

## CHAPTER 419-A

### MAINE STATE GRANT PROGRAM

#### §11611. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 1989, c. 559, §10 (NEW).]

**1. Academic year and in attendance.** "Academic year" and "in attendance" have the same meanings as in the definitions of these terms contained in the Higher Education Act of 1965, Section 1201, as amended, United States Code, Title 20, Section 1141; and the Higher Education Act of 1965, Section 491, as amended, United States Code, Title 20, Section 1088; and the regulations, guidelines and procedures promulgated by the Secretary of Education and published in the Federal Register pursuant to these sections of federal law.

[PL 1989, c. 559, §10 (NEW).]

**2. Authority.** The "authority" means the Finance Authority of Maine.

[PL 1989, c. 559, §10 (NEW).]

**3. Eligible program of study.** "Eligible program of study" means a certificate program of at least one year, an associate degree program or a baccalaureate degree program.

[PL 1989, c. 559, §10 (NEW).]

**4. Expected family contribution.**

[PL 2023, c. 23, §1 (RP).]

**4-A. Grant.** "Grant" means a grant under the Maine State Grant Program authorized under this chapter.

[PL 2001, c. 70, §4 (NEW).]

**5. Institution of higher education.** "Institution of higher education" means an institution of higher education located within this State that meets the requirements of and conforms to the definitions contained in the federal Higher Education Act of 1965, Section 1201, as amended, United States Code, Title 20, Section 1141; and the federal Higher Education Act of 1965, Section 491, as amended, United States Code, Title 20, Section 1088; and the regulations, guidelines and procedures promulgated by the Secretary of Education and published in the Federal Register pursuant to these sections of law.

[PL 2011, c. 642, §1 (AMD).]

**6. Portability.**

[PL 2011, c. 642, §2 (RP).]

**7. Student aid index.** "Student aid index" means a calculation that reflects an evaluation of a student's approximate financial resources to contribute toward the student's postsecondary education for an academic year.

[PL 2023, c. 23, §2 (NEW).]

#### SECTION HISTORY

PL 1989, c. 559, §10 (NEW). PL 1991, c. 582, §§1,2 (AMD). PL 1991, c. 582, §3 (AFF). PL 2001, c. 70, §§3,4 (AMD). PL 2011, c. 642, §§1, 2 (AMD). PL 2023, c. 23, §§1, 2 (AMD).

#### §11612. Eligibility

The Maine State Grant Program is established. Under the program, grants may be given only to residents of the State who: [PL 2001, c. 70, §5 (AMD).]

**1. Graduated.** Have graduated from an approved secondary school or matriculated at a post-secondary school prior to high school graduation, or have successfully completed a general educational development examination or its equivalent;  
[PL 1989, c. 559, §10 (NEW).]

**2. Accepted as undergraduate.** Have been accepted for enrollment as undergraduates or are in good standing as undergraduates at institutions of higher education in an eligible program of study and have not received a previous baccalaureate degree;  
[PL 1989, c. 559, §10 (NEW).]

**3. Applied for grants.** Have applied for a Maine State Grant according to schedules and procedures and on forms developed by the authority;  
[PL 2001, c. 70, §6 (AMD).]

**4. Demonstrate financial need.** Have been determined by the authority to have a financial need according to the criteria set forth in section 11613; and  
[PL 1989, c. 559, §10 (NEW).]

**5. State residency requirements.** Meet the state residency requirements that may be established by rules adopted by the authority in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375.  
[PL 1989, c. 559, §10 (NEW).]

#### SECTION HISTORY

PL 1989, c. 559, §10 (NEW). PL 1991, c. 573, §1 (AMD). PL 2001, c. 70, §§5,6 (AMD).

#### §11613. Determination of need

The authority shall establish the need of a student for a Maine State Grant for an academic year for which the student applies. In doing so, the authority shall consider the cost of attendance of the student, the student aid index and estimated student financial assistance not received under this program. The total cost determined by these factors may not exceed the cost of attendance at the institution the student attends. [PL 2023, c. 23, §3 (AMD).]

**1. Rules.** The authority shall establish standard methods by rules adopted in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375, to determine:

A. The parental contribution; and [PL 1989, c. 559, §10 (NEW).]

B. The student and spouse contribution. [PL 1989, c. 559, §10 (NEW).]

These standard methods shall consider all income, assets and any other resources available to the parents, student and spouse.

[PL 1989, c. 559, §10 (NEW).]

