
By: **Senator Pinsky**

Introduced and read first time: February 3, 2006

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Higher Education - Workforce Shortage Student Assistance Grants**

3 FOR the purpose of consolidating certain workforce shortage and economic
4 development student scholarship and grant programs in the Maryland Higher
5 Education Commission into the new Workforce Shortage Student Assistance
6 Grant program; providing for the purpose of the program; requiring the
7 Commission and the Office of Student Financial Assistance in the Commission
8 to administer the program; establishing eligibility criteria for grant awards and
9 award amounts under the program; authorizing grants to be used for certain
10 purposes; requiring the Commission during a certain time period to identify and
11 designate certain workforce shortage fields as eligible under the program;
12 requiring the Secretary of Higher Education to appoint an Advisory Council on
13 Workforce Shortage; providing for the membership of the Advisory Council;
14 requiring the Advisory Council to carry out certain duties; providing for certain
15 workforce shortage fields to be included in the grant program under certain
16 circumstances; requiring a certain service obligation as a condition of receiving
17 certain grants; authorizing the Office to defer a service obligation under certain
18 circumstances; requiring the Commission to confer with a certain council when
19 making certain grant awards; establishing the Workforce Shortage Student
20 Grant Fund in the Commission; directing the Commission to use certain gifts
21 and grants for the Fund in a certain manner; requiring the Commission to
22 prepare a certain annual report regarding the Fund; requiring the Commission
23 to adopt certain guidelines or regulations; prohibiting the Commission from
24 awarding certain scholarships and grants after a certain date; defining certain
25 terms; repealing certain workforce shortage and economic development student
26 assistance programs in the Commission; providing for the application of this Act;
27 providing for a delayed effective date for certain provisions of this Act; and
28 generally relating to the consolidation of certain workforce shortage and
29 economic development student scholarship and grant programs.

30 BY repealing

31 Article - Education

32 Section 18-603, 18-701 through 18-707, inclusive; 18-1102(d); 18-2101 through

33 18-2108, inclusive, and the subtitle "Subtitle 21. Developmental

34 Disabilities and Mental Health Workforce Tuition Assistance Program";

1 and 18-2701 through 18-2707, inclusive, and the subtitle "Subtitle 27.
2 William Donald Schaefer Scholarship Program"
3 Annotated Code of Maryland
4 (2004 Replacement Volume and 2005 Supplement)

5 BY adding to
6 Article - Education
7 Section 18-708
8 Annotated Code of Maryland
9 (2004 Replacement Volume and 2005 Supplement)

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
11 MARYLAND, That Section(s) 18-603, 18-701 through 18-707, inclusive, 18-1102(d);
12 18-2101 through 18-2108, inclusive, and the subtitle "Subtitle 21. Developmental
13 Disabilities and Mental Health Workforce Tuition Assistance Program"; and 18-2701
14 through 18-2707, inclusive, and the subtitle "Subtitle 27. William Donald Schaefer
15 Scholarship Program" of Article - Education of the Annotated Code of Maryland be
16 repealed.

17 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
18 read as follows:

19 **Article - Education**

20 18-708.

21 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
22 INDICATED.

23 (2) "ADVISORY COUNCIL" MEANS THE ADVISORY COUNCIL ON
24 WORKFORCE SHORTAGE.

25 (3) "ELIGIBLE INSTITUTION" MEANS A PUBLIC OR PRIVATE INSTITUTION
26 OF HIGHER EDUCATION IN THIS STATE THAT POSSESSES A CERTIFICATE OF
27 APPROVAL FROM THE COMMISSION.

28 (4) "GRANT" MEANS THE WORKFORCE SHORTAGE STUDENT ASSISTANCE
29 GRANT.

30 (B) THERE IS A PROGRAM OF WORKFORCE SHORTAGE STUDENT ASSISTANCE
31 GRANTS UNDER THIS SECTION FOR STUDENTS WHO PLEDGE TO WORK IN FIELDS OF
32 CRITICAL SHORTAGE IN THE STATE ON COMPLETION OF THEIR STUDIES.

33 (C) THE PURPOSE OF THE PROGRAM IS TO:

34 (1) PROVIDE FINANCIAL ASSISTANCE TO STUDENTS ENROLLED AT
35 INSTITUTIONS OF HIGHER EDUCATION IN THE STATE; AND

36 (2) ADDRESS THE WORKFORCE SHORTAGE NEEDS OF THE STATE.

