

SENATE BILL 895

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2001 Regular Session
11r3042
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By: **Senator Mitchell**

Constitutional Requirements Complied with for Introduction in the last 35 Days of Session

Introduced and read first time: March 6, 2001

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Higher Education - Guaranteed Access Grant Program**

3 FOR the purpose of requiring the State Scholarship Administration to provide certain
4 notice of the availability of the Guaranteed Access Grant Program; altering the
5 eligibility requirements for a Program grant; establishing that certain
6 secondary school students shall qualify in advance for the Program under
7 certain circumstances; requiring each county board of education to require each
8 school district under its jurisdiction to designate a Program contact person to
9 perform certain functions; requiring each public secondary school in the State to
10 designate Program mentors to perform certain functions; requiring the
11 Administration to provide certain financial and administrative support to
12 implement certain provisions of the Program; requiring a county board to make
13 certain information available to other schools; altering the amounts of a
14 Program grant; altering the amount of time that a student may continue to
15 receive a Program grant; altering the criteria that a recipient is required to meet
16 to continue to receive a Program grant; authorizing the Administration to set
17 aside certain funds for certain use; requiring the Administration to use certain
18 funds for certain purposes; and generally relating to the Guaranteed Access
19 Grant Program.

20 BY repealing and reenacting, without amendments,
21 Article - Education
22 Section 18-301, 18-305, and 18-308
23 Annotated Code of Maryland
24 (1999 Replacement Volume and 2000 Supplement)

25 BY repealing and reenacting, with amendments,
26 Article - Education
27 Section 18-302 through 18-304, 18-306, 18-307, 18-309, and 18-310
28 Annotated Code of Maryland
29 (1999 Replacement Volume and 2000 Supplement)

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

3 **Article - Education**

4 18-301.

5 (a) There is a Program of Educational Excellence Awards in this State that are
6 awarded under this subtitle.

7 (b) The Program shall consist of the following types of awards:

8 (1) Guaranteed Access Grants that are awarded to the neediest students
9 to ensure that 100 percent of educational costs, as defined by regulations adopted by
10 the Commission, are paid; and

11 (2) Educational Assistance Grants that are awarded to low and moderate
12 income students to assist in paying educational costs, as defined by regulations
13 adopted by the Commission.

14 18-302.

15 (A) The State Scholarship Administration shall publicize the availability of
16 Educational Excellence Awards.

17 (B) THE ADMINISTRATION SHALL NOTIFY EACH PUBLIC OR PRIVATE SCHOOL
18 STUDENT IN GRADE 6 THROUGH GRADE 10 OF THE AVAILABILITY OF THE
19 GUARANTEED ACCESS GRANT PROGRAM.

20 18-303.

21 (a) The recipient of an Educational Excellence Award may not hold any other
22 scholarship awarded under this title except for:

23 (1) An Economic Development Student Assistance Grant awarded under
24 § 18-701 of this title;

25 (2) A Distinguished Scholar Award under § 18-1101 of this title;

26 (3) A Maryland Science and Technology Scholarship awarded under §
27 18-2001 of this title;

28 (4) A Maryland Teacher Scholarship awarded under § 18-2202 of this
29 title; and

30 (5) A Maryland HOPE Scholarship awarded under § 18-2302 of this
31 title.

32 (b) [Each] SUBJECT TO SUBSECTION (D) OF THIS SECTION, EACH recipient of
33 an Educational Excellence Award shall:

1 (1) Be accepted for admission in the regular undergraduate program at
2 an eligible institution or be enrolled in a two-year associate degree program in which
3 the course work is acceptable for transfer credit for an accredited baccalaureate
4 program in an eligible institution;

5 (2) Be a resident of this State;

6 (3) Demonstrate to the State Scholarship Administration a definite
7 financial need; and

8 (4) Accept any other conditions attached to the award.

