

THE 90 DAY REPORT

A Review of the
2021 Legislative Session



Department of Legislative Services
Maryland General Assembly

Higher Education

Operating Funding

State support for higher education in the fiscal 2022 budget totals \$2.3 billion, an increase of \$107.1 million, or 4.9%, over fiscal 2021 as shown in **Exhibit L-6**. Public four-year institutions and community colleges receive the bulk of the new State funds, totaling \$76.9 million, which includes new general funds and Higher Education Investment Funds.

Exhibit L-6 State Support for Higher Education Fiscal 2021 and 2022

	<u>2021¹</u>	<u>2022²</u>	<u>\$ Change</u> <u>2021-2022</u>	<u>% Change</u> <u>2021-2022</u>
University System of Maryland	\$1,461,985,900	\$1,496,368,495	\$34,382,595	2.35%
Morgan State University	107,496,780	113,050,232	5,553,452	5.17%
St. Mary's College	26,455,132	29,612,759	3,157,627	11.94%
MHEC Special Grants ³	6,810,239	6,683,641	-126,598	-1.86%
MHEC Grants for Maryland 529	12,465,750	10,067,500	-2,398,250	-19.24%
Community Colleges ⁴	340,823,819	371,522,803	30,698,984	9.01%
BCCC	36,802,261	39,880,068	3,077,807	8.36%
Independent Institutions	59,024,905	88,810,065	29,785,160	50.46%
MHEC Administration	7,021,192	7,490,562	469,370	6.69%
MHEC Student Financial Aid	131,633,950	134,154,498	2,520,548	1.91%
Total	\$2,190,519,928	\$2,297,640,623	\$107,120,695	4.89%

BCCC: Baltimore City Community College

MHEC: Maryland Higher Education Commission

¹ Fiscal 2021 general funds are adjusted to reflect general salary increases and deficiencies and the transfer of funds from MHEC to University of Maryland, Baltimore Campus for the WellMobile and to the University of Maryland Global Campus for management of the Waldorf Center.

² Fiscal 2022 general funds are adjusted to reflect general salary increases and anticipated transfers from MHEC to University of Maryland, Baltimore Campus for the WellMobile and to University of Maryland Global Campus for management of the Waldorf Center.

³ Special grants funded with State general and special funds are included.

⁴ Community College funds include the Senate John A. Cade formula, other programs, and fringe benefits.

Note: Includes general funds and Higher Education Investment Funds. Does not include federal funds, including COVID-19 relief funds allocated by the State.

Source: Maryland State Budget Books; Department of Legislative Services

Public Four-year Institutions

The University System of Maryland (USM) receives an increase of \$34.4 million, or 2.4%, over fiscal 2021, which includes \$38.0 million for the annualization of the fiscal 2021 general salary increase. Also included is \$2.4 million increase mandated by Chapter 765 of 2019, which includes \$2.0 million for the MPowering Joint Steering Council, a strategic partnership between the University of Maryland, Baltimore Campus (UMB) and the University of Maryland, College Park Campus (UMCP); and \$400,000 to the University of Maryland Baltimore County (UMBC) to further its economic development and research activities. Additionally, \$23.5 million is provided to fund various health professions and public health programs at USM institutions.

Morgan State University (MSU) receives an increase of \$5.6 million, or 5.2%, over fiscal 2021, which includes an increase of \$2.6 million in general funds, \$1.9 million in salary enhancements, and \$1.8 million to hire additional police officers. St. Mary's College of Maryland (SMCM) receives an increase of \$3.2 million, or 11.9%, in State support over fiscal 2021. This increase is the result of an increase of \$2.9 million related to the funding formula and \$0.4 million for operational expenses related to COVID-19.

The budget assumes a 2% increase in resident undergraduate tuition at the public four-year institutions; however, this is contingent upon approval of the governing boards.

Independent Institutions

Independent institutions receive \$88.8 million through the Joseph A. Sellinger formula in fiscal 2022, an increase of \$29.8 million, or 50.5%, from fiscal 2021. The significant increase in fiscal 2022 reflects the July 2020 Board of Public Works (BPW) cost containment action that level funded fiscal 2021 at the fiscal 2020 level.