1 (D) A RECIPIENT OF A WORKFORCE SHORTAGE STUDENT ASSISTANCE GRANT
2 UNDER THIS SECTION SHALL:

3 (1) BE A RESIDENT OF THE STATE;

4 (2) BE SELECTED BY THE OFFICE FROM QUALIFIED APPLICANTS;

5 (3) SIGN A LETTER OF INTENT TO ENROLL AT AN ELIGIBLE INSTITUTION
6 IN THE STATE IN AN ELIGIBLE PROGRAM AS SPECIFIED FOR EACH FIELD IN WHICH
7 THERE IS A CRITICAL SHORTAGE IN THIS STATE AS PROVIDED IN THIS SECTION;

8 (4) SIGN A LETTER OF INTENT TO PERFORM THE SERVICE OBLIGATION
9 ON COMPLETION OF THE RECIPIENT'S REQUIRED STUDIES;

10 (5) ACCEPT ANY OTHER CONDITIONS ATTACHED TO THE GRANT;

11 (6) SATISFY ANY ADDITIONAL CRITERIA THE COMMISSION MAY
12 ESTABLISH; AND

13 (7) AFTER COMPLETION OF STUDIES IN AN ELIGIBLE PROGRAM,
14 PERFORM THE SERVICE OBLIGATION AS SPECIFIED FOR EACH FIELD IN WHICH
15 THERE IS A CRITICAL SHORTAGE, AS PROVIDED IN THIS SECTION.

16 (E) (1) EXCEPT AS PROVIDED IN PARAGRAPH (5) OF THIS SUBSECTION, THE
17 COMMISSION SHALL ON A BIENNIAL BASIS:

18 (I) IDENTIFY WORKFORCE SHORTAGE FIELDS IN THE STATE;

19 (II) DESIGNATE ELIGIBLE WORKFORCE SHORTAGE FIELDS UNDER
20 THE GRANT PROGRAM; AND

21 (III) REMOVE FROM THE GRANT PROGRAM ANY FIELD THAT THE
22 COMMISSION DETERMINES NO LONGER QUALIFIES AS A WORKFORCE SHORTAGE.

23 (2) THE SECRETARY SHALL APPOINT AN ADVISORY COUNCIL ON
24 WORKFORCE SHORTAGE TO:

25 (I) IDENTIFY WORKFORCE SHORTAGE FIELDS IN THE STATE; AND

26 (II) RECOMMEND TO THE COMMISSION:

27 1. PRIORITY WORKFORCE SHORTAGE FIELDS TO BE
28 INCLUDED IN THE GRANT PROGRAM; AND

29 2. THE REMOVAL OF FIELDS THAT IN THE ADVISORY
30 COUNCIL'S JUDGMENT NO LONGER QUALIFY AS WORKFORCE SHORTAGE FIELDS.

31 (3) IN MAKING RECOMMENDATIONS TO THE COMMISSION, THE
32 ADVISORY COUNCIL SHALL CONSIDER WHETHER A WORKFORCE SHORTAGE FIELD
33 PROVIDES A PUBLIC GOOD OR BENEFIT TO THE CITIZENS OF MARYLAND.

1 (4) THE ADVISORY COUNCIL SHALL INCLUDE THE FOLLOWING
2 MEMBERS:

3 (I) THE SECRETARY OF HIGHER EDUCATION OR DESIGNEE;

4 (II) THE SECRETARY OF LABOR, LICENSING, AND REGULATION OR
5 DESIGNEE;

6 (III) ONE REPRESENTATIVE FROM THE GOVERNOR'S WORKFORCE
7 INVESTMENT BOARD, APPOINTED BY THE GOVERNOR;

8 (IV) THE SECRETARY OF BUSINESS AND ECONOMIC DEVELOPMENT
9 OR DESIGNEE;

10 (V) THE SECRETARY OF HEALTH AND MENTAL HYGIENE OR
11 DESIGNEE;

12 (VI) THE STATE SUPERINTENDENT OF SCHOOLS OR DESIGNEE;

13 (VII) ONE REPRESENTATIVE OF THE SENATE OF MARYLAND,
14 APPOINTED BY THE PRESIDENT OF THE SENATE;

15 (VIII) ONE REPRESENTATIVE OF THE MARYLAND HOUSE OF
16 DELEGATES, APPOINTED BY THE SPEAKER OF THE HOUSE;

17 (IX) TWO REPRESENTATIVES FROM THE UNIVERSITY SYSTEM OF
18 MARYLAND, APPOINTED BY THE CHANCELLOR;

19 (X) THE PRESIDENT OF MORGAN STATE UNIVERSITY OR DESIGNEE;

