

MARYLAND REGISTER

**Proposed Action on Regulations**

<b>Transmittal Sheet</b>  <b>PROPOSED OR REPROPOSED</b>  <b>Actions on Regulations</b>	<b>Date Filed with AELR Committee</b>	<b>TO BE COMPLETED BY DSD</b>
	11/06/2015	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

**1. Desired date of publication in Maryland Register: 11/30/2015**

**2. COMAR Codification**

**Title Subtitle Chapter Regulation**

13B 08 13 .01-.10

**3. Name of Promulgating Authority**

Maryland Higher Education Commission

**4. Name of Regulations Coordinator Telephone Number**

Tonya L Johnson 410-767-3312

**Mailing Address**

6 N. Liberty St., 10th Floor

**City State Zip Code**

Baltimore MD 21201

**Email**

tjohnson@mhec.state.md.us

**5. Name of Person to Call About this Document Telephone No.**

Mark Blom 410-767-3311

**Email Address**

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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 November 6, 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**

November 6, 2015

**Title 13B**  
**B MARYLAND HIGHER EDUCATION COMMISSION**

**Subtitle 08 FINANCIAL AID**

**13B.08.13 Edward T. and Mary A. Conroy Memorial Scholarship Program and Jean B. Cryor Memorial Scholarship Program**

Authority: Education Article, §§11-105(u), 18-204(c), and 18-601, Annotated Code of Maryland

**Notice of Proposed Action**

□

The Maryland Higher Education Commission proposes to add regulations .01-.10 under a new chapter 13 Edward T. and Mary A. Conroy Memorial Scholarship Program and Jean B. Cryor Memorial Scholarship Program to subtitle 08 Financial Aid under Title 13B

This action was considered at a public meeting on October 28, 2015.

**Statement of Purpose**

The purpose of this action is to adopt regulations to implement the Edward T. and Mary A. Conroy Memorial Scholarship Program and Jean B. Cryor Memorial Scholarship Program.

**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](mailto:donnae.thomas@maryland.gov), or fax to 410-332-0270. Comments will be accepted through December 30, 2015.. A public hearing has not been scheduled.

### **Economic Impact Statement Part C**

A. Fiscal Year in which regulations will become effective: FY 16

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 place existing program procedures into 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.

These regulations have no effect on businesses.

G. Small Business Worksheet:

Attached Document:

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## **Title 13B**

### **MARYLAND HIGHER EDUCATION COMMISSION**

#### **Subtitle 08 FINANCIAL AID**

#### **Chapter 13 Edward T. and Mary A. Conroy Memorial Scholarship Program and Jean B. Cryor Memorial Scholarship Program**

Authority: Education Article, §§11-105(u), 18-204(c) and 18-601; Annotated Code of Maryland

##### **.01 PURPOSE.**

A. The purpose of the Edward T. and Mary A. Conroy Memorial Scholarship Program is to provide student financial assistance to eligible dependents of deceased, missing in action, or prisoner of war United States armed forces personnel, eligible dependents of deceased public safety personnel, surviving spouses who have not remarried of deceased public safety personnel, disabled public safety personnel, and eligible dependents and surviving spouses of victims of the September 11, 2001 terrorist attacks.

B. The purpose of the Jean B. Cryor Memorial Scholarship Program is to provide student financial assistance to eligible dependents and surviving spouses of school employees who, as a victim in an act of violence occurring in the line of duty, either died or sustained an injury that rendered the school employee 100% disabled.

## **.02 DEFINITIONS.**

- A. In this chapter, the following terms have the meaning indicated.
- B. "Child" means a son, daughter, stepson, and stepdaughter.
- C. "Conroy-Cryor scholarship" means the Edward T. and Mary A. Conroy Memorial Scholarship Program and the Jean B. Cryor Memorial Scholarship Program administered under this Chapter.
- D. "Disabled public safety employee" means a State or local public safety employee who sustains an injury in the line of duty that:
- (1) Precludes the individual from continuing to serve or be employed as a State or local public safety employee; and
  - (2) In the case of a volunteer member of a fire department, ambulance, rescue squad or company, precludes the member from continuing to be employed in the nonpublic safety occupation in which the member was engaged at the time of injury.
- E. "OSFA" means the Office of Student Financial Assistance within the Maryland Higher Education Commission.
- F. "School employee" includes an employee of a public or nonpublic school in the State.
- G. "Service connected" means with respect to disability or death, that such disability was incurred or aggravated, or that the death resulted from a disability incurred or aggravated, in the line of duty in the active military.
- H. "State or local public safety employee" means a person who is a:
- (1) Career or volunteer member of a fire department, ambulance, or rescue company or squad;
  - (2) Law enforcement officer;
  - (3) Correctional officer; or
  - (4) Member of the Maryland National Guard who was a resident of this State at the time of death.
- I. "Surviving spouse" means a person who has not remarried.
- J. "Victim of the September 11, 2001 terrorist attacks" means a Maryland resident who was killed as a result of the attacks on the World Trade Center in New York City, the attack on the Pentagon in Virginia, or the crash of United Airlines flight #93 in Pennsylvania on September 11, 2001.