Community Colleges

State funding for local community colleges increases by \$30.7 million, or 9.0%, over fiscal 2021. Funding under the Senator John A. Cade Funding formula grows by \$40.2 million while funding for community college retirement programs increases by \$476,000. The large growth in fiscal 2022 reflects the July 2020 BPW cost containment action that level funded the Cade formula funding in fiscal 2021 at the fiscal 2020 level. This is offset by \$10 million provided in *Senate Bill 496 (Ch. 39)* (RELIEF Act) to community colleges for job skills training expenditures in fiscal 2021.

Baltimore City Community College

Baltimore City Community College (BCCC), Maryland's only State-administered community college, has a separate statutory funding formula. In fiscal 2021, due to an ongoing decline in student enrollment, BCCC's hold harmless clause maintained direct State support at the fiscal 2020 statutory level of \$39.5 million. BPW further reduced this amount by \$3.2 million in July 2020 as a cost containment measure. In fiscal 2022, BCCC returned to the hold harmless level of \$39.5 million as their funding formula, based on enrollment, was less than the previous hold

harmless total. When including English for Speakers of Other Languages funding of \$0.4 million, total State support for BCCC amounts to \$39.9 million, \$3.1 million, or 8.4%, greater than fiscal 2021.

Financial Aid

State support for student financial aid increases by \$2.5 million, or 1.9%, to \$134.1 million in fiscal 2022. The small growth in fiscal 2022 reflects a fiscal 2021 deficiency appropriation of \$3.5 million for the Maryland Community College Promise Scholarship and an additional \$1.3 million for the Edward T. and Mary A. Conroy Memorial Scholarship and Jean B. Cryor Memorial Scholarship Program. For fiscal 2022, the Promise Scholarship is funded at the mandated \$15 million level. The largest need-based aid program, the Delegate Howard P. Rawlings Educational Excellence Awards Program, receives \$88.1 million, which is the same amount provided in fiscal 2021. These figures do not include State matching contributions for qualifying Maryland 529 accounts, which total \$10.1 million in fiscal 2022 (down from \$12.5 million in fiscal 2021 including deficiency).

Federal COVID-19-related Funds

Like K-12 education, higher education institutions received direct allocations of federal COVID-19 funding across three rounds of federal stimulus funding through the Higher Education Emergency Relief Fund (HEERF) I, II, and III. Maryland institutions – public, independent, and for-profit institutions – received a total of \$215.5 million in fiscal 2020 from HEERF I under the Coronavirus Aid, Relief, and Economic Security (CARES) Act, with at least 50% required to be used for emergency student financial aid grants. Maryland’s historically black colleges and universities (HBCUs) also got a separate allocation of \$44.8 million in fiscal 2020. Under Coronavirus Response and Relief Supplemental Appropriations (CRRSA), a total of \$368.9 million is provided to Maryland institutions from HEERF II, of which \$101.5 million was required to be spent on student financial aid and \$50.7 million was allocated to the HBCUs. As shown in **Exhibit L-7**, the public four-year institutions received the majority of these funds totaling \$204.8 million, not including \$15.1 million of funding authorized in the CARES Act, of which \$137.8 million will be expended in fiscal 2021 and the remaining in fiscal 2022. Community colleges receive \$122.7 million, and four-year independent institutions receive \$35.0 million; it is assumed these funds are spent in fiscal 2021 but a portion may be spent in fiscal 2022. (For-profit institutions receive \$6.3 million.)

Exhibit L-7
Allocation of Federal Higher Education Emergency Relief Funds (HEERF II)
Fiscal 2021 and 2022

	<u>Fiscal 2021</u>	<u>Fiscal 2022</u>	<u>Total</u>
UM Baltimore	\$2,965,115	\$0	\$2,965,115
UM College Park	32,838,845	0	32,838,845
Bowie State University	2,245,000	22,796,447	25,041,447
Towson University	27,802,351	0	27,802,351
UM Eastern Shore	2,383,911	12,877,224	15,261,135
Frostburg State University	6,416,427	271,054	6,687,481
Coppin State University	3,363,953	7,005,749	10,369,702
University of Baltimore	933,200	3,573,599	4,506,799
Salisbury University	2,700,000	6,793,680	9,493,680
UM Global Campus	11,921,557	5,578,552	17,500,109
UM Baltimore County	15,200,168	55,367	15,255,535
<i>USM Subtotal</i>	<i>\$108,770,527</i>	<i>\$58,951,672</i>	<i>\$167,722,199</i>
Morgan State University ¹	\$27,339,677	\$23,078,415	\$50,418,092
St. Mary's College	1,716,025	0	1,716,025
<i>Public Four-year Subtotal</i>	<i>\$137,826,229</i>	<i>\$82,030,087</i>	<i>\$219,856,316</i>
Community Colleges	\$122,721,025		\$122,721,025
Independent Institutions	34,966,140		34,966,140
For-profit Institutions	6,329,807		6,329,807
Total	\$164,016,972		\$164,016,972

