

**Maryland General Assembly
Department of Legislative Services**

**Proposed Regulations
Maryland Higher Education Commission
(DLS Control No. 21-048)**

Overview and Legal and Fiscal Impact

These regulations implement Chapter 240 of 2021, alter the application deadline, and make technical changes to the Richard W. Collins III Leadership With Honor Scholarship Program.

The regulations present no legal issues of concern.

There is no fiscal impact on State or local agencies.

Regulations of COMAR Affected

Maryland Higher Education Commission:

Financial Aid: Richard W. Collins III Leadership With Honor Scholarship Program:
COMAR 13B.08.11.04 and .07

Legal Analysis

Background

Chapter 597 of 2018 established the Richard W. Collins III Leadership With Honor Scholarship Program to provide scholarships to students who:

- are eligible for in-State tuition;
- are members of a Reserve Officer Training Corps (ROTC) program;
- are members of a minority group or another group historically underrepresented in ROTC programs; and
- attend a historically black college or university (HBCU) in the State (Bowie State University, Coppin State University, Morgan State University, and the University of Maryland Eastern Shore).

Richard W. Collins III was an ROTC student at Bowie State University. He was days from graduating when he was murdered at a bus stop at the University of Maryland, College Park Campus in May 2017.

ROTC is a group of college-based officer training programs for training commissioned officers of the U.S. Armed Forces. There are three separate ROTC programs run by the U.S. Armed Forces: Army ROTC; Navy ROTC, which also trains Marines Corps officers; and Air Force ROTC. Among HBCUs, there are currently:

- Army ROTC programs at Bowie State University and Morgan State University;
- no Air Force ROTC program at an HBCU in the State; and
- no Navy ROTC programs at an HBCU in the State.

Students at Coppin State University can take Army ROTC courses at Morgan State University, and students at the University of Maryland Eastern Shore can take Army ROTC courses at the University of Delaware. Students at Bowie State University can take Air Force ROTC courses at the University of Maryland, College Park Campus.

Chapter 240 of 2021 altered the percentage of annual grant money that must be awarded to students at Bowie State University from exactly 25% to 25% or more. Any remaining grant money must be awarded to students at other HBCUs.

Summary of Regulations

These regulations implement Chapter 240 of 2021 by altering the required percentage of annual grant money that must be awarded to Bowie State University students to at least 25%. The regulations also alter the application deadline and make additional technical changes.

Legal Issues

The regulations present no legal issues of concern.

Statutory Authority and Legislative Intent

The Maryland Higher Education Commission cites §§ 11-105(u), 18-204(c), and 18-605(e) of the Education Article as statutory authority for these regulations. Section 11-105(u) gives the commission authority to adopt any rule or regulation necessary to carry out its powers and duties. Section 18-204(c) states that the Office of Student Financial Assistance may adopt any rule or regulation necessary to carry out its powers and duties, one of which is to administer student financial assistance programs. Section 18-605 establishes the Richard W. Collins III Leadership With Honor Scholarship Program. Specifically, § 18-605(e) requires the office to adopt any procedures or regulations necessary to implement that section.

This authority is correct and complete. The regulations comply 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 regulations make the following changes to the Richard W. Collins III Leadership with Honor Scholarship Program: (1) update the scholarship allocation requirements to implement Chapters 239 and 240 of 2021 (House Bill 1124 and Senate Bill 40); (2) alter application deadlines to allow earlier awarding to students; and (3) remove an obsolete provision. The commission advises that the regulations have no fiscal impact. The Department of Legislative Services notes that changing the application deadline may alter the number of individuals who apply for the scholarship but concurs that these changes have no fiscal impact since the Governor is required to appropriate \$1.0 million for the scholarship annually. The fiscal and policy note for House Bill 1124 and Senate Bill 40 noted that the funds could be distributed in the manner required by the bill using existing resources. The changes do not affect the mandated annual program funding amount and do not require any software changes to the scholarship system.

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 regulations have minimal or no economic impact on small businesses in the State. The Department of Legislative Services concurs.

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