## **.03 ELIGIBILITY.**

- To be eligible for a Conroy-Cryor scholarship, an individual shall:
- A. Be a resident of Maryland at the time of the application or have been a resident of Maryland when an event described in §C of this regulation occurred;
- B. Be accepted for admission or enrolled in the regular undergraduate, graduate, or professional program at a Maryland postsecondary institution, or in a 2-year terminal certificate program in which the course work is acceptable for transfer credit for an accredited baccalaureate program in an eligible institution; and
- C (1) Is at least 16 years old and the child of a member of the armed forces who:
- (a) Died as a result of military service after December 7, 1941;
  - (b) Suffered a service connected 100% permanent disability after December 7, 1941; or
  - (c) Was declared to be a prisoner of war or missing in action, if that occurred on or after January 1, 1960, as a result of the Vietnam conflict, and if the child was born prior to or while the parent was a prisoner of war or missing in action;
- (2) Was a prisoner of war or missing in action, if that occurred on or after January 1, 1960, as a result of the Vietnam conflict and was a resident of this State at the time the person was declared to be a prisoner of war or missing in action;
- (3) (a) Is at least 16 years old and the child of any State or local public safety employee killed in the line of duty; or
- (b) Is the surviving spouse of any State or local public safety employee killed in the line of duty;
- (4) (a) Is a disabled public safety employee;
- (b) Is at least 16 years old and the child of a disabled public safety employee who sustains an injury in the line of duty that renders the public safety employee 100% disabled; or
  - (c) Is the surviving spouse of a disabled public safety employee who sustains an injury in the line of duty that renders the public safety employee 100% disabled;
- (5) Is a veteran, as defined under § 9-901 of the State Government Article, Annotated Code of Maryland, who:
- (a) Suffers a service connected disability of 25% or greater; and
  - (b) Has exhausted or is no longer eligible for federal veterans' educational benefits;
- (6) Is the surviving spouse of a member of the armed forces who suffered a service connected 100% permanent disability;
- (7) Is at least 16 years old and the child of or the surviving spouse of a victim of the September 11, 2001, terrorist attacks;
- (8) Is at least 16 years old and the child of a school employee who, as a result of an act of violence:

- (a) Died in the line of duty; or
- (b) Sustained an injury in the line of duty that rendered the school employee 100% disabled; or
- (9) Is the surviving spouse of a school employee who, as a result of an act of violence:
  - (a) Died in the line of duty; or
  - (b) Sustained an injury in the line of duty that rendered the school employee 100% disabled.

**.04 AWARD AMOUNT.**

A. The annual Conroy-Cryor award may not exceed the equivalent annual tuition and mandatory fees of a resident undergraduate at a 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.

B. An annual Conroy-Cryor award may not be less than the lesser of:

- (1) \$3,000; or
- (2) The equivalent annual tuition and mandatory fees of a resident of the institution attended by the recipient.

C. Awards to a child or spouse of a victim of the September 11, 2001 terrorist attacks may not exceed the amount specified in §A of this regulation when combined with any other scholarship received by the student based on the student's status as a child or spouse of a victim of the September 11, 2001 terrorist attacks.

