

HOUSE BILL 1591

F2

0lr3497

By: **Delegate Haynes**

Introduced and read first time: February 13, 2020

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Higher Education – Elijah E. Cummings Public Service Scholarship –**
3 **Established**

4 FOR the purpose of establishing the Elijah E. Cummings Public Service Scholarship in the
5 Workforce Shortage Student Assistance grants program; requiring the Maryland
6 Higher Education Commission to select and offer grants to students in certain degree
7 fields who plan to pursue a career in public service in certain areas; requiring the
8 Commission to select certain students who are representative of certain criteria;
9 requiring certain individuals awarded a certain scholarship to demonstrate to the
10 Commission a certain intent to enter into public service at a certain time; making
11 certain stylistic changes; and generally relating to the creation of the Elijah E.
12 Cummings Public Service Scholarship.

13 BY repealing and reenacting, without amendments,
14 Article – Education
15 Section 18–101
16 Annotated Code of Maryland
17 (2018 Replacement Volume and 2019 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article – Education
20 Section 18–708
21 Annotated Code of Maryland
22 (2018 Replacement Volume and 2019 Supplement)

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

25 **Article – Education**

26 18–101.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) In this title the following words have the meanings indicated.

2 (b) “Commission” means the Maryland Higher Education Commission.

3 (c) “Office” means the Office of Student Financial Assistance.

4 (d) “Secretary” means the Secretary of Higher Education.

5 18–708.

6 (a) (1) In this section the following words have the meanings indicated.

7 (2) “Advisory Council” means the Advisory Council on Workforce Shortage.

8 (3) “Eligible institution” means a public or private nonprofit institution of
9 higher education in this State that possesses a certificate of approval from the Commission.

10 (4) “Fund” means the Workforce Shortage Student Assistance Grant Fund.

11 (5) “Grant” means the Workforce Shortage Student Assistance grant.

12 (6) “Public good or benefit” means service to low-income or underserved
13 residents or areas of the State in an occupation in the public sector or in an organization,
14 institution, association, society, or corporation that is exempt from taxation under §
15 501(c)(3) or (4) of the Internal Revenue Code of 1986.

16 (b) There is a program of Workforce Shortage Student Assistance grants under
17 this section for students who pledge to work in fields of critical shortage in the State on
18 completion of their studies.

19 (c) The purpose of the program is to:

20 (1) Provide financial assistance to students enrolled at institutions of
21 higher education in the State; and

22 (2) Address the workforce shortage needs of the State.

23 (d) A recipient of a Workforce Shortage Student Assistance grant under this
24 section shall:

25 (1) Be a resident of the State;

26 (2) Be selected by the Office from qualified applicants;

27 (3) Sign a letter of intent to enroll at an eligible institution in the State in
28 an eligible program as specified for each field in which there is a critical shortage in this

1 State as provided in this section;

2 (4) Sign a letter of intent to perform the service obligation on completion of
3 the recipient's required studies;

4 (5) Accept any other conditions attached to the grant;

5 (6) Satisfy any additional criteria the Commission may establish; and

6 (7) After completion of studies in an eligible program, perform the service
7 obligation as specified for each field in which there is a critical shortage, as provided in this
8 section.

9 (e) (1) Except as provided in paragraph (5) of this subsection, **EVERY 2 YEARS**
10 the Commission shall [on a biennial basis]:

11 (i) Identify workforce shortage fields in the State;

12 (ii) Designate eligible workforce shortage fields under the grant
13 program; and

14 (iii) Remove from the grant program any field that the Commission
15 determines no longer qualifies as a workforce shortage.

16 (2) The Secretary shall appoint an Advisory Council on Workforce Shortage
17 to:

18 (i) Identify workforce shortage fields in the State; and

19 (ii) Recommend to the Commission:

20 1. Priority workforce shortage fields to be included in the
21 grant program; and

22 2. The removal of fields that in the Advisory Council's
23 judgment no longer qualify as workforce shortage fields.

24 (3) In making recommendations to the Commission, the Advisory Council
25 shall consider whether a workforce shortage field provides a public good or benefit to the
26 citizens of Maryland.