9 (c) Each recipient of a Guaranteed Access Grant shall:

10 (1) Have attained a grade point average of at least [2.5] 2.0 on a 4.0
11 scale or its equivalent at the end of the first semester of the senior year in high school
12 and have completed high school or, failing to do so, on the recommendation of the
13 recipient's high school principal, provide evidence satisfactory to the State
14 Scholarship Administration of extenuating circumstances;

15 (2) Begin college within [1 year] 3 YEARS of completing high school or,
16 failing to do so, provide evidence satisfactory to the State Scholarship Administration
17 of extenuating circumstances;

18 (3) [Be under the age of 22 years at the time of receiving the first award;

19 (4)] Have successfully completed [a college preparatory program in] A
20 high school COURSE OF STUDY REQUIRED FOR ADMISSION TO AN INSTITUTE OF
21 HIGHER EDUCATION;

22 [(5)] (4) Enroll in college as a full-time student;

23 [(6)] (5) Have an annual family income below a poverty index
24 determined by the Commission; and

25 [(7)] (6) Satisfy any additional criteria the Commission may establish.

26 (D) (1) A STUDENT IN GRADE 9 OR GRADE 10 WHO QUALIFIES FOR THE
27 GUARANTEED ACCESS GRANT PROGRAM ON THE BASIS OF FINANCIAL NEED UNDER
28 STANDARDS ADOPTED BY THE ADMINISTRATION SHALL QUALIFY FOR A
29 GUARANTEED ACCESS GRANT TO APPLY AT THE TIME OF ENROLLMENT IN AN
30 INSTITUTION OF HIGHER EDUCATION BY AGREEING IN WRITING, AS A SECONDARY
31 AND UNDERGRADUATE STUDENT, TO:

32 (I) SATISFY THE ATTENDANCE POLICY OF THE APPLICABLE
33 SCHOOL;

34 (II) MEET REGULARLY WITH MENTORS PROVIDED UNDER
35 PARAGRAPH (3) OF THIS SUBSECTION;

36 (III) REFRAIN FROM SUBSTANCE ABUSE;

1 (IV) PROVIDE INFORMATION REQUIRED BY THE ADMINISTRATION
2 OR THE STATE BOARD OF EDUCATION;

3 (V) COMPLETE AND FILE ON A TIMELY BASIS APPLICATIONS FOR
4 FEDERAL STUDENT AID FOR EACH YEAR THAT THE STUDENT PLANS TO ENROLL IN
5 POSTSECONDARY EDUCATION; AND

6 (VI) SATISFY OTHER PROGRAM REQUIREMENTS SET BY THE
7 ADMINISTRATION.

8 (2) (I) EACH COUNTY BOARD SHALL REQUIRE EACH SCHOOL
9 DISTRICT UNDER ITS JURISDICTION TO DESIGNATE AT LEAST ONE GUARANTEED
10 ACCESS GRANT PROGRAM CONTACT PERSON, WHO SHALL BE A COUNSELOR OR
11 TEACHER, AT EACH SECONDARY SCHOOL IN THE STATE.

12 (II) A CONTACT PERSON SHALL:

13 1. DOCUMENT AND MAINTAIN STUDENT AGREEMENTS
14 MADE UNDER PARAGRAPH (1) OF THIS SUBSECTION;

15 2. MONITOR STUDENT COMPLIANCE WITH THE
16 AGREEMENTS;

17 3. ENCOURAGE STUDENTS TO PARTICIPATE IN FEDERAL
18 AND STATE PRECOLLEGE-PREPARATION PROGRAMS; AND

19 4. CONFER WITH THE PARENTS OR GUARDIANS OF THE
20 STUDENT.

21 (3) EACH PUBLIC SECONDARY SCHOOL IN THE STATE SHALL
22 DESIGNATE GUARANTEED ACCESS GRANT PROGRAM MENTORS TO ASSIST STUDENTS
23 IN ACHIEVING COMPLIANCE WITH THE AGREEMENTS.

24 (4) THE ADMINISTRATION SHALL:

25 (I) DESIGNATE PERSONNEL TO COORDINATE TRACKING OF
26 STUDENTS ELIGIBLE FOR THE GUARANTEED ACCESS GRANT PROGRAM UNDER THIS
27 SUBSECTION; AND

28 (II) PROVIDE STAFF DEVELOPMENT FOR CONTACT PERSONS AND
29 MENTORS.

30 (5) A COUNTY BOARD OR PRIVATE SCHOOL ON REQUEST SHALL
31 FORWARD INFORMATION REGARDING THE ELIGIBILITY OF A STUDENT FOR THE
32 GUARANTEED ACCESS GRANT PROGRAM UNDER THIS SUBSECTION TO ANY SCHOOL
33 TO WHICH THE STUDENT TRANSFERS.

