

SENATE BILL 872

F2, O3

7lr1777
CF HB 971

By: Senators Zucker, Peters, Conway, Feldman, Ferguson, Guzzone, Smith, ~~and~~
~~Young~~ Young, Bates, Kagan, Pinsky, Robinson, and Salling

Introduced and read first time: February 3, 2017

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 7, 2017

CHAPTER _____

1 AN ACT concerning

2 **James W. Hubbard Inclusive Higher Education Grant Program**

3 FOR the purpose of establishing the James W. Hubbard Inclusive Higher Education Grant
4 Program; providing for the purpose of the Program; requiring the Program to be
5 administered ~~jointly~~ by the Maryland Higher Education Commission, in consultation
6 with the Department of Disabilities, the State Department of Education, and the
7 Developmental Disabilities Administration; providing for the duties of the
8 Commission, ~~the Department, and the Administration~~ under the Program; ~~requiring~~
9 ~~the Governor to include a certain appropriation in the annual budget bill in certain~~
10 ~~fiscal years~~ providing that funding for the Program shall be as provided in the State
11 budget; establishing qualifications for an institution of higher education to be
12 awarded a grant under the Program; requiring certain institutions of higher
13 education to submit a certain report to the Commission, ~~the Department, and the~~
14 ~~Administration~~ beginning on a certain date and at certain intervals thereafter, that
15 includes certain information ~~on certain dates~~; requiring the Commission, after
16 consultation with the Department, State Department of Education, and the
17 Administration to submit a certain report to the General Assembly on or before a
18 certain date and each year thereafter; defining certain terms; and generally relating
19 to the James W. Hubbard Inclusive Higher Education Grant Program.

20 BY adding to

21 Article – Education

22 Section 11–1201 through 11–1205 to be under the new subtitle “Subtitle 12. James
23 W. Hubbard Inclusive Higher Education Grant Program”

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Preamble

WHEREAS, In 2014, the State Department of Education estimated there were 5,338 students in Maryland public schools classified as having an intellectual disability, of which 947 were students between the ages of 18 and 21 years, nearing the age when they will be leaving high school; and

WHEREAS, Maryland students with intellectual and developmental disabilities lack access to higher education in Maryland despite their desire to attend college with their nondisabled peers because no inclusive higher education options exist in Maryland; and

WHEREAS, The development of an inclusive higher education program for students with intellectual and developmental disabilities would allow a student to attend an institution of higher education, pay tuition, and have access to undergraduate courses that support the student's desired outcomes and job aspirations; and

WHEREAS, Only 32% of adults with an intellectual disability between the ages of 20 and 30 years are employed compared to 74% of people without disabilities; and

WHEREAS, Inclusive higher education programs in other states have been proven to significantly increase rates of employment for people with an intellectual disability; and

WHEREAS, Data from existing programs in other states shows that 77% of students with an intellectual disability who attend college receive a credential and 41% leave with a meaningful job; and

WHEREAS, Opportunities for inclusive higher education exist in 31 other states, but not in Maryland; now, therefore,

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

Article – Education

**SUBTITLE 12. JAMES W. HUBBARD INCLUSIVE HIGHER EDUCATION GRANT
PROGRAM.**

11–1201.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
INDICATED.

(B) "ADMINISTRATION" MEANS THE DEVELOPMENTAL DISABILITIES ADMINISTRATION.

(C) "DEPARTMENT" MEANS THE DEPARTMENT OF DISABILITIES.

(D) (1) "INCLUSIVE HIGHER EDUCATION" MEANS ACCESS TO A PROGRAM OF HIGHER EDUCATION FOR STUDENTS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES THAT ALLOWS FOR, TO THE GREATEST EXTENT POSSIBLE, THE SAME RIGHTS, PRIVILEGES, EXPERIENCES, BENEFITS, AND OUTCOMES THAT RESULT FROM A COLLEGE EXPERIENCE AS THEIR PEER STUDENTS WITHOUT DISABILITIES.

(2) "INCLUSIVE HIGHER EDUCATION" INCLUDES:

(I) ACADEMIC ACCESS AND INCLUSIVE INSTRUCTION;

(II) CAREER DEVELOPMENT;

(III) CAMPUS ENGAGEMENT;

(IV) SELF-DETERMINATION;

(V) PARTICIPATION IN PAID WORK EXPERIENCES;

(VI) ON- OR OFF-CAMPUS LIVING, WHEN AVAILABLE TO OTHER STUDENTS; AND

(VII) INCLUSIVE SOCIAL ACTIVITIES.

(E) "PROGRAM" MEANS THE JAMES W. HUBBARD INCLUSIVE HIGHER EDUCATION GRANT PROGRAM ESTABLISHED UNDER THIS SUBTITLE.

11-1202.

(A) THERE IS A JAMES W. HUBBARD INCLUSIVE HIGHER EDUCATION GRANT PROGRAM.

(B) THE PROGRAM SHALL AWARD COMPETITIVE GRANTS TO INSTITUTIONS OF HIGHER EDUCATION TO DEVELOP AND IMPLEMENT ~~PILOT~~ PROGRAMS THAT PROVIDE INCLUSIVE HIGHER EDUCATION OPPORTUNITIES FOR STUDENTS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES.

11-1203.

(A) THE PROGRAM SHALL BE ADMINISTERED ~~JOINTLY~~ BY THE COMMISSION, IN CONSULTATION WITH THE DEPARTMENT, THE STATE DEPARTMENT OF EDUCATION, AND THE ADMINISTRATION.