27 (4) The Advisory Council shall include the following members:

28 (i) The Secretary of Higher Education or designee;

29 (ii) The Secretary of Labor or designee;

1 (iii) One representative from the Governor's Workforce Development
2 Board, appointed by the Governor;

3 (iv) The Secretary of Commerce or designee;

4 (v) The Secretary of Health or designee;

5 (vi) The State Superintendent of Schools or designee;

6 (vii) One representative of the Senate of Maryland, appointed by the
7 President of the Senate;

8 (viii) One representative of the Maryland House of Delegates,
9 appointed by the Speaker of the House;

10 (ix) Two representatives from the University System of Maryland,
11 appointed by the Chancellor;

12 (x) The President of Morgan State University or designee;

13 (xi) The President of St. Mary's College or designee; and

14 (xii) Representatives nominated by the following organizations and
15 appointed by the Secretary of Higher Education:

16 1. One representative from the Maryland Chamber of
17 Commerce;

18 2. One representative from the Washington Board of Trade;

19 3. One representative from the Greater Baltimore
20 Committee;

21 4. Two representatives from the Maryland Independent
22 College and University Association;

23 5. Two representatives from the Maryland Association of
24 Community Colleges;

25 6. One representative from the Maryland Association of
26 Nonprofit Associations; and

27 7. One representative from the Financial Assistance
28 Advisory Council representing a financial aid office at an institution of higher education.

29 (5) (i) Except as provided in subparagraph (ii) of this paragraph, the
30 following workforce shortage fields shall be included in the grant program:

1 1. School teachers (the grant to be known as the Sharon
2 Christa McAuliffe Memorial Teacher Scholarship);

3 2. Social workers (the grant to be known as the Ruth M. Kirk
4 Public Social Work Scholarship);

5 3. Nurses;

6 4. Child care providers (the grant to be known as the Hattie
7 N. Harrison Memorial Scholarship);

8 5. Developmental disabilities, mental health, child welfare,
9 and juvenile justice providers (the grant to be known as the Ida G. and L. Leonard Ruben
10 Scholarships);

11 6. Physical and occupational therapists and assistants; and

12 7. Public servants (the grant to be known as the William
13 Donald Schaefer Scholarship [and], the grant to be known as the Parren J. Mitchell Public
14 Service Scholarship, **AND THE GRANT TO BE KNOWN AS THE ELIJAH E. CUMMINGS**
15 **PUBLIC SERVICE SCHOLARSHIP).**

16 (ii) The Commission may remove a shortage field specified in
17 subparagraph (i) of this paragraph if in the Commission's judgment the field no longer
18 qualifies as a workforce shortage field.

19 (6) A grant recipient in a workforce shortage field that is removed from the
20 grant program may continue to receive renewal awards under the program.

21 (f) Each fiscal year, the Commission shall determine the number of grants to be
22 awarded in eligible workforce shortage fields based on the:

23 (1) Priority of the workforce shortage field;

24 (2) Severity of the workforce shortage in the field; and

25 (3) Availability of funds.

26 (g) (1) **[The] EACH YEAR, THE** Office shall **[annually]** select eligible students
27 and offer a grant to each student selected to be used at an eligible institution of the
28 student's choice.

29 (2) Eligible students shall be selected based on academic accomplishment
30 and financial need, as determined by standards established and approved by the
31 Commission.

1 (3) Each grant shall be renewable for a maximum of 5 years subsequent to
2 the original grant if the recipient:

3 (i) Continues to meet the qualifications specified in subsection (d) of
4 this section; and

5 (ii) Meets satisfactory academic progress standards as determined
6 by the eligible institution.

7 (h) A grant recipient:

8 (1) May be enrolled at an eligible institution on a part-time or full-time
9 basis;

10 (2) Shall earn at least 12 undergraduate or 9 graduate credit hours in each
11 academic year, including summer sessions;

12 (3) Except as provided in paragraph (4) of this subsection, shall be an
13 undergraduate student at an eligible institution; and

14 (4) May be a graduate student if the Office determines that the shortage
15 field requires employees with a graduate level education.

16 (i) (1) In this subsection, "cost of attendance" means the equivalent annual
17 tuition and mandatory fees of a resident undergraduate student at the 4-year public
18 institution of higher education within the University System of Maryland, other than the
19 University of Maryland Global Campus and University of Maryland, Baltimore Campus,
20 with the highest annual expenses for a full-time resident undergraduate.