20 (XI) THE PRESIDENT OF ST. MARY'S COLLEGE OR DESIGNEE; AND

21 (XII) REPRESENTATIVES NOMINATED BY THE FOLLOWING
22 ORGANIZATIONS AND APPOINTED BY THE SECRETARY OF HIGHER EDUCATION:

23 1. ONE REPRESENTATIVE FROM THE MARYLAND CHAMBER
24 OF COMMERCE;

25 2. ONE REPRESENTATIVE FROM THE WASHINGTON BOARD
26 OF TRADE;

27 3. ONE REPRESENTATIVE FROM THE GREATER BALTIMORE
28 COMMITTEE;

29 4. TWO REPRESENTATIVES FROM THE MARYLAND
30 INDEPENDENT COLLEGE AND UNIVERSITY ASSOCIATION;

31 5. TWO REPRESENTATIVES FROM THE MARYLAND
32 ASSOCIATION OF COMMUNITY COLLEGES;

1 (2) ELIGIBLE STUDENTS SHALL BE SELECTED BASED ON ACADEMIC
2 ACCOMPLISHMENT AND FINANCIAL NEED, AS DETERMINED BY STANDARDS
3 ESTABLISHED AND APPROVED BY THE COMMISSION.

4 (3) EACH GRANT SHALL BE RENEWABLE FOR A MAXIMUM OF 5 YEARS
5 SUBSEQUENT TO THE ORIGINAL GRANT IF THE RECIPIENT:

6 (I) CONTINUES TO MEET THE QUALIFICATIONS SPECIFIED IN
7 SUBSECTION (D) OF THIS SECTION; AND

8 (II) MEETS SATISFACTORY ACADEMIC PROGRESS STANDARDS AS
9 DETERMINED BY THE ELIGIBLE INSTITUTION.

10 (H) (1) A GRANT RECIPIENT MAY BE ENROLLED AT AN ELIGIBLE
11 INSTITUTION ON A PART-TIME OR FULL-TIME BASIS.

12 (2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, A
13 GRANT RECIPIENT SHALL BE AN UNDERGRADUATE STUDENT AT AN ELIGIBLE
14 INSTITUTION.

15 (3) A GRANT RECIPIENT MAY BE A GRADUATE STUDENT IF THE OFFICE
16 DETERMINES THAT THE SHORTAGE FIELD REQUIRES EMPLOYEES WITH A
17 GRADUATE LEVEL EDUCATION.

18 (I) (1) IN THIS SUBSECTION, "COST OF ATTENDANCE" MEANS THE
19 EQUIVALENT ANNUAL TUITION AND MANDATORY FEES OF A RESIDENT
20 UNDERGRADUATE STUDENT AT THE 4-YEAR PUBLIC INSTITUTION OF HIGHER
21 EDUCATION WITHIN THE UNIVERSITY SYSTEM OF MARYLAND, OTHER THAN THE
22 UNIVERSITY OF MARYLAND UNIVERSITY COLLEGE AND UNIVERSITY OF MARYLAND,
23 BALTIMORE, WITH THE HIGHEST ANNUAL EXPENSES FOR A FULL-TIME RESIDENT
24 UNDERGRADUATE.

25 (2) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, THE COMMISSION
26 SHALL ESTABLISH IN GUIDELINES THE ANNUAL GRANT AWARDS UNDER THIS
27 SECTION.

28 (3) ANNUAL GRANT AWARDS SHALL BE WITHIN THE FOLLOWING
29 RANGES:

30 (I) FOR A PART-TIME STUDENT ATTENDING A 2-YEAR ELIGIBLE
31 INSTITUTION - \$1,000 AND 12.5% OF COST OF ATTENDANCE;

32 (II) FOR A FULL-TIME STUDENT ATTENDING A 2-YEAR ELIGIBLE
33 INSTITUTION - \$2,000 AND 25% OF COST OF ATTENDANCE;

34 (III) FOR A PART-TIME STUDENT ATTENDING A 4-YEAR ELIGIBLE
35 INSTITUTION - \$2,000 AND 25% OF COST OF ATTENDANCE; AND

36 (IV) FOR A FULL-TIME STUDENT ATTENDING A 4-YEAR ELIGIBLE
37 INSTITUTION - \$4,000 AND 50% OF COST OF ATTENDANCE.

1 (J) THE GRANT AWARD MAY BE USED AT ANY ELIGIBLE INSTITUTION FOR
2 EDUCATIONAL EXPENSES AS DEFINED BY THE COMMISSION, INCLUDING TUITION,
3 MANDATORY FEES, AND ROOM AND BOARD.