UM: University of Maryland

USM: University System of Maryland

¹ Includes \$15.1 million in funding authorized in the Coronavirus Aid, Relief, and Economic Security Act of 2020.

Source: U.S. Department of Education; Department of Legislative Services

The CRRSA expanded the use of the institutional portion of the funds allowing institutions to be reimbursed for costs dating back to March 13, 2020, the date of the declaration of the national emergency. HEERF II can be used to defray COVID-related costs including lost revenue, technology costs associated with the transition to distance learning, and faculty and staff training.

In March 2021, the American Rescue Plan was signed into law authorizing \$40 billion in HEERF III that will be available to institutions through September 30, 2023. While the

U.S. Department of Education has yet to allocate the funds, it is estimated Maryland institutions will receive \$661.0 million of these funds.

In addition, State supported institutions received \$31.2 million from the Governor's Coronavirus Relief Fund for reimbursement of public safety personnel and COVID-19-related expenses in fiscal 2020 from the CARES Act. As shown in **Exhibit L-8**, in fiscal 2021, they receive \$26.7 million from the Coronavirus Relief Fund. Independent institutions received \$2.6 million from the Governor's Emergency Education Relief Fund (GEER) II in fiscal 2021 for reimbursement of COVID-19-related costs. Community colleges also received a total of \$17.4 million to support workforce development programs from GEER I and II.

Exhibit L-8
State Allocation of COVID-19 Federal Funds
Fiscal 2021

Governor's Coronavirus Relief Fund

University System of Maryland Institutions	\$22,913,169
Morgan State University	2,459,665
St. Mary's College of Maryland	480,500
Baltimore City Community College	877,798
Total	\$26,731,132

Governor's Emergency Education Relief Fund

Community Colleges	\$17,400,000
Independent Institutions	2,600,000
Total	\$20,000,000

Source: U.S. Department of Education; Department of Legislative Services

Capital Funding

Capital funding for public four-year institutions totals \$444.2 million for fiscal 2022, including \$30.0 million in academic revenue bonds for USM institutions authorized by [*House Bill 1341 \(passed\)*](#) and \$234.7 million in pay-as-you-go. Local community colleges receive \$59.7 million for the Community College Construction Grant Program and \$3.8 million for the facilities renewal grant program. In addition, Garrett Community College receives \$0.7 million for a Community Education and Performing Arts Center. Baltimore City Community College receives \$4.0 million, and independent institutions receive \$12.0 million in capital funding for fiscal 2022.

For information on authorized capital projects, see subpart “Capital Budget” within Part A – Budget and State Aid of this *90 Day Report*.

Historically Black Colleges and Universities

In 2020, the General Assembly passed House Bill 1260 mandating an additional \$577 million for Maryland’s HBCUs over a 10-year period if certain conditions were met. The Governor vetoed the legislation, which was intended to bring about resolution of a 14-year lawsuit in which the State has been a defendant. The plaintiff, which represents current and former HBCU students, alleges that policies of the State’s higher education system are in violation of federal law. To date, there has been no final decision or resolution of the lawsuit. Instead of overriding the Governor’s veto, new legislation was introduced in the 2021 session.

Senate Bill 1/House Bill 1 (Chs. 42 and 41), both emergency measures, provide an additional \$577.0 million (in total) for Maryland’s HBCUs from fiscal 2023 through 2032 to be distributed and used as specified, contingent on a final settlement of the *Coalition for Equity and Excellence in Maryland Higher Education, et al. v. Maryland Higher Education Commission, et al.* lawsuit by June 1, 2021. The funding under the Acts is supplemental to, and may not supplant, funds appropriated to public institutions of higher education in the State budget. Specified Cigarette Restitution Fund revenues, if available, must be used instead of general funds. The Acts create an HBCU Reserve Fund to hold unused funds at the end of each fiscal year.