34 18-304.

35 (a) (1) The Administration shall determine the amount of each Educational
36 Excellence Award based on the financial need of the applicant.

1 (2) In determining the amount of financial need, the Administration
2 shall consider regional cost-of-living differences.

3 (b) (1) [Except as provided in paragraph (2) of this subsection, an
4 Educational Excellence Award may be awarded in \$100 increments and the award for
5 a single year may not be less than \$400 or more than \$3,000.

6 (2) (i)] All applicants who fulfill the requirements established in [§
7 18-303(b) and (c)] § 18-303 of this subtitle shall receive a Guaranteed Access Grant.

8 [(ii)] (2) The amount of a Guaranteed Access Grant shall be equal
9 to 100 percent of the student's financial need as determined by the State Scholarship
10 Administration, not to exceed the HIGHER OF:

11 (I) THE equivalent annual expenses of a full-time resident
12 undergraduate at the University of Maryland, College Park; OR

13 (II) IF THE STUDENT ATTENDS A PUBLIC INSTITUTION OF HIGHER
14 EDUCATION IN THE STATE, THE ANNUAL EXPENSES OF A FULL-TIME RESIDENT
15 UNDERGRADUATE AT THE INSTITUTION OF HIGHER EDUCATION.

16 18-305.

17 (a) An Educational Excellence Award may be used:

18 (1) At a degree granting institution of higher education, an eligible
19 institution with an associate degree program that provides transfer credit for an
20 accredited baccalaureate program, or a hospital diploma school for training registered
21 nurses if the curriculum is approved by the Commission; and

22 (2) For educational expenses as defined by the Commission, including:

23 (i) Tuition and fees; and

24 (ii) Room and board.

25 (b) Except as provided in subsection (c) of this section, an Educational
26 Excellence Award may be used at a school in another state if:

27 (1) There is a reciprocal agreement as provided in § 18-308 of this
28 subtitle; and

29 (2) The school meets requirements of subsection (a)(1) of this section.

30 (c) The Administration may not award more than 10% of the funds available
31 for each of the types of grants awarded under this subtitle for use by students
32 attending schools in another state.

1 18-306.

2 (a) [Subject to the provisions of subsection (d) of this section, each] EACH
3 recipient of an Educational Excellence Award may hold the award for [5] 6 years if
4 the recipient:

5 (1) Continues to be a resident of this State;

6 (2) Continues to be a full-time student at an eligible institution and
7 takes at least 12 semester hours of courses each semester, or its equivalent as
8 determined by the Administration;

9 (3) In the judgment of the institution, is making satisfactory progress
10 toward a degree OR, FAILING TO DO SO, PROVIDES EVIDENCE SATISFACTORY TO THE
11 ADMINISTRATION OF EXTENUATING CIRCUMSTANCES; and

12 (4) Maintains the standards of the institution.

13 (b) Each recipient of an Educational Excellence Award who is enrolled in an
14 associate degree program as permitted in § 18-303(b)(1) of this subtitle may hold the
15 award for 3 years if the same conditions of subsection (a) of this section are met.

16 [(c) Each recipient of an Educational Excellence Award may hold the award for
17 a 5th year if the recipient:

18 (1) Is enrolled in an academic program that, as determined by the
19 institution, requires 5 years to complete; or

20 (2) Provides evidence, satisfactory to the State Scholarship
21 Administration, of extenuating financial, academic, or other circumstances that
22 prevent the recipient from completing the academic program in 4 years.

23 (d) In addition to the requirements for renewal of an Educational Excellence
24 Award under subsections (a), (b), and (c) of this section, a recipient of a Guaranteed
25 Access Grant shall hold the grant for not more than 5 consecutive years or, failing to
26 do so, provide evidence satisfactory to the State Scholarship Administration of
27 extenuating circumstances.]

28 18-307.

29 (a) (1) The Administration shall compile and certify lists for the entire State
30 that rank applicants by financial need.

31 (2) THE ADMINISTRATION MAY, AT THE TIME OF THE INITIAL AWARD,
32 SET ASIDE FUNDS TO SUSTAIN AN AWARD FOR AN APPLICANT THROUGH
33 GRADUATION OF THE APPLICANT.