4 (K) (1) A GRANT RECIPIENT SHALL PERFORM A SERVICE OBLIGATION IN
5 THE RECIPIENT'S FIELD OF CRITICAL SHORTAGE IN:

6 (I) A FULL-TIME POSITION AT A RATE OF 1 YEAR FOR EACH YEAR
7 THAT THE RECIPIENT RECEIVES A GRANT AWARDED UNDER THIS SECTION; OR

8 (II) A PART-TIME POSITION AT A RATE OF 2 YEARS FOR EACH YEAR
9 THAT THE RECIPIENT RECEIVES A GRANT AWARDED UNDER THIS SECTION.

10 (2) THE COMMISSION MAY ESTABLISH ALTERNATIVE SERVICE
11 OBLIGATION REQUIREMENTS FOR DESIGNATED WORKFORCE SHORTAGE FIELDS TO
12 ADDRESS STATEWIDE AND REGIONAL NEEDS.

13 (L) (1) A GRANT RECIPIENT SHALL REPAY THE COMMISSION THE FUNDS
14 RECEIVED AS SET FORTH IN § 18-112 OF THIS TITLE IF THE RECIPIENT DOES NOT:

15 (I) COMPLETE THE SPECIFIED DEGREE, ATTAIN THE LICENSURE
16 OR CERTIFICATION REQUIRED, OR FULFILL OTHER REQUIREMENTS AS PROVIDED IN
17 THIS SECTION; OR

18 (II) PERFORM THE SERVICE OBLIGATION REQUIRED UNDER
19 SUBSECTION (K) OF THIS SECTION.

20 (2) THE OFFICE SHALL WAIVE THE REPAYMENT OF A GRANT AWARD AT
21 A RATE OF:

22 (I) 1 YEAR FOR EACH YEAR THAT THE RECIPIENT PERFORMS THE
23 SERVICE OBLIGATION ON A FULL-TIME BASIS; OR

24 (II) 6 MONTHS FOR EACH YEAR THAT THE RECIPIENT PERFORMS
25 THE SERVICE OBLIGATION ON A PART-TIME BASIS.

26 (3) A RECIPIENT SHALL BEGIN REPAYMENT AT ANY TIME DURING THE
27 PERIOD THAT THE RECIPIENT IS NO LONGER PERFORMING THE SERVICE
28 OBLIGATION.

29 (4) A RECIPIENT MAY DELAY REPAYMENT AS LONG AS THE RECIPIENT
30 REMAINS A STUDENT ENROLLED AT LEAST PART-TIME IN A DEGREE-GRANTING
31 PROGRAM.

32 (5) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, REPAYMENT
33 SHALL BE MADE TO THE STATE WITHIN 6 YEARS AFTER THE REPAYMENT PERIOD
34 BEGINS AND SHALL FOLLOW A REPAYMENT SCHEDULE ESTABLISHED BY THE
35 OFFICE.

1 (6) THE OFFICE MAY WAIVE OR DEFER REPAYMENT IN THE EVENT OF
2 DISABILITY OR EXTENDED SICKNESS WHICH PREVENTS THE RECIPIENT FROM
3 FULFILLING THE SERVICE OBLIGATION REQUIRED UNDER THIS SECTION.

4 (7) THE OFFICE SHALL GRANT A DEFERMENT FROM THE SERVICE
5 OBLIGATION REQUIRED UNDER THIS SECTION TO:

6 (I) AN INDIVIDUAL WHO HAS BEEN ASSIGNED MILITARY DUTY
7 OUTSIDE THE STATE; OR

8 (II) THE SPOUSE OF AN INDIVIDUAL WHO HAS BEEN ASSIGNED
9 MILITARY DUTY OUTSIDE THE STATE.

10 (M) (1) THIS SUBSECTION APPLIES TO RECIPIENTS OF THE WILLIAM
11 DONALD SCHAEFER SCHOLARSHIP SPECIFIED IN SUBSECTION (E)(5) OF THIS
12 SECTION.

13 (2) THE COMMISSION, IN COLLABORATION AND CONSULTATION WITH
14 THE WILLIAM DONALD SCHAEFER SCHOLARSHIP ADVISORY COUNCIL, SHALL
15 ANNUALLY SELECT ELIGIBLE STUDENTS AND OFFER GRANTS TO STUDENTS WHO
16 DEMONSTRATE OUTSTANDING POTENTIAL FOR AND WHO PLAN TO PURSUE A
17 CAREER IN PUBLIC SERVICE.

