	Date Filed with AELR Committee	TO BE COMPLETED BY DSD
	08/28/2015	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

1. Desired date of publication in Maryland Register: 10/2/2015

2. COMAR Codification

Title Subtitle Chapter Regulation

13B 08 07 .01-.09

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 August 28, 2015. A written copy of the approval is on file at this agency.

Name of Authorized Officer

Mark Blom

Title

Principal Counsel

Telephone No.

410-767-3311

Date

August 28, 2015

Title 13B
B MARYLAND HIGHER EDUCATION COMMISSION

Subtitle 08 FINANCIAL AID

13B.08.07 Veterans of the Afghanistan and Iraqi Conflicts Scholarship Program

Authority: Education Article §§ 11-105(u), 18-204(c), and 18-604; Annotated Code of Maryland

Notice of Proposed Action

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The Maryland Higher Education Commission proposes to adopt new regulations .01-.09 under COMAR 13B.08.07 Veterans of the Afghanistan and Iraqi Conflicts Scholarship Program.

This action was considered by the Maryland Higher Education Commission at a public meeting held on June 24, 2015.

Statement of Purpose

The purpose of this action is to implement by regulation the Veterans of the Afghanistan and Iraqi Conflicts Scholarship Program established under § 18-604 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 St, 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 November 2, 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

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:

These regulations implement an existing program previously funded by the General Assembly.

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

These regulations do not impact small businesses.

G. Small Business Worksheet:

Attached Document:

Title 13B

MARYLAND HIGHER EDUCATION COMMISSION

SUBTITLE 08 FINANCIAL AID

Chapter 07 Veterans of the Afghanistan and Iraqi Conflicts Scholarship Program

Authority: Education Article, §§11-105(u) and 18-204(c) and Title 18, Subtitle 6; Annotated Code of Maryland

.01 Purpose.

The purpose of the Veterans of the Afghanistan and Iraqi Conflicts Scholarship Program is to provide financial assistance to United States armed forces personnel who served in the Afghanistan or Iraqi conflicts and their sons, daughters, or spouses attending a Maryland postsecondary institution.

.02 Eligibility.

A. To be eligible for the Afghanistan and Iraq Conflicts Scholarship Program, an individual shall be:

(1) A member, or a spouse or a child of a member, of the Uniform Services of the United States who served in Afghanistan, or contiguous air space as defined in federal regulations, on or after October 24, 2001, and before a terminal date to be prescribed by the United States Secretary of Defense, or who served in Iraq, or contiguous waters or

air space as defined in federal regulations, on or after March 19, 2003, and before a terminal date to be prescribed by the United States Secretary of Defense;

(2) A resident of Maryland;

(3) Accepted for admission or is enrolled in a regular undergraduate program at an eligible Maryland institution, or is accepted for admission or is enrolled in a 2-year terminal certificate program in which the course work is acceptable for transfer credit for an accredited baccalaureate program at an eligible Maryland institution; and

(4) Enrolled as either a full-time (12 or more credits per semesters) or part-time (6-11 credits per semester) undergraduate student.

B. The following individuals are eligible to participate in the Afghanistan and Iraq Conflicts Scholarship Program:

(1) A veteran who served at least sixty days in the Afghanistan or Iraqi Conflicts, as provided in §.A.(1) of this regulation;

(2) An active duty member of the Armed Forces who served at least sixty days in the Afghanistan or Iraqi conflicts, as provided in §(A)(1) of this regulation;

(3) A member of a reserve component of the Armed Forces of the United States or the Maryland National Guard who was activated as a result of the Afghanistan or Iraqi conflicts and served at least sixty days, as provided in §(A)(1) of this regulation; or

(4) A son, daughter, or spouse of:

(a) a veteran or active duty member of the Armed Forces who is serving or has served in the Afghanistan or Iraqi conflicts at least sixty days, as provided in §(A)(1) of this regulation; or

(b) a member of a reserve component of the Armed Forces or Maryland National Guard who was activated as a result of the Afghanistan or Iraqi conflicts and served at least sixty days, as provided in § (A)(1) of this regulation.

.03 Award Amount.

A. The annual award may not exceed 50 per cent of the equivalent annual tuition and mandatory fees and room and board of a resident undergraduate at a four-year public institution of higher education within the University System of Maryland with the highest annual expenses for a full-time resident undergraduate, other than the University of Maryland University College and the University of Maryland, Baltimore.