34 (b) All funds for annual [initial] grants shall be awarded from the statewide
35 list on the basis of greatest financial need.

1 (c) THE ADMINISTRATION SHALL CONSIDER OTHER GRANTS AND
2 SCHOLARSHIPS RECEIVED BY AN APPLICANT WHEN DETERMINING AWARDS.

3 (D) On or before [May] OCTOBER 1 of each year, the Administration shall send
4 each Senator and each Delegate a list of individuals in each legislative district to
5 whom Educational Excellence Awards are awarded.

6 18-308.

7 (a) In this section "school" means an institution that meets the requirements
8 of § 18-305(a)(1) of this subtitle.

9 (b) The Administration may enter into reciprocal scholarship agreements with
10 other states. However, the Administration shall give priority to entering into
11 reciprocal agreements with contiguous and nearby states.

12 (c) If scholarships are awarded to students for use in schools in other states,
13 the total value of all of these awards may not be more than 10 percent of the total
14 funds budgeted for the Educational Excellence Award Program.

15 18-309.

16 (a) (1) FOR ANY FISCAL YEAR, THE FUNDS APPROPRIATED FOR THE
17 GUARANTEED ACCESS GRANT PROGRAM SHALL BE IN AN AMOUNT TO PROVIDE
18 SCHOLARSHIPS THAT DO NOT EXCEED THE COST OF TUITION, FEES, AND ROOM AND
19 BOARD FOR RESIDENT STUDENTS AT THE UNIVERSITY OF MARYLAND, COLLEGE
20 PARK.

21 (2) For any fiscal year, if the funds appropriated for the Educational
22 [Excellence Award Program] ASSISTANCE GRANTS are insufficient to satisfy fully all
23 awards as calculated under § 18-304 of this subtitle, the amount paid to each
24 recipient of an Educational Excellence Award shall be a percentage of that award, as
25 determined in accordance with regulations adopted by the Commission that establish
26 a schedule of reductions for this purpose.

27 (b) (1) Educational Excellence Award grants calculated under § 18-304 of
28 this subtitle that are not used by the recipients shall be retained by the Commission
29 for use in the Educational Excellence Award Program for the next fiscal year.

30 (2) All funds retained in the Educational Excellence Award Program as
31 provided in paragraph (1) of this subsection shall be used to award scholarships to
32 students during subsequent fiscal years as provided by this title and may not be used
33 for administrative expenses.

34 18-310.

35 (a) Funds for the Educational Excellence Award Program, INCLUDING FUNDS
36 FOR STATE AID FOR THE ESTABLISHMENT AND OPERATION OF MENTORING
37 PROGRAMS AND CONTACT PERSONS UNDER § 18-303 OF THIS SUBTITLE, shall be as
38 provided in the annual budget of the Commission by the Governor.

1 (b) (1) There is an Educational Excellence Fund in the Commission.

2 (2) The Commission:

3 (i) May accept any gift or grant from any person or corporation for
4 the Educational Excellence Fund;

5 (ii) Shall use any gift or grant that it receives to support [an early
6 intervention program to identify students eligible for the Educational Excellence
7 Award Program and prepare them for college] OUTREACH, PROFESSIONAL
8 DEVELOPMENT, AND THE ESTABLISHMENT AND OPERATION OF MENTORING
9 PROGRAMS AND CONTACT PERSONS UNDER § 18-303 OF THIS SUBTITLE; and

10 (iii) Shall deposit any gift or grant that it receives for the Fund with
11 the State Treasurer in a nonbudgeted account for use only [in the early intervention
12 program] TO SUPPORT OUTREACH, PROFESSIONAL DEVELOPMENT, AND THE
13 ESTABLISHMENT AND OPERATION OF MENTORING PROGRAMS AND CONTACT
14 PERSONS UNDER § 18-303 OF THIS SUBTITLE.

15 (3) (i) At the end of the fiscal year, the Commission shall prepare an
16 annual report on the Educational Excellence Fund that includes an accounting of all
17 financial receipts and expenditures to and from the Fund.

18 (ii) The Commission shall submit a copy of the report to the
19 General Assembly as provided under § 2-1246 of the State Government Article.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 June 1, 2001.