21 (2) Subject to paragraphs (3), (4), and (5) of this subsection, the
22 Commission shall establish in guidelines the annual grant awards under this section.

23 (3) Annual grant awards shall be within the following ranges:

24 (i) For a part-time student attending a 2-year eligible
25 institution – \$1,000 and 12.5% of cost of attendance;

26 (ii) For a full-time student attending a 2-year eligible
27 institution – \$2,000 and 25% of cost of attendance;

28 (iii) For a part-time student attending a 4-year eligible
29 institution – \$2,000 and 25% of cost of attendance; and

30 (iv) For a full-time student attending a 4-year eligible
31 institution – \$4,000 and 50% of cost of attendance.

32 (4) For a student taking courses during a summer session to meet the

1 minimum number of credit hours for full-time or part-time status, the Commission shall
2 distribute grant awards to the student in the spring and summer sessions in amounts it
3 determines to be appropriate.

4 (5) A student who is enrolled in an academic program that includes a
5 mandatory summer academic session as part of the approved curriculum may receive an
6 additional award not to exceed \$1,000 per calendar year.

7 (j) The grant award may be used at any eligible institution for educational
8 expenses as defined by the Commission, including tuition, mandatory fees, and room and
9 board.

10 (k) (1) A grant recipient shall perform a service obligation in the recipient's
11 field of critical shortage in:

12 (i) A full-time position at a rate of 1 year for each year that the
13 recipient receives a grant awarded under this section; or

14 (ii) A part-time position at a rate of 2 years for each year that the
15 recipient receives a grant awarded under this section.

16 (2) The Commission may establish alternative service obligation
17 requirements for designated workforce shortage fields to address statewide and regional
18 needs.

19 (l) (1) A grant recipient shall repay the Commission the funds received as set
20 forth in § 18-112 of this title if the recipient does not:

21 (i) Earn at least 12 undergraduate or 9 graduate credit hours in
22 each academic year in which the student receives assistance, including summer sessions;

23 (ii) Complete the specified degree, attain the licensure or
24 certification required, or fulfill other requirements as provided in this section; or

25 (iii) Perform the service obligation required under subsection (k) of
26 this section.

27 (2) The Office shall waive the repayment of a grant award at a rate of:

28 (i) 1 year for each year that the recipient performs the service
29 obligation on a full-time basis; or

30 (ii) 6 months for each year that the recipient performs the service
31 obligation on a part-time basis.

32 (3) A recipient shall begin repayment at any time during the period that
33 the recipient is no longer performing the service obligation.

1 (4) A recipient may delay repayment as long as the recipient remains a
2 student enrolled at least part-time in a degree-granting program.

3 (5) Except as otherwise provided in this section, repayment shall be made
4 to the State within 6 years after the repayment period begins and shall follow a repayment
5 schedule established by the Office.

6 (6) The Office may waive or defer repayment in the event of disability or
7 extended sickness which prevents the recipient from fulfilling the service obligation
8 required under this section.

9 (7) The Office shall grant a deferment from the service obligation required
10 under this section to:

11 (i) An individual who has been assigned military duty outside the
12 State; or

13 (ii) The spouse of an individual who has been assigned military duty
14 outside the State.

15 (m) (1) This subsection applies to recipients of the William Donald Schaefer
16 Scholarship specified in subsection (e)(5) of this section.

17 (2) **[The] EACH YEAR, THE** Commission shall **[annually]** select eligible
18 students and offer grants to students who demonstrate outstanding potential for and who
19 plan to pursue a career in public service to assist in providing legal services to low-income
20 residents in the State.

21 (3) In making William Donald Schaefer Scholarship awards under this
22 section, the Commission shall endeavor to select award recipients who are representative
23 of the State's rich cultural, geographic, racial, ethnic, and gender diversity.

24 (4) Each individual awarded a William Donald Schaefer Scholarship under
25 this section must have indicated and demonstrated to the Commission a serious intent to
26 enter public service on the completion of the student's educational program.

27 (n) (1) This subsection applies to recipients of the Parren J. Mitchell Public
28 Service Scholarship specified in subsection (e)(5) of this section.