The Acts also establish a program evaluation unit in the Maryland Higher Education Commission (MHEC) to evaluate new programs and substantial program modifications. The unit established under the Acts must assist MHEC in reviewing and evaluating proposals for new academic programs and substantial modifications of existing academic programs in accordance with current law. Additionally, the Act requires the USM William E. Kirwan Center for Academic Innovation, in collaboration with UMUC Ventures, to work with the State’s HBCUs with the goal of developing and offering online academic programs.

The Acts also require the Department of Legislative Services (DLS) to contract with a consultant to study the capacity and capability of MHEC to carry out the current policies and practices and new policies or practices established in accordance with the bill for the purpose of (1) evaluating, streamlining, improving, and making recommendations on such policies and practices with respect to academic program review; (2) enhancing the economic competitiveness of the State by ensuring the responsiveness of institutions of higher education to market demand; and (3) effectively supporting the State’s workforce development requirements. DLS is required to submit an interim report by December 1, 2021, and a final report on or before September 1, 2022.

Institutions of Higher Education

Collective Bargaining

University System of Maryland and Other Institutions of Higher Education: *Senate Bill 9 (passed)* requires the Chancellor of USM to act on behalf of USM and its constituent institutions, rather than the institutions' presidents, for the purposes of collective bargaining. An exclusive representative that represents more than one bargaining unit of USM employees may request to bargain a consolidated memorandum of understanding that addresses specified matters. Other specified matters must be negotiated separately by the president of a USM institution, or their designee, and the exclusive representative. Further, the bill alters the collective bargaining process for State employees and employees of public four-year institutions and BCCC. For a more detailed discussion of this issue, see the subpart "Personnel" within Part C – State Government of this *90 Day Report*.

Community Colleges and Baltimore City Community College: Chapter 341 of 2001 extended collective bargaining rights to many categories of higher education personnel at public four-year institutions of higher education and BCCC but excluded all faculty and students from the benefit. Most local community college employees do not have collective bargaining rights. *Senate Bill 746/House Bill 894 (both passed)* establish a collective bargaining process for local community college employees, including full-time faculty, part-time faculty, and specified staff but excluding officers, supervisory or confidential employees, and student assistants. Implementation is delayed until September 1, 2022 or 2023, and bargaining over wages is delayed until July 1, 2023 or 2024, depending on the institution. Full-time and part-time faculty at BCCC may also collectively bargain under this process beginning on October 1, 2024. Beginning in fiscal 2026, the Governor must include funding to accommodate costs due to collective bargaining for BCCC in the annual budget bill. Except under specified circumstances, the bills do not apply to collective bargaining units, contracts, or agreements in existence prior to September 1, 2022. For a more detailed discussion of this issue, see the subpart "Personnel" within Part C – State Government of this *90 Day Report*.

Student Athletes

Student athletes have no explicit rights in State law beyond those granted to all students, and institutions of higher education have no explicit responsibilities regarding student athletes. *Senate Bill 439/House Bill 125 (both passed)* – the Jordan McNair Safe and Fair Play Act – establish requirements regarding college student athletes at public institutions of higher education. An athletic program must adopt and implement guidelines related to the health and safety of student athletes. By October 1 each year, beginning in 2021, the USM Intercollegiate Athletics Workgroup, MSU, and SMCMM must report on student athletes at each institution, including any student athlete policy changes related to the health and safety of student athletes. Beginning July 1, 2023, USM institutions, MSU, and athletic associations, including the National Collegiate Athletic Association, must follow certain rules regarding student athlete compensation for the use of the student's name, image, or likeness.

Admissions and Transfers

Maryland Higher Education Outreach and College Access Program: Chapters 200 and 201 of 2015 established the Maryland Higher Education Outreach and College Access Pilot Program as a two-year pilot program administered by MHEC for eligible nonprofit organizations that meet specified requirements to increase low-income students attending and succeeding in college. Chapter 399 of 2018 extended the termination date for the pilot program by three years, through September 2022. ***House Bill 98 (passed)*** makes the pilot program permanent. MHEC must also continue to submit an annual report about the program. Beginning in fiscal 2023, the Governor must include \$200,000 annually in the State budget for the program.

