
By: **Delegates Kaiser, Aumann, Bartlett, Bozman, Gilleland, Goldwater,
Heller, Jones, King, Madaleno, McKee, Pendergrass, Proctor, Ross,
Shewell, Smigiel, Sophocleus, and Stocksdale**

Introduced and read first time: February 9, 2006

Assigned to: Ways and Means

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

1 18-2108, inclusive, and the subtitle "Subtitle 21. Developmental
2 Disabilities and Mental Health Workforce Tuition Assistance Program";
3 and 18-2701 through 18-2707, inclusive, and the subtitle "Subtitle 27.
4 William Donald Schaefer Scholarship Program"
5 Annotated Code of Maryland
6 (2004 Replacement Volume and 2005 Supplement)

7 BY adding to
8 Article - Education
9 Section 18-708
10 Annotated Code of Maryland
11 (2004 Replacement Volume and 2005 Supplement)

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18 repealed.

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

21 **Article - Education**

22 18-708.

23 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
24 INDICATED.

25 (2) "ADVISORY COUNCIL" MEANS THE ADVISORY COUNCIL ON
26 WORKFORCE SHORTAGE.

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

30 (4) "GRANT" MEANS THE WORKFORCE SHORTAGE STUDENT ASSISTANCE
31 GRANT.

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

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

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

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

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

4 (1) BE A RESIDENT OF THE STATE;

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

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

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

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

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

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

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

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

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

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

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

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

27 (II) RECOMMEND TO THE COMMISSION:

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

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

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

4 (4) THE ADVISORY COUNCIL SHALL INCLUDE THE FOLLOWING
5 MEMBERS:

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

7 (II) THE SECRETARY OF LABOR, LICENSING, AND REGULATION OR
8 DESIGNEE;

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

11 (IV) THE SECRETARY OF BUSINESS AND ECONOMIC DEVELOPMENT
12 OR DESIGNEE;

13 (V) THE SECRETARY OF HEALTH AND MENTAL HYGIENE OR
14 DESIGNEE;

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

16 (VII) ONE REPRESENTATIVE OF THE SENATE OF MARYLAND,
17 APPOINTED BY THE PRESIDENT OF THE SENATE;

18 (VIII) ONE REPRESENTATIVE OF THE MARYLAND HOUSE OF
19 DELEGATES, APPOINTED BY THE SPEAKER OF THE HOUSE;

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

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

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

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

26 1. ONE REPRESENTATIVE FROM THE MARYLAND CHAMBER
27 OF COMMERCE;

28 2. ONE REPRESENTATIVE FROM THE WASHINGTON BOARD
29 OF TRADE;

30 3. ONE REPRESENTATIVE FROM THE GREATER BALTIMORE
31 COMMITTEE;

32 4. TWO REPRESENTATIVES FROM THE MARYLAND
33 INDEPENDENT COLLEGE AND UNIVERSITY ASSOCIATION;

1 (G) (1) THE OFFICE SHALL ANNUALLY SELECT ELIGIBLE STUDENTS AND
2 OFFER A GRANT TO EACH STUDENT SELECTED TO BE USED AT AN ELIGIBLE
3 INSTITUTION OF THE STUDENT'S CHOICE.

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

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

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

11 (II) MEETS SATISFACTORY ACADEMIC PROGRESS STANDARDS AS
12 DETERMINED BY THE ELIGIBLE INSTITUTION.

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

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

18 (3) A GRANT RECIPIENT MAY BE A GRADUATE STUDENT IF THE OFFICE
19 DETERMINES THAT THE SHORTAGE FIELD REQUIRES EMPLOYEES WITH A
20 GRADUATE LEVEL EDUCATION.

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

28 (2) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, THE COMMISSION
29 SHALL ESTABLISH IN GUIDELINES THE ANNUAL GRANT AWARDS UNDER THIS
30 SECTION.

31 (3) ANNUAL GRANT AWARDS SHALL BE WITHIN THE FOLLOWING
32 RANGES:

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

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

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

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

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

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

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

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

14 (2) THE COMMISSION MAY ESTABLISH ALTERNATIVE SERVICE
15 OBLIGATION REQUIREMENTS FOR DESIGNATED WORKFORCE SHORTAGE FIELDS TO
16 ADDRESS STATEWIDE AND REGIONAL NEEDS.

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

19 (I) COMPLETE THE SPECIFIED DEGREE, ATTAIN THE LICENSURE
20 OR CERTIFICATION REQUIRED, OR FULFILL OTHER REQUIREMENTS AS PROVIDED IN
21 THIS SECTION; OR

22 (II) PERFORM THE SERVICE OBLIGATION REQUIRED UNDER
23 SUBSECTION (K) OF THIS SECTION.

24 (2) THE OFFICE SHALL WAIVE THE REPAYMENT OF A GRANT AWARD AT
25 A RATE OF:

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

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

30 (3) A RECIPIENT SHALL BEGIN REPAYMENT AT ANY TIME DURING THE
31 PERIOD THAT THE RECIPIENT IS NO LONGER PERFORMING THE SERVICE
32 OBLIGATION.

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

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

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

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

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

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

14 (M) (1) THIS SUBSECTION APPLIES TO RECIPIENTS OF THE WILLIAM
15 DONALD SCHAEFER SCHOLARSHIP SPECIFIED IN SUBSECTION (E)(5) OF THIS
16 SECTION.

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

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

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

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

33 (2) THE COMMISSION:

34 (I) MAY ACCEPT ANY GIFT OR GRANT FROM ANY PERSON OR
35 CORPORATION FOR THE WORKFORCE SHORTAGE STUDENT ASSISTANCE GRANT
36 FUND;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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