**2. Expected family contribution.**

[PL 2023, c. 23, §4 (RP).]

**3. Cost of attendance.** In determining the cost of attendance to determine eligibility under this chapter, the authority shall include the following:

A. Tuition and required fees charged to all full-time students; [PL 1989, c. 559, §10 (NEW).]

B. Standard room and board costs charged by the University of Maine to calculate room and board costs of applicants; and [PL 1989, c. 559, §10 (NEW).]

C. Books and personal expenses or other amounts determined by the authority to be appropriate.

[PL 1989, c. 559, §10 (NEW).]

[PL 1989, c. 559, §10 (NEW).]

#### SECTION HISTORY

PL 1989, c. 559, §10 (NEW). PL 1991, c. 612, §4 (AMD). PL 2001, c. 70, §7 (AMD). PL 2001, c. 480, §1 (AMD). PL 2003, c. 103, §1 (AMD). PL 2023, c. 23, §§3, 4 (AMD).

#### §11614. Determination of grants

Grants to eligible students must be determined as follows, subject to the limitations set forth in section 11613. [PL 2001, c. 70, §8 (AMD).]

**1. Priority for awards of grants.** Students with the lowest student aid index must be given priority over all other eligible students for the awards of grants.  
[PL 2023, c. 23, §5 (AMD).]

**2. Minimum amount.** It is the intent of the Legislature that grants awarded under this chapter, except as provided in subsections 4, 5 and 6, may not be less than \$1,000 or, if sufficient funds are appropriated for this purpose, less than \$2,500. The authority may establish by rule increased grant amounts for students attending their 2nd, 3rd and 4th years, or the equivalents thereof, at institutions of higher education. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.  
[PL 2021, c. 398, Pt. XXX, §1 (AMD).]

**3. Scholarships for students attending private institutions.**  
[PL 1997, c. 643, Pt. HH, §2 (RP).]

**4. Prorated grants.** A grant recipient whose course load is reduced from full time is entitled to receive a grant prorated for that term of the recipient's enrollment.  
[PL 2001, c. 70, §8 (AMD).]

**5. Withdrawal.** If a recipient of a grant withdraws from an institution and the student is entitled to a refund of tuition, fees or other charges, the institution shall make a refund payment directly to the authority in accordance with the institution's refund policy.  
[PL 2001, c. 70, §8 (AMD).]

**6. Safety net.** Notwithstanding the provisions of this section, the authority may not allocate less in grants under this chapter for students attending the University of Maine System, the Maine Maritime Academy, the Maine Community College System and private postsecondary institutions than was allocated for students in each of those institutions or groups of institutions of higher education in 1988-89.  
[PL 2001, c. 70, §8 (AMD); PL 2003, c. 20, Pt. OO, §2 (AMD); PL 2003, c. 20, Pt. OO, §4 (AFF).]

**7. Part-time students.** The authority may allocate grants to eligible part-time students. The authority must establish eligibility criteria by rulemaking pursuant to the Maine Administrative Procedure Act.  
[PL 2011, c. 642, §4 (AMD).]

**8. Exception for certain public institutions outside the State.** The authority may adopt rules establishing criteria and an application process for making grant awards to students who wish to pursue a course of study available only at a public institution outside the State as part of the New England regional student program offered by the New England Board of Higher Education established by Title 5, section 12004-K, subsection 2. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.  
[PL 2011, c. 642, §5 (NEW).]

#### SECTION HISTORY

PL 1989, c. 559, §10 (NEW). PL 1991, c. 573, §2 (AMD). PL 1991, c. 832, §3 (AMD). PL 1997, c. 643, §§HH1,2 (AMD). PL 1999, c. 233, §1 (AMD). PL 2001, c. 70, §8 (AMD). PL 2003, c.

20, §002 (AMD). PL 2003, c. 20, §004 (AFF). PL 2011, c. 642, §§3-5 (AMD). PL 2021, c. 398, Pt. XXX, §1 (AMD). PL 2023, c. 23, §5 (AMD).

**§11615. Publication of grant amounts**

Prior to March 1st of each year, the authority shall publish grant amounts for the succeeding academic year. [PL 2001, c. 70, §9 (AMD).]

**SECTION HISTORY**

PL 1989, c. 559, §10 (NEW). PL 2001, c. 70, §9 (AMD).

**§11616. Length of grant; period of study**

**1. Length of grant.** A grant is for a period not to exceed one academic year. A student may apply for a new grant for each year during the period required for completion of an eligible program of study being pursued by that student. A grant recipient who remains eligible must be considered in the succeeding award year.