Transfers between Public Institutions of Higher Education: ***Senate Bill 886/House Bill 460 (both passed)*** requires MHEC to require a receiving public institution of higher education that denies the transfer of a credit or course to an enrolled student to notify the sending public institution and the enrolled student, including the rationale for the denial. The transfer coordinator or institutional designee of the sending institution must conduct a review, in conjunction with the receiving institution’s designee, within a time period set by MHEC. Each public institution of higher education must submit an annual report to MHEC listing any denials of transfer of a credit or a course and the reasons for each.

Use of Criminal History in Admissions: Chapter 2 of 2018 generally prohibited an institution of higher education that receives State funds from using an undergraduate admissions application that contains questions about the criminal history of the applicant, except if the institution uses a third-party admissions application under certain circumstances. ***Senate Bill 127 (passed)*** prohibits an institution of higher education that receives State funds from disqualifying an applicant from undergraduate admission based on the applicant’s criminal history obtained from a third-party admissions application. Further, an institution may not make inquiries into or consider information about a student’s criminal history for the purpose of admission, including to deny or limit a student’s admission into a particular academic program. However, the bill authorizes an institution of higher education to develop a process for determining or restricting access to campus residency for a student who has been convicted of (1) a sexual crime under Title 3, Subtitle 3 of the Criminal Law Article; (2) a crime of violence under Title 14 of the Criminal Law Article; or (3) a substantially similar crime in another state.

Incentive Payments Related to Foreign Students: Generally, an institution of higher education may not pay a commission, a bonus, or any other incentive payment based on success in securing enrollments or the award of financial aid to a person or entity engaged in student recruitment or admission activity. ***Senate Bill 927 (passed)*** allows an institution of higher education to pay incentives for the recruitment of a foreign student who is (1) residing in a foreign country and (2) not eligible to receive federal student assistance.

University System of Maryland

University of Maryland Strategic Partnership: Chapter 25 of 2016 established the Center for Maryland Advanced Ventures at the University of Maryland (CMAVUM), which must be located at UMB in Baltimore City, and the University of Maryland (UM) Center for Economic

and Entrepreneurship Development (UMCEED), which must be located at UMCP. The Governor must include at least \$4.0 million each year in the State budget for CMAVUM and at least \$6.0 million each year to UMCEED. It also provided \$4 million in State funding to increase funding guideline attainment for specified USM institutions for each of fiscal 2018 through 2021, which is included in the institutions' base budgets in subsequent fiscal years. Funding guidelines have been used since fiscal 2001 to assess how public four-year institutions in Maryland are funded relative to their peers (except SMCM) using a calculation that uses state funding, fees, and projected enrollment at each institution.

Senate Bill 943 (passed) creates the Center for Cybersecurity at UMBC and requires the Governor to annually include \$3.0 million in the State budget for the Center beginning in fiscal 2023. The bill also increases, beginning in fiscal 2023, by \$2.5 million the annual mandated appropriations to each of CMAVUM and UMCEED, a portion of which must be used for the development and location of technology companies in Baltimore City or Prince George's County, respectively. The bill also requires that for fiscal 2023 through 2027, the Governor must appropriate at least an additional \$4.0 million to the USM Office to increase the estimated funding guideline attainment levels of USM institutions as specified.

State Funding of Institutions of Higher Education: Senate Bill 433/House Bill 173 (Ch. 44/passed) require the University of Maryland School of Medicine to provide clinical care at the University of Maryland Capital Region Medical Center by assigning certain faculty to the center, and the Governor must include at least \$5.0 million in the annual budget in each of fiscal 2023 through 2025 to fund this requirement. The Act and the bill further require the University of Maryland School of Medicine to provide clinical care at its rural hospitals by assigning certain faculty to each hospital, and the Governor must include at least \$2.0 million in the annual budget in each of fiscal 2023 through 2025 to fund this requirement. The Act and the bill also specify that State appropriations calculated under the Senator John A. Cade Funding Formula for local community colleges, the BCCC funding formula, and the Joseph A. Sellinger funding formula for specified private nonprofit institutions of higher education include appropriations, regardless of where they are budgeted, designated for the general operation of four-year public institutions of higher education, including personnel-related appropriations.