18 (3) IN MAKING WILLIAM DONALD SCHAEFER SCHOLARSHIP AWARDS
19 UNDER THIS SECTION, THE COMMISSION SHALL ENDEAVOR TO SELECT AWARD
20 RECIPIENTS WHO ARE REPRESENTATIVE OF THE STATE'S RICH CULTURAL,
21 GEOGRAPHIC, RACIAL, ETHNIC, AND GENDER DIVERSITY.

22 (4) EACH INDIVIDUAL AWARDED A WILLIAM DONALD SCHAEFER
23 SCHOLARSHIP UNDER THIS SECTION MUST HAVE INDICATED AND DEMONSTRATED
24 TO THE COMMISSION AND TO THE WILLIAM DONALD SCHAEFER SCHOLARSHIP
25 ADVISORY COUNCIL A SERIOUS INTENT TO ENTER PUBLIC SERVICE ON THE
26 COMPLETION OF THE STUDENT'S EDUCATIONAL PROGRAM.

27 (N) (1) THERE IS A WORKFORCE SHORTAGE STUDENT ASSISTANCE GRANT
28 FUND IN THE COMMISSION.

29 (2) THE COMMISSION:

30 (I) MAY ACCEPT ANY GIFT OR GRANT FROM ANY PERSON OR
31 CORPORATION FOR THE WORKFORCE SHORTAGE STUDENT ASSISTANCE GRANT
32 FUND;

33 (II) SHALL USE ANY GIFT OR GRANT THAT IT RECEIVES FOR A
34 GRANT AWARD FROM THE FUND; AND

35 (III) SHALL DEPOSIT ANY GIFT OR GRANT THAT IT RECEIVES FOR
36 THE FUND WITH THE STATE TREASURER IN A NONBUDGETED ACCOUNT.

1 (3) (I) AT THE END OF THE FISCAL YEAR, THE COMMISSION SHALL
2 PREPARE AN ANNUAL REPORT ON THE WORKFORCE SHORTAGE STUDENT
3 ASSISTANCE GRANT FUND THAT INCLUDES AN ACCOUNTING OF ALL FINANCIAL
4 RECEIPTS AND EXPENDITURES TO AND FROM THE FUND.

5 (II) THE COMMISSION SHALL SUBMIT A COPY OF THE REPORT TO
6 THE GENERAL ASSEMBLY AS PROVIDED UNDER § 2-1246 OF THE STATE
7 GOVERNMENT ARTICLE.

8 (O) A RECIPIENT MAY HOLD A WORKFORCE SHORTAGE STUDENT ASSISTANCE
9 GRANT AND ANY OTHER STATE GRANT OR SCHOLARSHIP AWARDED BY THE OFFICE
10 PROVIDED THAT THE TOTAL OF ALL GRANTS AND SCHOLARSHIPS DOES NOT EXCEED:

11 (1) THE STUDENT'S TOTAL COST OF ATTENDANCE, AS CERTIFIED BY
12 THE INSTITUTION WHERE THE STUDENT IS ENROLLED; AND

13 (2) THE COST OF ATTENDANCE, AS DEFINED IN SUBSECTION (I) OF THIS
14 SECTION.

15 (P) FUNDS FOR THE WORKFORCE SHORTAGE STUDENT ASSISTANCE GRANT
16 PROGRAM SHALL BE AS PROVIDED IN THE ANNUAL BUDGET OF THE COMMISSION BY
17 THE GOVERNOR.

18 (Q) THE COMMISSION SHALL ADOPT GUIDELINES OR REGULATIONS
19 NECESSARY TO IMPLEMENT THIS SECTION.

20 SECTION 3. AND BE IT FURTHER ENACTED, That the Office of Student
21 Financial Assistance in the Maryland Higher Education Commission may not award
22 an initial scholarship or grant under the student financial assistance programs
23 specified in Section 1 of this Act after June 30, 2007. The office may renew a
24 scholarship or grant after June 30, 2007, if the individual received an initial
25 scholarship or grant before that date.

26 SECTION 4. AND BE IT FURTHER ENACTED, That:

27 (1) the Secretary of Higher Education shall appoint an Advisory Council
28 on Workforce Shortage on or before September 1, 2006; and

29 (2) the Office of Student Financial Assistance in the Maryland Higher
30 Education Commission shall make initial awards under the Workforce Shortage
31 Student Assistance Grant program established under § 18-708 of the Education
32 Article in the fiscal year beginning July 1, 2007.

33 SECTION 5. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall
34 take effect July 1, 2012.

35 SECTION 6. AND BE IT FURTHER ENACTED, That, subject to Section 5 of
36 this Act, this Act shall take effect July 1, 2006.