

**Maryland General Assembly
Department of Legislative Services**

**Proposed Regulation
Maryland Higher Education Commission
(DLS Control No. 19-290)**

Overview and Legal and Fiscal Impact

This regulation adds a definition for “college preparatory program” as it relates to the Delegate Howard P. Rawlings Program of Educational Excellence Awards.

The regulation presents no legal issue of concern.

There is no fiscal impact on State or local agencies.

Regulation of COMAR Affected

Maryland Higher Education Commission:

Financial Aid: Howard P. Rawlings Educational Excellence Awards:
COMAR 13B.08.10.02

Legal Analysis

Background

The Delegate Howard P. Rawlings Program of Educational Excellence Awards is designed to assist full-time undergraduate students who meet certain eligibility requirements and have a demonstrated financial need. The awards are administered by the Office of Student Financial Assistance in the Maryland Higher Education Commission.

In general, the program consists of two types of awards, which have similar but different eligibility criteria. The Guaranteed Access grants are designed for the neediest students, and the Educational Assistance grants are awarded to low- and moderate-income students and intended to cover a portion of educational expenses, from \$400 to \$3,000. To be eligible for a Guaranteed Access grant, an applicant is required to satisfy a number of specific criteria, including either obtaining a GED with a passing score of 165 per module or successfully completing a college preparatory program in high school that is designed to prepare students for college level work.

Summary of Regulation

The regulation defines “college preparatory program” as any program of study leading to the award of a Maryland high school diploma.

Legal Issues

The regulation presents no legal issue of concern.

Statutory Authority and Legislative Intent

The commission cites §§ 11-105(u), 18-204(c), and 18-301 through 18-309 of the Education Article as statutory authority for this regulation. Section 11-105(u) gives the commission the authority to adopt any rule or regulation necessary to carry out its powers and duties. Section 18-204(c) gives the office the authority to adopt any rule or regulation necessary to carry out its powers and duties. Sections 18-301 through 18-309 establish the Delegate Howard P. Rawlings Program of Educational Excellence Awards. Additionally, §§ 18-301, 18-307, and 18-309 explicitly allude to regulations adopted by the commission in implementing parts of the program.

This authority is correct and complete. The regulation complies with the legislative intent of the law.

Fiscal Analysis

There is no fiscal impact on State or local agencies.

Agency Estimate of Projected Fiscal Impact

The commission advises that the regulation has no impact on State or local governments. The Department of Legislative Services concurs that defining “college preparatory program” as any program of study leading to the award of a Maryland high school diploma for the Delegate Howard P. Rawlings Educational Excellence Awards Program does not affect State or local finances. The award program receives a set amount of funding annually in the State budget.

Impact on Budget

There is no impact on the State operating or capital budget.

Agency Estimate of Projected Small Business Impact

The commission advises that the regulation has minimal or no economic impact on small businesses in the State. The Department of Legislative Service concurs.

Contact Information

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