Review and Spending of Student Fees: USM Board of Regents has adopted policies on the establishment of tuition and mandatory fees, including that the president of a USM institution must consult with students before the establishment of or a change in student fees. ***Senate Bill 895 (passed)*** requires that, when setting mandatory and nonmandatory student fees, the president of each USM institution must present information on such fees for review by the student fee committee of record. The information presented to the committee must include (1) the amount of the fee; (2) the students who will be charged the fee; and (3) the proposed use of revenues from the fee. Unless the student fee committee of record reviews an exception to the use of the fee, revenues derived from fees as reviewed by the committee must be spent by the campus unit or department that requested the fee in a manner consistent with the intended purpose for which the fee exists.

Small Business Development Center Network Fund: During the 2020 session, the General Assembly passed Senate Bill 493, which was vetoed by the Governor. The General Assembly overrode the veto during the 2021 session, and the bill was enacted as Chapter 15. The Act increases the minimum general fund appropriation to the Small Business Development Center by \$200,000 annually.

Maryland Innovation Initiative University Partnership Pilot Program: The MII University Partnership Pilot Program exists within the Maryland Technology Development Corporation. ***Senate Bill 732 (passed)*** codifies the MII University Partnership Pilot Program. For a more detailed discussion of this issue, see the subpart “Economic Development” within Part H – Business and Economic Issues of this *90 Day Report*.

Procurement Authority of Baltimore City Community College

State law exempts USM, MSU, and SMCM from certain provisions of procurement law. ***Senate Bill 326 (passed)*** makes BCCC exempt from many of the same procurement provisions, except for oversight of capital contracts with a value that exceeds \$500,000, and generally expands its procurement authority after (1) the college adopts certain procurement procedures and policies and (2) those new policies are approved by the Joint Committee on Administrative, Executive, and Legislative Review and BPW. For a more detailed discussion of this issue, see the subpart “Procurement” within Part C – State Government of this *90 Day Report*.

Financial Assistance

Scholarships and Tuition Assistance

Maryland Corps Program Fund: During the 2020 session, the General Assembly passed Senate Bill 845, which was vetoed by the Governor. The General Assembly overrode the veto during the 2021 session, and the bill was enacted as Chapter 9. It expands the purpose and authorized uses of the Maryland Corps Program Fund and mandates annual funding for the program beginning in fiscal 2023.

Workforce Development Sequence Scholarship: Chapter 149 of 2017, the More Jobs for Marylanders Act, established Workforce Development Sequence Scholarships for eligible students who are enrolled in a workforce development sequence at a community college, which was defined as courses that are related to job preparation or an apprenticeship, licensure or certification, or job skills enhancement. ***Senate Bill 845/House Bill 905 (Chs. 97 and 96)*** expand eligibility for the Workforce Development Sequence Scholarship to include a Maryland resident or graduate of a Maryland high school who is enrolled directly in a registered apprenticeship program that partners with a public community college in the State.

Next Generation Scholars of Maryland Program: ***House Bill 1245 (passed)*** alters the eligibility criteria for students to prequalify for the Guaranteed Access Grant so that a student in grade 9 or 10 who is eligible for free or reduced-price meals as specified automatically prequalifies for the award if the student meets other existing eligibility requirements. The bill also makes the

\$5.0 million mandated appropriation to the Next Generation Scholars of Maryland Program permanent beginning in fiscal 2024.

Maryland Community College Promise Scholarship: Chapter 554 of 2018 created a scholarship program in Maryland to provide tuition assistance to students who attend a community college in the State and who meet specified eligibility criteria, including an income limitation. **Senate Bill 308 (passed)** exempts applicants for the Maryland Community College Promise Scholarship from the high school grade point average requirements, for an initial award, if the applicant graduated from high school five or more years before the date of application.

Maryland Police Officers Scholarship Program: House Bill 670 (Ch. 59) establishes the Maryland Police Officers Scholarship Program to provide tuition assistance for students (1) attending a degree program that would further the student's career in law enforcement at a public four-year institution in the State with the intent to be a police officer after graduation or (2) who are currently police officers attending a degree program that would further the officer's career in law enforcement at an eligible institution. A recipient of a scholarship must (1) be a Maryland resident or have graduated from a Maryland high school; (2) be accepted for admission or currently enrolled at an eligible institution as a full-time or part-time undergraduate or graduate student, as specified; (3) sign a letter of intent to perform the service obligation on completion of the recipient's required studies; and (4) satisfy any additional criteria MHEC may establish. A current police officer that meets the eligibility criteria is also eligible for a scholarship. The Governor must annually include in the budget bill an appropriation of at least \$8.5 million to MHEC to award scholarships, and MHEC must use (1) \$6.0 million for scholarships to students intending to become police officers after graduation and (2) \$2.5 million for scholarships to existing police officers to attend an eligible institution and remain a police officer after graduation.