D. A Conroy-Cryor award may be used for tuition and mandatory fees at any eligible institution.

**.05 APPLICATION PROCEDURES.**

A. An interested individual may apply for a Conroy-Cryor scholarship by submitting an application to their institution of interest containing:

- (1) A completed Conroy-Cryor scholarship application form;
- (2) If the applicant is a son or daughter, a birth certificate showing the names of both parents;
- (3) If the applicant is a stepson or stepdaughter:
  - (a) a birth certificate showing the names of both parents; and
  - (b) a marriage certificate showing the name of applicant's parent and spouse;
- (4) If the applicant is a spouse, a marriage certificate; and
- (5) Official verification from:

(a) If the applicant's parent or spouse was killed, or suffered a service connected 100% permanent disability as a result of military service or is a prisoner of war or missing in action, the United States Veterans Administration;

(b) If the applicant is a Veteran who suffers a service connected disability of 25% or greater; and who has exhausted or is no longer eligible for federal veteran's educational benefits, the United States Veterans Administration;

(c) If the applicant's spouse was killed in the line of duty, the applicable State or local public safety personnel office;

(d) If the applicant's parent was killed in the line of duty, the applicable State or local public safety personnel office;

(e) If the applicant, applicant's spouse or parent is a disabled public safety employee who sustained an injury in the line of duty that renders the public safety employee 100% disabled the applicable State or local public safety personnel office;

(f) If the disability was a result of service while the applicant was a volunteer member of a fire department, ambulance/rescue squad or company, the nonpublic safety employer and the local public safety personnel office;

(g) A physician, in the form of a death certificate identifying the deceased and certifying the date, location and cause of death to have been as a result of the attacks on the World Trade Center, the Pentagon, or the crash of United Airlines Flight #93 on September 11, 2001; or

(h) For the Jean B. Cryor Memorial Scholarship, a physician, in the form of:
 

- (i) A copy of a death certificate identifying the deceased and certifying the date, location, and cause of death to have occurred in the line of duty; or

(ii) A statement certifying that the parent or spouse of the applicant, as applicable, has a 100% disability as a result of an injury sustained in the line of duty.

B. Eligible institutions shall make Conroy-Cryor scholarship forms available to interested individuals at their financial aid office.

C. Institutions shall promote the Conroy-Cryor program.

D. Institutions shall accept all Conroy-Cryor scholarship applicants and determine the eligibility of applicants.

E. The Conroy-Cryor scholarship application deadline for new applicants is July 15.

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F. Each applicant shall agree to provide any information or documentation requested by 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.

**.06 AWARDING PROCEDURES.**

A. Applicants who are awarded a Conroy-Cryor scholarship shall be notified of the award in writing by the institution's financial aid office.

B. A Conroy-Cryor scholarship recipient shall provide the institution's financial aid office with a written acceptance of the award by the date specified by the institution.

C. No more than 15 Conroy-Cryor scholarships may be awarded annually to Veterans who suffer from a service connected disability of 25% or greater.

**.07 PAYMENT.**

A. Institutions shall make the initial award disbursement on the eligible student's behalf.

B. The institution's financial aid office shall report to OSFA each October and February information as required by OSFA regarding eligible Conroy-Cryor scholarship recipients.

C. Upon receipt and acceptance of the institution's information, the OSFA shall authorize Conroy-Cryor scholarship reimbursements to the institutions.

D. If sufficient funds are not appropriated for that award year to pay institutions for all eligible Conroy-Cryor scholarship recipients, funds from the following years' appropriations will be used first to satisfy unpaid scholarship balances from the prior year.

**.08 RENEWAL AND CONTINUATION.**

A. The OSFA shall renew all eligible Conroy-Cryor scholarship recipients who were initially awarded prior to FY 2011 and shall continue to renew them until they complete their program of study or are otherwise no longer eligible for the award.

B. Institutions of higher education shall make Conroy-Cryor scholarship renewal awards to students who received their first award during FY 2011 or later.

C. A Conroy-Cryor scholarship may be renewed on an annual basis for up to five years of full-time study or eight years of part-time study if the recipient:

- (1) Is enrolled on at least a part-time basis in an eligible Maryland postsecondary institution; and
- (2) Continues to meet all other eligibility requirements.

**.09 REVOCATION OF AWARD.**

A Conroy-Cryor scholarship award shall be revoked if:

A. The criteria in Regulation .07 or .08 are not met;

B. The recipient makes any changes to name, address or any other information pertinent to the Conroy-Cryor scholarship and fails to inform the financial aid office at their institution or other office designated by their institution to administer the program; or

C. The recipient otherwise fails to satisfy the eligibility criteria.

**.10 APPEALS.**

A. All eligible institutions shall establish and publicize its appeal process for the Conroy-Cryor scholarship program.

B. An institution's appeal decision may not be appealed to the Office of Student Financial Assistance in the Maryland Higher Education Commission.