

HOUSE BILL 824

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EMERGENCY BILL

9lr2550

By: **Delegates Jones, B. Barnes, Gaines, McIntosh, and Mosby**

Introduced and read first time: February 8, 2019

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Financial Aid – Guaranteed Access Grants – Verification and Administration by**
3 **Institutions of Higher Education**

4 FOR the purpose of authorizing certain institutions of higher education to verify certain
5 eligibility for, and on verification administer, Guaranteed Access Grants under the
6 Delegate Howard P. Rawlings Program of Educational Excellence Awards under
7 certain circumstances; requiring certain recipients to demonstrate a definite
8 financial need to certain institutions, rather than only to the Office of Student
9 Financial Assistance in the Maryland Higher Education Commission, under certain
10 circumstances; prohibiting certain institutions from considering certain amounts of
11 money as income under certain circumstances; requiring certain institutions to
12 verify certain qualifications, evaluate certain income eligibility, maintain certain
13 records, and provide the Commission with a certain audit as part of the verification
14 and administration process; authorizing a certain verification to be used at certain
15 institutions, subject to a certain adjustment under certain circumstances; making
16 this Act an emergency measure; and generally relating to the verification and
17 administration of Guaranteed Access Grants by institutions of higher education.

18 BY repealing and reenacting, without amendments,
19 Article – Education
20 Section 18–301(a) and (b)(1) and 18–303(b) and (c)
21 Annotated Code of Maryland
22 (2018 Replacement Volume and 2018 Supplement)

23 BY repealing and reenacting, with amendments,
24 Article – Education
25 Section 18–303(a) and (d)
26 Annotated Code of Maryland
27 (2018 Replacement Volume and 2018 Supplement)

28 BY adding to

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Article – Education
2 Section 18–303.3
3 Annotated Code of Maryland
4 (2018 Replacement Volume and 2018 Supplement)

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

7 **Article – Education**

8 18–301.

9 (a) There is a Delegate Howard P. Rawlings Program of Educational Excellence
10 Awards in this State that are awarded under this subtitle.

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

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

15 18–303.

16 (a) Subject to subsection (e) of this section, each recipient of a Delegate Howard
17 P. Rawlings Educational Excellence Award shall:

18 (1) Be accepted for admission in the regular undergraduate program at an
19 eligible institution or be enrolled in a 2–year associate degree program in which the course
20 work is acceptable for transfer credit for an accredited baccalaureate program in an eligible
21 institution;

22 (2) Except as provided in § 18–303.2 of this subtitle, be a resident of this
23 State;

24 (3) Demonstrate **A DEFINITE FINANCIAL NEED** to:

25 **(I) FOR AN EDUCATIONAL ASSISTANCE GRANT**, the Office [a
26 definite financial need]; **OR**

27 **(II) FOR A GUARANTEED ACCESS GRANT, THE OFFICE OR AN**
28 **INSTITUTION OF HIGHER EDUCATION THAT COMPLIES WITH § 18–303.3 OF THIS**
29 **SUBTITLE**; and

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

31 (b) Except as provided in subsection (c) of this section, each recipient of a

1 Guaranteed Access Grant shall:

2 (1) Have attained a grade point average of at least 2.5 on a 4.0 scale or its
3 equivalent at the end of the first semester of the senior year in high school and have
4 completed high school or, failing to do so, on the recommendation of the recipient's high
5 school principal, provide evidence satisfactory to the Office of extenuating circumstances;

6 (2) Begin college within 1 year of completing high school or, failing to do
7 so, provide evidence satisfactory to the Office of extenuating circumstances;

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

9 (4) Have successfully completed a college preparatory program in high
10 school;

11 (5) Enroll in college as a full-time student;

12 (6) Subject to subsection (d) of this section, have an annual family income
13 below a poverty index determined by the Commission; and

14 (7) Satisfy any additional criteria the Commission may establish.

15 (c) (1) Subject to paragraph (2) of this subsection, an individual who has
16 successfully obtained a high school diploma by examination under § 11-808 of the Labor
17 and Employment Article is exempt from the requirements of subsection (b) of this section.