Maryland Loan Assistance Repayment Program for Police Officers: House Bill 670 (Ch. 59) also establishes the Maryland Loan Assistance Repayment Program for Police Officers in the State. The Office of Student Financial Assistance within MHEC must distribute funds from the program to assist in the repayment of a higher education loan owed by a police officer who (1) receives a graduate, professional, or undergraduate degree from a public college or university in the State; (2) obtains eligible employment; and (3) satisfies any other criteria established by the office. "Eligible employment" means to work as a police officer in the State for at least two years. The Governor must include an annual appropriation of at least \$1.5 million in the State budget for the program.

For a discussion of other provisions of this Act, see the subpart "Public Safety" within Part E – Crimes, Corrections, and Public Safety of this *90 Day Report*.

Foster Care Recipients and Homeless Youth: Specified foster care recipients and unaccompanied homeless youth are eligible for a tuition waiver for all credit-bearing and noncredit courses and mandatory fees to attend a public institution of higher education in Maryland. **Senate Bill 155/House Bill 216 (both passed)** expand the definition of "homeless youth" who are eligible to receive a tuition waiver by removing the requirements that the youth (1) be "unaccompanied"; and (2) qualify as an independent student under federal law. The bills also alter the method by

which an individual is determined to be a homeless youth for the purpose of a tuition waiver and repeals the requirement that only a financial aid administrator can verify the status. In addition, a foster care recipient or homeless youth who receives a tuition waiver must receive priority consideration for on-campus housing. Each public institution of higher education must make the application for the tuition waiver available to current and prospective students and notify students about the application. Each public institution must establish an appeals process for the tuition waiver. Finally, each public institution must designate a homeless and foster student liaison with specified expertise to assist specified students with applying for financial aid.

Other Financial Assistance

Live Near Your School Program: *Senate Bill 637 (passed)* authorizes the Community Development Administration (CDA) within the Department of Housing and Community Development to administer the Live Near Your School Program and a related home buyer assistance program. The home buyer assistance program is authorized to assist current students and recent graduates, as defined by the bill, in receiving low-interest loans to purchase homes near the public institution of higher education attended by the individual. In addition, CDA is authorized to administer community development projects that provide current students and recent graduates with grants to buy homes in sustainable communities that are near the school attended by the student or graduate.

Maryland E-Nnovation Initiative Program and Admissions and Amusement Tax Distributions: The Maryland E-Nnovation Initiative Fund (MEIF) and Program authorizes nonprofit institutions of higher education in the State that meet specified eligibility requirements to create research endowments and, upon securing matching private donations and approval, receive MEIF awards that may be distributed to the endowments. During the 2020 session, the General Assembly passed Senate Bill 465, which requires the Governor to continue funding the MEIF Program at \$8.5 million annually through fiscal 2026. The Governor vetoed the bill, the General Assembly overrode the veto during the 2021 session, and the bill became law as Chapter 14. Chapter 14 also makes permanent a specified distribution from the State admissions and amusement tax on electronic bingo and electronic tip jars to MEIF. For information on other provisions of the Act, see the 2020 Session *71 Day Report*.

Student Wellness and Career Programs

Student Wellness

Student Identification Cards: *Senate Bill 405/House Bill 466 (both passed)* require institutions of higher education to provide the telephone number for Maryland's Helpline, or an on-campus crisis center that operates 24 hours a day and 365 days a year, directly on student identification cards or a sticker affixed to the card, if the institution provides such a card. The bills also permit institutions to provide numbers for the National Suicide Prevention Lifeline, Crisis Text Line, National Domestic Violence Hotline, or any on-campus crisis center on student identification cards.

COVID-19 Plans: Many of Maryland’s institutions of higher education have put into place plans for addressing COVID-19. ***Senate Bill 741/House Bill 836 (both passed)***, emergency bills, require, for calendar 2021, an institution of higher education that has residence halls for students to establish a COVID-19 security plan that includes screening and testing procedures that will keep students, faculty, and staff safe while on campus for face-to-face instruction during the pandemic. The plan must be posted on the website of the institution of higher education and made available to the public. For a more detailed discussion of this issue, see the subpart “Public Health – Generally” within Part J – Health and Human Services of this *90 Day Report*.