B. Afghanistan and Iraq Conflicts Scholarship funds may be used at any eligible Maryland institution to pay for educational expenses including tuition and mandatory fees, room, and board

C. Afghanistan and Iraq Conflicts Scholarships shall supplement any federal education benefits for which a recipient qualifies as a result of an individual's military service or status as a dependent of a member of the armed forces or of a veteran of the armed forces.

.04. Application Procedures.

A. To be considered for the Afghanistan and Iraq Conflicts Scholarship Program, an applicant shall submit:

(1) A completed Veterans of the Afghanistan and Iraqi Conflicts Scholarship application form;

(2) A Free Application for Federal Student Aid (FAFSA), filed by March 1 each year;

(3) If a son or daughter of a veteran, a birth certificate showing the names of both parents;

(4) If a spouse of a veteran, your marriage certificate; and

(5) Documentation of military orders as follows:

(a) United States Armed Forces - Active Duty: copy of official military orders

(b) United States Armed Forces - Veteran: copy of Certificate of Release or Discharge from Active Duty (Form DD214)

(c) United States Armed Forces - Reserve Component: copy of Certificate of Release or Discharge from Active Duty (Form DD214)

(d) Maryland National Guard: copy of Certificate of Release or Discharge from Active Duty (Form DD214)

B. An applicant shall submit all required documentation by March 1.

C. Each applicant shall agree to provide any information or documentation requested by the Office of Student Financial Aid (OSFA) for the purpose of administering this program and, if requested, shall sign an authorization for the release of information to OSFA for the purpose of administering this program. The applicant's failure or refusal to provide requested information or a signed release may result in a determination of ineligibility or the revocation of an award.

.05 Awarding Procedures.

A. Eligible applicants who are veterans shall be given priority over dependent children or spouses.

B. Applicants shall be ranked according to their application completion date.

C. Applicants who are awarded an Afghanistan and Iraq Conflicts Scholarship shall be notified in writing.

D. In order to accept an award, a recipient shall provide the Office of Student Financial Aid (OSFA) with a written acceptance of the award.

E. The OSFA shall not award an initial scholarship to an eligible applicant after June 30, 2020.

F. The OSFA may renew a scholarship after June 30, 2020, if the individual received an initial scholarship before that date.

.06 Payment.

- A. Payment is made directly to the institution the applicant attends.
- B. At the beginning of each school term, institutions shall be asked to review billing rosters provided by the Office of Student Financial Assistance (OSFA) to certify that the recipient meets all eligibility requirements.
- C. Upon receipt of the institution's certification, OSFA shall disburse the appropriate amount to the institution to be credited to the student's account.

.07 Renewal and Continuation.

- A. An Afghanistan and Iraq Conflicts Scholarship may be renewed on an annual basis provided that at the time of renewal the recipient:
 - (1) Meets all the requirements in regulation .02;
 - (2) Maintains a cumulative grade point average of at least 2.5 on a 4.0 scale;
 - (3) Completes the Free Application for Federal Student Aid (FAFSA) application by March 1; and
 - (4) Has promptly advised the Office of Student Financial Aid of any change in name, address, or other qualifying information.
- B. An Afghanistan and Iraq Conflicts Scholarship may be renewed for up to 5 years of full-time study or 8 years of part-time study

.08 Revocation of Award

An Afghanistan and Iraq Conflicts Scholarship award shall be revoked if any of the criteria stated in regulation .07 are not met and maintained.

.09 Appeal Procedures

- A. An Afghanistan and Iraq Conflicts Scholarship recipient may appeal a revocation that is based on the student's failure to maintain the required grade point average.
- B. An appeal may be filed only by the submission of a completed appeal form to the Director of the Office of Student Financial Aid (OSFA).
- C. An appeal shall be received by OSFA within thirty days of the date the student is notified that the scholarship award has been revoked.
- D. The student's appeal information shall clearly demonstrate that the student's failure to meet the grade point average requirement is due to one or more of the following factors:
 - (1) A serious illness or injury of the student;
 - (2) A serious illness of a member of the student's immediate family;
 - (3) Serious emotional difficulties experienced by the student;
 - (4) The death of a member of the student's immediate family; or
 - (5) Other serious personal circumstances.
- E. 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.
- F. The Director of OSFA shall review each appeal and issue a decision no later than sixty days after receiving the appeal.
- G. All decisions of the Director of OSFA are final.