
By: **Delegates Hixson, Frush, and Menes**
Introduced and read first time: March 9, 1998
Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Public Senior Higher Education Institutions - Tuition Waivers - Equity in**
3 **Funding of Athletics**

4 FOR the purpose of requiring the State to provide tuition waivers for female athletes
5 who attend or plan to attend certain institutions of higher education in the State
6 under certain circumstances; requiring the State to match funds raised for
7 athletic activities at the institutions according to a certain formula; requiring
8 the University of Maryland Foundation to certify and hold certain funds raised
9 for athletic activities at the institutions; and generally relating to equity in
10 funding of athletic activities at certain institutions of higher education in the
11 State.

12 BY repealing and reenacting, without amendments,
13 Article - Education
14 Section 12-101(b)
15 Annotated Code of Maryland
16 (1997 Replacement Volume and 1997 Supplement)

17 BY adding to
18 Article - Education
19 Section 18-2001 through 18-2003, inclusive, to be under the new subtitle
20 "Subtitle 20. Tuition Waivers for Equity in Funding Athletics"
21 Annotated Code of Maryland
22 (1997 Replacement Volume and 1997 Supplement)

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
24 MARYLAND, That the Laws of Maryland read as follows:

25 **Article - Education**

26 12-101.

27 (b) In this title the following words have the meanings indicated.

1 (1) "Board" or "Board of Regents" means the Board of Regents of the
2 University System of Maryland.

3 (2) "Chancellor" means the Chief Executive Officer of the University
4 System of Maryland and the Chief of Staff for the Board of Regents.

5 (3) "President" means the Chief Executive Officer of a constituent
6 institution of the University System of Maryland.

7 (4) "Constituent institutions", "institutions", or "campuses" means the
8 following public senior higher education institutions under the jurisdiction of the
9 Board of Regents:

10 (i) University of Maryland, Baltimore;

11 (ii) University of Maryland Baltimore County;

12 (iii) University of Maryland, College Park;

13 (iv) University of Maryland Eastern Shore;

14 (v) University of Maryland University College;

15 (vi) Bowie State University;

16 (vii) Coppin State College;

17 (viii) Frostburg State University;

18 (ix) Salisbury State University;

19 (x) Towson University; and

20 (xi) University of Baltimore.

21 (5) "Centers" or "Institutes" means the following components of the
22 System under the jurisdiction of the Board of Regents:

23 (i) University of Maryland Center for Environmental Science;

24 (ii) Cooperative Extension Service and the Agricultural Experiment
25 Station;

26 (iii) Statewide Medical Education and Training System;

27 (iv) Fire and Rescue Institute; and

28 (v) Any other center, component, or institute established and
29 operated by the System in accordance with its mission.

1 (6) "University" or "University of Maryland" or "University of Maryland
2 System" means the University System of Maryland.

3 SUBTITLE 20. TUITION WAIVERS FOR EQUITY IN FUNDING ATHLETICS.
4 18-2001.

5 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
6 INDICATED.

7 (B) "ATHLETIC DEPARTMENT" MEANS A DEPARTMENT FOR THE
8 ORGANIZATION AND MANAGEMENT OF ATHLETIC ACTIVITIES AT A CONSTITUENT
9 INSTITUTION.

10 (C) "CONSTITUENT INSTITUTION" HAS THE MEANING PROVIDED IN § 12-101(B)
11 OF THIS ARTICLE.

12 (D) "IN-STATE FEMALE ATHLETE" MEANS A FEMALE WHO:

13 (1) ATTENDS OR IS A GRADUATE OF A SECONDARY SCHOOL IN THE
14 STATE; AND

15 (2) HAS BEEN IDENTIFIED BY AN ATHLETIC DEPARTMENT AT A
16 CONSTITUENT INSTITUTION AS AN ATHLETE WHO MERITS AN ATHLETIC TUITION
17 WAIVER.

18 18-2002.

19 THE STATE SHALL PROVIDE A FULL TUITION WAIVER FOR AN IN-STATE
20 FEMALE ATHLETE WHO:

21 (1) ATTENDS OR PLANS TO ATTEND A CONSTITUENT INSTITUTION AS AN
22 UNDERGRADUATE STUDENT;

23 (2) IS SELECTED BY A CONSTITUENT INSTITUTION AS A RECIPIENT OF A
24 FULL TUITION SCHOLARSHIP BASED ON ATHLETIC ABILITY; AND

25 (3) AGREES TO PARTICIPATE IN A SPECIFIC ATHLETIC ACTIVITY AS PART
26 OF AN INTERCOLLEGIATE ATHLETIC TEAM AT THE CONSTITUENT INSTITUTION.

27 18-2003.

28 (A) THE STATE SHALL MATCH ON A 2-TO-1 BASIS ANY FUNDS RAISED FOR
29 THE OPERATIONAL EXPENSES OF A WOMEN'S INTERCOLLEGIATE ATHLETIC TEAM AT
30 A CONSTITUENT INSTITUTION BY AN ATHLETIC DEPARTMENT WITHIN THE
31 CONSTITUENT INSTITUTION OR BY THE CONSTITUENT INSTITUTION.

32 (B) (1) THE AMOUNT OF MATCHING FUNDS THAT A CONSTITUENT
33 INSTITUTION MAY RECEIVE FROM THE STATE UNDER THE PROVISIONS OF THIS

1 SECTION MAY NOT EXCEED 15% OF THE TOTAL OPERATIONAL EXPENDITURES BY
2 THE CONSTITUENT INSTITUTION FOR WOMEN'S ATHLETIC PROGRAMS.

3 (2) IN ORDER TO DETERMINE THE MAXIMUM AMOUNT TO BE MATCHED
4 BY THE STATE UNDER THE PROVISIONS OF THIS SUBTITLE, THE STATE AND A
5 CONSTITUENT INSTITUTION SHALL USE THE FIGURES FROM THE ANNUAL REPORT
6 PREPARED BY THE CONSTITUENT INSTITUTION FOR COMPLIANCE WITH THE
7 FEDERAL MANDATE FOR DISCLOSURE OF EQUITY IN ATHLETICS.

8 (3) THE UNIVERSITY OF MARYLAND FOUNDATION, A NONPROFIT
9 CORPORATION THAT IS A REPOSITORY FOR FUNDS RAISED BY ATHLETIC
10 ORGANIZATIONS AT CONSTITUENT INSTITUTIONS, SHALL CERTIFY AND HOLD THE
11 FUNDS RAISED BY AN ATHLETIC DEPARTMENT WITHIN A CONSTITUENT
12 INSTITUTION OR BY A CONSTITUENT INSTITUTION AND THE MATCHING FUNDS
13 CONTRIBUTED BY THE STATE UNDER THIS SECTION.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 July 1, 1998.