Hunger-Free Campus Grant Program: ***Senate Bill 767/House Bill 891 (both passed)*** establish the Hunger-Free Campus Grant Program for public institutions of higher education or regional higher education centers administered by MHEC. MHEC must allocate grant funding to any public institution or regional higher education center that pledges a matching contribution to be used to implement the goals of the program and is designated as a hunger-free campus, according to the standards set in the bills. Beginning in fiscal 2023, the Governor must include \$150,000 annually in the budget for the program. MHEC must incorporate a plan for addressing any basic needs insecurity of higher education students into the 2026-2030 State Plan for Higher Education. Within two years after establishing the program, MHEC must report on the implementation of the bills.

Career Programs

Maryland Technology Internship Program: Chapter 642 of 2014 created the Maryland Technology Internship Program (MTIP) to increase student understanding of employment opportunities in the State and foster business retention and development, job creation, workforce development, and new investment in the State. ***House Bill 307 (passed)*** incorporates technology-based nonprofit organizations into the existing MTIP, allowing them to participate in the same way as technology-based businesses and units of State and local government, if they meet specified requirements. In addition, the bill decreases the cumulative grade point average required for an intern to participate in MTIP from 3.0 to 2.5.

Legal Education Success Collaborative: ***Senate Bill 526/House Bill 1268 (both passed)*** establish the Legal Education Success Collaborative between the University of Baltimore (UB) School of Law, the University of Maryland (UM) School of Law, and Maryland HBCUs to increase diversity in the legal field. Beginning in fiscal 2023, the Governor must appropriate \$125,000 to each scholars program at the UB School of Law and the UM School of Law. The UB School of Law and the UM School of Law must each match up to \$125,000 of the State appropriation.

Inmate Training and Job Pilot Program: ***Senate Bill 800 (passed)*** establishes the Inmate Training and Job Pilot Program at specified institutions of postsecondary education to provide educational and vocational training opportunities for inmates in the 12 months preceding their release. MHEC and each participating institution must administer the program in cooperation with the Division of Correction at the Department of Public Safety and Correctional Services. Each institution’s program must have an individualized plan for success, a professor or other staff

member serving as the primary contact for program participants, and at least three students serving as program mentors. Program participants must take courses through a suitable format that are credit bearing and count toward a degree, certificate, or license. The bill establishes various reporting and information collection requirements to track program participation and outcomes. The Governor must include in the annual budget bill an appropriation for the pilot program in the amount of \$300,000 in fiscal 2023, \$330,000 in fiscal 2024, and \$363,000 in each of fiscal 2025 and 2026.

Education – Local Bills

Local Boards of Education

Cecil County

Senate Bill 823/House Bill 692 (both passed) increase the maximum number of terms a member of the Cecil County Board of Education may serve from two to three terms. The bills also increase, by \$1,500, the minimum compensation provided to school board members. The minimum compensation for the board president increases from \$4,000 to \$5,500 annually, while the minimum compensation for other voting board members increases from \$3,500 to \$5,000 annually. The salary increases take effect for terms of office, or for a member appointed or elected to fill out an unexpired term, beginning on or after July 1, 2021.

Charles County

Senate Bill 749/House Bill 1060 (both passed) add two new members to the Charles County Board of Education and alter the selection method for board members by requiring that eight board members be elected from the county commissioner districts (two from each of the four districts) and one board member be elected from the county at large. (Under current law, the seven board members are elected from the county at large.) An elected member may not serve more than two consecutive terms. In addition, the bills provide the student member with voting rights, subject to certain restrictions.

Howard County

House Bill 1190 (passed) requires the Howard County Board of Education to submit specified reports to the General Assembly and the county delegation beginning in the 2021-2022 school year. This includes an annual report on the program capacity of each permanent school facility based on the rates set by the county board. Each year that student enrollment at a facility is not within 10% of target utilization, the county board must also submit a report on a plan to adjust student enrollment to meet target utilization. If student enrollment at a facility is not within 20% of target utilization, the county board must implement specified processes to assess the need for a redetermination of the geographic attendance area. If the outcome of the assessment is not a redetermination of the geographic attendance area, the county board must submit a report explaining the reason that redetermination was not appropriate and a plan to adjust student enrollment to meet target utilization.