

CHAPTER 297

(House Bill 538)

AN ACT concerning

Higher Education – Dual Enrollment Grant Program

FOR the purpose of requiring certain money carried forward from a previous fiscal year to be used for dual enrollment grants, in addition to certain other financial aid programs; repealing certain provisions of law relating to the inclusion of dually enrolled students in a certain part-time grant program; requiring the Maryland Higher Education Commission, in cooperation with certain institutions of higher education, to establish and administer a grant program for dually enrolled students; requiring a recipient of a dual enrollment grant to be a resident of the State ~~and~~, be a dually enrolled student, and demonstrate financial need; providing that, for courses completed under the program, a recipient of a dual enrollment grant is not required to receive credit from a secondary school and an institution of higher education at the same time; requiring the Commission to ~~administer funds for the Dual Enrollment Grant Program and to distribute funds to an institution of higher education on behalf of a dual enrollment grant recipient~~ allocate funds to an institution of higher education based on the number of dually enrolled students receiving credit for certain courses; requiring funds for the Dual Enrollment Grant Program to be as provided in the annual budget of the Commission by the Governor; requiring the Commission to establish guidelines for the awarding of dual enrollment grants to dually enrolled students; requiring the Commission to adopt certain regulations; ~~requiring the Governor to include certain funds in the State budget for certain fiscal years for the Dual Enrollment Grant Program~~ requiring an institution of higher education that receives certain funds for dual enrollment grants to provide the Commission with a certain annual audit; requiring a certain council to provide certain recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; defining a certain term; and generally relating to the Dual Enrollment Grant Program.

BY repealing and reenacting, with amendments,

Article – Education

Section 18-107(b) and 18-1401

Annotated Code of Maryland

(2006 Replacement Volume)

BY adding to

Article – Education

Section 18–14A–01 through ~~18–14A–03~~ 18–14A–04 to be under the new subtitle
“Subtitle 14A. Dual Enrollment Grant Program”

Annotated Code of Maryland
(2006 Replacement Volume)

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

Article – Education

18–107.

(b) (1) Except as otherwise provided in this title, money appropriated under this title that is not used by the end of the fiscal year may not revert to the State Treasury.

(2) All money retained under paragraph (1) of this subsection shall be used to make awards to students during subsequent fiscal years as provided in §§ 18–301, 18–706(f), 18–1401, **18–14A–01**, and 18–1501 of this title and § 13–613(d)(1) of the Transportation Article and may not be used for administrative expenses.

18–1401.

(a) In this section, “part–time student” means a student who is[:

(1) Enrolled] **ENROLLED** in a degree–granting program at an eligible institution and taking at least 6 but no more than 11 semester hours of courses each semester[; or

(2) Dually enrolled in a secondary school in the State and an institution of higher education].

(b) [(1)] In cooperation with the institutions of higher education in the State, the Commission shall establish and administer a grant program for undergraduate part–time students.

[(2) Each institution of higher education that participates in the grant program shall establish criteria for awarding a grant or waiver to dually enrolled students.]

(c) A recipient of a part-time grant shall:

(1) Be a resident of the State; and

(2) [(i)] Have demonstrated a definite financial need according to criteria established by the Commission[; or

(ii) Be a dually enrolled student].

SUBTITLE 14A. DUAL ENROLLMENT GRANT PROGRAM.

18-14A-01.

(A) IN THIS SECTION, "DUALY ENROLLED STUDENT" MEANS A STUDENT WHO IS DUALY ENROLLED IN:

(1) A SECONDARY SCHOOL IN THE STATE; AND

(2) AN INSTITUTION OF HIGHER EDUCATION IN THE STATE.

(B) ~~THE~~ IN COOPERATION WITH INSTITUTIONS OF HIGHER EDUCATION IN THE STATE, THE COMMISSION SHALL ESTABLISH AND ADMINISTER A GRANT PROGRAM FOR DUALY ENROLLED STUDENTS.

(C) A RECIPIENT OF A DUAL ENROLLMENT GRANT SHALL:

(1) BE A RESIDENT OF THE STATE; ~~AND~~

(2) BE A DUALY ENROLLED STUDENT; AND

(3) DEMONSTRATE FINANCIAL NEED ACCORDING TO CRITERIA ESTABLISHED BY THE COMMISSION.

(D) FOR COURSES COMPLETED UNDER THE PROGRAM, A RECIPIENT OF A DUAL ENROLLMENT GRANT IS NOT REQUIRED TO RECEIVE CREDIT FROM A SECONDARY SCHOOL AND AN INSTITUTION OF HIGHER EDUCATION AT THE SAME TIME.

18-14A-02.

(A) FUNDS FOR THE DUAL ENROLLMENT GRANT PROGRAM SHALL BE:

~~(1) ADMINISTERED BY THE COMMISSION; AND~~

~~(2) DISTRIBUTED TO AN INSTITUTION OF HIGHER EDUCATION ON BEHALF OF A DUAL ENROLLMENT GRANT RECIPIENT ALLOCATED BY THE COMMISSION TO AN INSTITUTION OF HIGHER EDUCATION BASED ON THE NUMBER OF DUALY ENROLLED STUDENTS RECEIVING CREDIT FOR COURSES COMPLETED AT THE INSTITUTION.~~

(B) FUNDS FOR THE DUAL ENROLLMENT GRANT PROGRAM SHALL BE AS PROVIDED IN THE ANNUAL BUDGET OF THE COMMISSION BY THE GOVERNOR.

18-14A-03.

THE COMMISSION SHALL:

(1) ESTABLISH GUIDELINES FOR THE AWARDING OF DUAL ENROLLMENT GRANTS TO DUALY ENROLLED STUDENTS; AND

(2) ADOPT ANY OTHER GUIDELINES OR REGULATIONS NECESSARY FOR THE ADMINISTRATION OF THIS SUBTITLE.

18-14A-04.

AN INSTITUTION OF HIGHER EDUCATION THAT RECEIVES STATE FUNDS UNDER THIS SUBTITLE SHALL PROVIDE THE COMMISSION WITH AN ANNUAL AUDIT OF THE USE OF THE FUNDS.

SECTION 2. AND BE IT FURTHER ENACTED, That on or before November 1, 2007, the Maryland Partnership for Teaching and Learning PreK – 16 Council shall provide the Governor and, in accordance with § 2-1246 of the State Government Article the General Assembly, a comprehensive list of recommendations that will surmount barriers to dual-enrollment and will facilitate dual-enrollment opportunities.

~~SECTION 2. 3. AND BE IT FURTHER ENACTED, That, beginning with the fiscal year 2009 State budget and each year thereafter, the Governor shall appropriate to the Maryland Higher Education Commission for the administration of the Dual Enrollment Grant Program established under Title 18, Subtitle 14A of the Education Article, as enacted by Section 1 of this Act, an amount not less than 10% of the amount appropriated to the Commission for the administration of the Part Time Grant Program established under Title 18, Subtitle 14 of the Education Article.~~

~~SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2007. *It shall remain effective for a period of ~~1 year~~ 2 years and 1 month and, at the end of June 30, 2008 2009, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.*~~

Approved by the Governor, May 8, 2007.