[PL 2001, c. 70, §9 (AMD).]

**2. Period of study.** An eligible full-time or part-time student may receive a grant for a period not to exceed 10 semesters or the equivalent thereof at the institution that the student is attending, except that an adult learner as determined by the authority by routine technical rule may receive a grant for a period not to exceed 12 semesters.

A. [PL 2001, c. 70, §9 (RP).]

B. [PL 2001, c. 70, §9 (RP).]

[PL 2019, c. 654, §1 (AMD).]

**SECTION HISTORY**

PL 1989, c. 559, §10 (NEW). PL 2001, c. 70, §9 (AMD). PL 2011, c. 642, §6 (AMD). PL 2019, c. 654, §1 (AMD).

**§11617. Program administration**

**1. Responsibility of authority.** The authority shall administer the Maine State Grant Program, including establishing and maintaining fund accounting and control procedures as required by state law or as necessary for the State to be eligible to receive federal assistance under the Federal Student Assistance Program, Higher Education Act of 1965, Title IV, Part A, Subpart 3, as amended, United States Code, Title 20, Sections 1070c-1, 1070c-2 and 1070c-3.

[PL 2001, c. 70, §10 (AMD).]

**2. Guidelines and rules.** The following provisions shall apply to the program.

A. The authority shall develop rules, procedures, schedules and forms necessary to carry out the purposes of this program, including the adoption of reciprocal agreements with other states. [PL 1989, c. 559, §10 (NEW).]

B. To the maximum extent possible consistent with the need for state control of this program, the authority shall use the guidelines, rules, regulations, procedures, forms and schedules set forth by the Secretary of Education for the administration of the Federal Student Assistance Program, Higher Education Act of 1965, Title IV, Part A, Subpart 1, as amended, United States Code, Title 20, Section 1070c. [PL 1989, c. 559, §10 (NEW).]

[PL 1989, c. 559, §10 (NEW).]

**3. Decennial review.** The authority shall, by January 1, 2021, and every 10 years thereafter, conduct a review of the Maine State Grant Program. The authority shall establish a stakeholder group, through a partnership with other appropriate entities, to work together on the review. The review must include, but is not limited to, the following:

- A. A review of the history and efficacy of the program and any necessary changes to the program; [PL 2011, c. 642, §7 (NEW).]
- B. Ideas to enhance the program in light of current and future higher education trends and needs; [PL 2011, c. 642, §7 (NEW).]
- C. Any recommendations on state funding for the program in light of trends in higher education costs and federal and private sector funding for student financial aid; and [PL 2011, c. 642, §7 (NEW).]
- D. Current and future grant and financial aid needs of students and families in the State. [PL 2011, c. 642, §7 (NEW).]

The authority shall submit a written report of the findings of the decennial review by the January 1st the decennial review is due, along with any proposed legislation, to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs. [PL 2011, c. 642, §7 (NEW).]

#### SECTION HISTORY

PL 1989, c. 559, §10 (NEW). PL 2001, c. 70, §10 (AMD). PL 2011, c. 642, §7 (AMD).

#### **§11618. Nonlapsing fund**

Any unexpended funds appropriated by the Legislature to carry out the purposes of this program shall not lapse, but shall be carried forward for continued use in the program. [PL 1989, c. 559, §10 (NEW).]

#### SECTION HISTORY

PL 1989, c. 559, §10 (NEW).

#### **§11619. Reduction of institutional or other grant aid (REPEALED)**

#### SECTION HISTORY

PL 2001, c. 70, §11 (NEW). PL 2001, c. 70, §13 (AFF). MRSA T. 20-A §11619 (RP).

#### **§11619-A. Reduction of institutional or other grant aid**

Effective July 1, 2004, a grant received by a student under this chapter may be applied to reduce institutional or other grant aid to that student only if that institutional or grant aid is subsequently granted to a student with demonstrated financial need. [RR 2003, c. 2, §68 (COR).]

#### SECTION HISTORY

PL 2003, c. 673, §QQ2 (NEW). PL 2003, c. 673, §QQ4 (AFF). RR 2003, c. 2, §68 (COR).

#### **§11620. Reduction of institutional or other grant aid (REPEALED)**

#### SECTION HISTORY

PL 2001, c. 70, §11 (NEW). PL 2003, c. 673, §QQ3 (RP). PL 2003, c. 673, §QQ4 (AFF).

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