18 (2) An individual described under paragraph (1) of this subsection is
19 eligible for a Guaranteed Access Grant if the individual:

20 (i) Has scored a passing score of at least 165 per module on the
21 diploma by examination;

22 (ii) Begins college within 1 year of achieving the score described
23 under item (i) of this paragraph or, failing to do so, provides evidence satisfactory to the
24 Office of extenuating circumstances;

25 (iii) Is under the age of 26 years at the time of receiving the first
26 award;

27 (iv) Enrolls in college as a full-time student; and

28 (v) Subject to subsection (d) of this section, has an annual family
29 income below a poverty index determined by the Commission.

30 (d) To determine the annual family income eligibility of an applicant for a
31 Guaranteed Access Grant, the Office **OR AN INSTITUTION OF HIGHER EDUCATION THAT**
32 **COMPLIES WITH § 18-303.3 OF THIS SUBTITLE** may not consider an amount received by

1 the applicant as an earned income credit under § 32 of the Internal Revenue Code.

2 **18-303.3.**

3 (A) A PUBLIC INSTITUTION OF HIGHER EDUCATION IN THE STATE, OR A
4 PRIVATE NONPROFIT INSTITUTION OF HIGHER EDUCATION THAT IS ELIGIBLE FOR
5 STATE AID UNDER § 17-103 OF THIS ARTICLE, MAY VERIFY THE ELIGIBILITY OF AN
6 APPLICANT FOR, AND ON VERIFICATION OF THE ELIGIBILITY ADMINISTER, A
7 GUARANTEED ACCESS GRANT IN ACCORDANCE WITH THIS SECTION.

8 (B) AN INSTITUTION MAY VERIFY:

9 (1) THE ELIGIBILITY OF AN APPLICANT WHO:

10 (I) IS IDENTIFIED BY THE OFFICE AS POTENTIALLY ELIGIBLE
11 FOR A GUARANTEED ACCESS GRANT UNDER § 18-303 OF THIS SUBTITLE; AND

12 (II) APPLIES FOR ADMISSION TO THE INSTITUTION; OR

13 (2) THE RENEWAL ELIGIBILITY OF A STUDENT WHO:

14 (I) RECEIVED A GUARANTEED ACCESS GRANT UNDER §
15 18-303 OF THIS SUBTITLE IN THE PRIOR AWARD YEAR; AND

16 (II) IS AN ADMITTED STUDENT AT THE INSTITUTION IN THE
17 CURRENT AWARD YEAR.

18 (C) AN INSTITUTION SHALL:

19 (1) VERIFY THAT AN APPLICANT QUALIFIES FOR A GUARANTEED
20 ACCESS GRANT UNDER THE REQUIREMENTS OF § 18-303 OF THIS SUBTITLE;

21 (2) EVALUATE THE APPLICANT'S INCOME ELIGIBILITY CRITERIA
22 USING FEDERAL V1 STANDARD VERIFICATION AND IN ACCORDANCE WITH THE
23 INCOME ELIGIBILITY CRITERIA ESTABLISHED BY THE OFFICE;

24 (3) MAINTAIN RECORDS USED BY THE INSTITUTION TO DETERMINE
25 THE ELIGIBILITY OF APPLICANTS FOR A PERIOD OF 5 YEARS AFTER THE END DATE
26 OF THE AWARD YEAR ASSOCIATED WITH THE STUDENT'S LAST AWARD; AND

27 (4) PROVIDE THE COMMISSION WITH AN AUDIT, IN ACCORDANCE
28 WITH RULES ADOPTED BY THE COMMISSION, TO SHOW THAT AWARDS VERIFIED AND
29 ADMINISTERED UNDER THIS SECTION HAVE BEEN MADE PROPERLY.

1 **(D) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A**
2 **VERIFICATION OBTAINED BY AN APPLICANT UNDER SUBSECTION (B) OF THIS**
3 **SECTION MAY BE USED AT ANY ELIGIBLE INSTITUTION DESCRIBED UNDER § 18-305**
4 **OF THIS SUBTITLE.**

5 **(2) THE AMOUNT OF THE GUARANTEED ACCESS GRANT AWARDED TO**
6 **AN APPLICANT MAY BE ADJUSTED IN ACCORDANCE WITH THE COST OF ATTENDANCE**
7 **AT THE INSTITUTION AT WHICH THE APPLICANT USES THE AWARD.**

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
9 measure, is necessary for the immediate preservation of the public health or safety, has
10 been passed by a yea and nay vote supported by three-fifths of all the members elected to
11 each of the two Houses of the General Assembly, and shall take effect from the date it is
12 enacted.