29 (2) **[The] EACH YEAR, THE** Commission shall **[annually]** select eligible
30 students and offer grants to students who demonstrate outstanding potential for and who
31 plan to pursue a career in public service and assist in providing:

32 (i) Social work services to low-income residents in the State;

33 (ii) Nursing services in nursing shortage areas in the State as

1 defined in § 18–802 of this title; or

2 (iii) Other services in the public or nonprofit sectors in which there is
3 a shortage of qualified practitioners to low-income or underserved residents or areas of the
4 State.

5 (3) In making Parren J. Mitchell Public Service Scholarship awards under
6 this section, the Commission shall endeavor to select award recipients who are
7 representative of the State’s rich cultural, geographic, racial, ethnic, and gender diversity.

8 (4) Each individual awarded a Parren J. Mitchell Public Service
9 Scholarship under this section must have indicated and demonstrated to the Commission
10 a serious intent to enter public service on the completion of the student’s educational
11 program.

12 **(O) (1) THIS SUBSECTION APPLIES TO RECIPIENTS OF THE ELIJAH E.
13 CUMMINGS PUBLIC SERVICE SCHOLARSHIP SPECIFIED IN SUBSECTION (E)(5) OF
14 THIS SECTION.**

15 **(2) EACH YEAR, THE COMMISSION SHALL SELECT ELIGIBLE
16 STUDENTS AND OFFER GRANTS TO STUDENTS WHO:**

17 **(1) ARE PURSUING A MAJOR IN PUBLIC POLICY OR POLITICAL
18 SCIENCE; AND**

19 **(II) DEMONSTRATE OUTSTANDING POTENTIAL FOR AND PLAN
20 TO PURSUE A CAREER IN PUBLIC SERVICE.**

21 **(3) IN MAKING ELIJAH E. CUMMINGS PUBLIC SERVICE
22 SCHOLARSHIP AWARDS UNDER THIS SECTION, THE COMMISSION SHALL ENDEAVOR
23 TO SELECT AWARD RECIPIENTS WHO ARE REPRESENTATIVE OF THE STATE’S RICH
24 CULTURAL, GEOGRAPHIC, RACIAL, ETHNIC, AND GENDER DIVERSITY.**

25 **(4) EACH INDIVIDUAL AWARDED AN ELIJAH E. CUMMINGS PUBLIC
26 SERVICE SCHOLARSHIP UNDER THIS SECTION MUST HAVE INDICATED AND
27 DEMONSTRATED TO THE COMMISSION A SERIOUS INTENT TO ENTER PUBLIC
28 SERVICE ON THE COMPLETION OF THE STUDENT’S EDUCATIONAL PROGRAM.**

29 **[(o)] (P) (1) There is a Workforce Shortage Student Assistance Grant Fund
30 in the Commission.**

31 **(2) The Commission shall administer the Fund.**

32 **(3) The Fund is a special, nonlapsing fund that is not subject to § 7–302 of
33 the State Finance and Procurement Article.**

1 (4) The State Treasurer shall hold the Fund separately and the
2 Comptroller shall account for the Fund.

3 (5) The Commission:

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

6 (ii) Shall use any gift or grant that it receives for a grant award from
7 the Fund; and

8 (iii) Shall deposit any gift or grant that it receives for the Fund with
9 the State Treasurer.

10 (6) (i) At the end of the fiscal year, the Commission shall prepare an
11 annual report on the Fund that includes an accounting of all financial receipts and
12 expenditures to and from the Fund.

13 (ii) The Commission shall submit a copy of the report to the General
14 Assembly as provided under § 2-1257 of the State Government Article.

15 **[(p)] (Q)** A recipient may hold a Workforce Shortage Student Assistance grant
16 and any other State grant or scholarship awarded by the Office provided that the total of
17 all grants and scholarships does not exceed:

18 (1) The student's total cost of attendance, as certified by the institution
19 where the student is enrolled; and

20 (2) The cost of attendance, as defined in subsection (i) of this section.

21 **[(q)] (R)** Funds for the Workforce Shortage Student Assistance grant program
22 shall be as provided in the annual budget of the Commission by the Governor.

23 **[(r)] (S)** The Commission shall adopt guidelines or regulations necessary to
24 implement this section.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
26 1, 2020.