(B) TO CARRY OUT THE PURPOSE OF THE PROGRAM, THE COMMISSION, ~~THE DEPARTMENT, AND THE ADMINISTRATION~~ SHALL:

(1) DEVELOP AND SEND TO EACH INSTITUTION OF HIGHER EDUCATION IN THE STATE A DESCRIPTION OF THE PROGRAM, INCLUDING MATERIALS DESCRIBING THE PURPOSE AND GOALS OF THE PROGRAM, AN APPLICATION, COMPLIANCE REQUIREMENTS, AND AVAILABLE FUNDING;

(2) DEVELOP APPLICATION REQUIREMENTS AND REVIEW AND APPROVE APPLICATIONS; AND

(3) AWARD GRANTS TO INSTITUTIONS OF HIGHER EDUCATION ON A COMPETITIVE BASIS.

(C) ~~FOR FISCAL YEARS 2019, 2020, AND 2021, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$250,000 FOR THE PROGRAM~~ FUNDING FOR THE PROGRAM SHALL BE AS PROVIDED IN THE STATE BUDGET.

11-1204.

TO QUALIFY FOR A GRANT UNDER THE PROGRAM, AN INSTITUTION OF HIGHER EDUCATION SHALL DEVELOP A ~~PILOT~~ PROGRAM OF INCLUSIVE HIGHER EDUCATION THAT:

(1) OFFERS THE NECESSARY SUPPORTS TO STUDENTS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES TO ALLOW THESE STUDENTS, TO THE GREATEST EXTENT POSSIBLE, TO HAVE THE SAME RIGHTS, PRIVILEGES, EXPERIENCES, BENEFITS, AND OUTCOMES AS THEIR PEER STUDENTS WITHOUT DISABILITIES;

(2) ENSURES THAT STUDENTS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES:

(I) HAVE ACCESS TO A WIDE ARRAY OF ACADEMIC COURSES THAT ARE ATTENDED BY STUDENTS WITHOUT DISABILITIES;

(II) HAVE ACCESS AND SUPPORT FOR PARTICIPATION IN CAMPUS LIFE, INCLUDING SOCIAL ACTIVITIES AND ORGANIZATIONS, INSTITUTION FACILITIES, AND TECHNOLOGY; AND

(III) ARE ABLE TO ACCESS AND USE CAMPUS RESOURCES AVAILABLE TO STUDENTS WITHOUT DISABILITIES;

(3) PROVIDES STUDENTS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES WITH THE SUPPORTS AND EXPERIENCES NECESSARY TO SEEK AND SUSTAIN COMPETITIVE EMPLOYMENT;

(4) DEVELOPS AND PROMOTES THE SELF-DETERMINATION SKILLS OF STUDENTS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES;

(5) OFFERS PEER MENTORING;

(6) COORDINATES WITH THE STATE DEPARTMENT OF EDUCATION, INCLUDING THE DIVISION OF REHABILITATION SERVICES AND OTHER STAKEHOLDERS IN THE DEVELOPMENT OF THE INCLUSIVE HIGHER EDUCATION ~~PILOT~~ PROGRAM;

(7) ADOPTS ADMISSIONS STANDARDS THAT DO NOT REQUIRE A STUDENT WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES TO PARTICIPATE IN A CURRICULUM-BASED, ACHIEVEMENT COLLEGE ENTRANCE EXAM THAT IS ADMINISTERED NATIONWIDE;

(8) INCLUDES THE DEVELOPMENT OF A MEANINGFUL CREDENTIAL FOR STUDENTS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES TO EARN ON SUCCESSFUL COMPLETION OF THE INCLUSIVE HIGHER EDUCATION ~~PILOT~~ PROGRAM; AND

(9) MEETS THE REQUIREMENTS OF A COMPREHENSIVE TRANSITION PROGRAM UNDER THE FEDERAL HIGHER EDUCATION OPPORTUNITY ACT SO THAT STUDENTS ENROLLED IN THE INCLUSIVE HIGHER EDUCATION ~~PILOT~~ PROGRAM ARE ELIGIBLE FOR FEDERAL FINANCIAL AID.

11-1205.

(A) BEGINNING JANUARY 1, 2019, AND EACH 6 MONTHS THEREAFTER, AN INSTITUTION OF HIGHER EDUCATION AWARDED A GRANT UNDER THE PROGRAM SHALL SUBMIT TO THE COMMISSION, ~~THE DEPARTMENT, AND THE ADMINISTRATION~~ A REPORT THAT INCLUDES:

(1) A PLAN FOR THE SUSTAINABILITY OF THE INCLUSIVE HIGHER EDUCATION ~~PILOT~~ PROGRAM, INCLUDING ENROLLMENT PROJECTIONS;

1 **(2) ANY NEEDS FOR TRAINING, TECHNICAL ASSISTANCE, AND OTHER**
2 **CAPACITY NECESSARY TO PROVIDE FOR CONTINUATION OF THE INCLUSIVE HIGHER**
3 **EDUCATION ~~PILOT~~ PROGRAM; AND**

4 **(3) LESSONS LEARNED BY THE INSTITUTION AND IDENTIFICATION OF**
5 **BEST PRACTICES WITH THE GOAL OF PROMOTING THE DEVELOPMENT OF A**
6 **STATEWIDE MODEL PROGRAM OF INCLUSIVE HIGHER EDUCATION FOR USE BY**
7 **OTHER INSTITUTIONS OF HIGHER EDUCATION IN THE STATE.**

8 **(B) ON OR BEFORE JUNE 30, 2019, AND EACH YEAR THEREAFTER, THE**
9 **COMMISSION, AFTER CONSULTATION WITH THE DEPARTMENT, THE STATE**
10 **DEPARTMENT OF EDUCATION, AND THE ADMINISTRATION SHALL SUBMIT A**
11 **REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE**
12 **STATE GOVERNMENT ARTICLE, ON THE EFFECTIVENESS AND SUCCESS OF THE**
13 **PROGRAM.**

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
15 1, 2017.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.