

DEPARTMENT OF HUMAN RESOURCES

4.2 POLICY ON EDUCATIONAL ASSISTANCE

(a) Purpose and Scope

- (1) **Purpose.** The purpose of this policy is to establish uniform practices for providing educational assistance for regular employees of the Maryland Judicial Branch of Government.
- (2) **Scope**
 - (A) This policy applies to:
 - (i) employees who are paid through the Central Payroll Bureau of the Comptroller; and
 - (ii) employees of the State Board of Law Examiners, the Thurgood Marshall State Law Library, the Commission on Judicial Disabilities, and the Maryland Court of Appeals Standing Committee on Rules of Practice and Procedure.
 - (B) This policy does not apply to:
 - (i) locally funded employees in the Circuit Courts;
 - (ii) employees of the Attorney Grievance Commission and the Client Protection Fund;
 - (iii) employees of the Register of Wills or the Orphans' Court; and
 - (iv) judges.

(b) Definitions

- (1) **Administrative Head:**
 - (A) For the Appellate Courts, the Clerk of the Court for all employees under the Clerk's supervision, and the Chief Judge for all other employees, in the appellate court where the employee works;
 - (B) For the Circuit Courts, the Clerk of the Court for all employees under the Clerk's supervision, and the County Administrative Judge for all state employees under his/her supervision;
 - (C) The Chief Judge of the District Court for employees of that Court, the Chief Clerk, or the Administrative Clerk or Administrative Commissioner for all employees under his or her supervision;
 - (D) For the Administrative Office of the Courts (AOC), the State Court Administrator;
 - (E) For any units, the head of the unit where the employee works; or,
 - (F) Any person who serves as the authorized designee, by express written designation, of any of the foregoing persons.
- (2) **Judiciary Human Resources Department (JHRD)** – The department within the AOC that is responsible for, but not limited to, the following functions for State employees in the Maryland Judiciary: human resources policy development, administration, and interpretation; recruitment; employment and orientation services; employee benefits; position classification and salary administration; and employer-employee relations.
- (3) **Regular Employee** – Any person holding a budgeted position paid through the Central Payroll Bureau of the Comptroller, not including elected officials, employees of a Register of Wills Office, contractual and temporary positions, and those held by judges, magistrates, and law clerks.

- (4) Unit** – The State Board of Law Examiners, the Thurgood Marshall State Law Library, the Commission on Judicial Disabilities, and the Maryland Court of Appeals Standing Committee on Rules of Practice and Procedure.

(c) Policy Statement

Recognizing the mutual benefits derived from professional growth, the Judiciary may provide educational assistance to eligible regular employees interested in furthering their formal education through specific courses, or a certification or degree program. Administrative leave will not be granted for this purpose. The regular employee must not allow participation in an educational program to interfere with the performance of job duties and responsibilities. An alternate work schedule, if needed, may be arranged with the approval of the regular employee’s administrative head. The educational assistance program will provide an eligible regular employee an allowance per fiscal year for tuition and additional related costs.

An educational program must provide for the professional development of the regular employee and bear a relationship to the regular employee’s current or anticipated future duties within the Judiciary. The program may be taken through an accredited college or university, technical or business institution, or Board of Education. Offerings through other organizations also may meet approval.

Although completion of a course, degree, or certification program provides an improved educational background, this accomplishment does not obligate the Judiciary to reward such completion with a promotion, transfer, reassignment, salary increase, or other professional benefit.

(d) Eligibility Requirement

Regular full-time regular employees, and regular part-time regular employees who have successfully completed the initial probationary period are eligible to apply for educational assistance on a pro-rata basis.

A regular employee must maintain job performance at the “meets standards” level or above, before and during participation.

(e) Application

- (1)** Eligible regular employees who are interested in seeking educational assistance must complete an Application for Educational Assistance form. The form is to be submitted to the administrative head for processing at least 15 business days prior to the registration date for the course.
- (2)** The administrative head, after reviewing and approving the application, shall submit it to the Judicial College.
- (3)** The Judicial College will review and either approve or deny the application and notify the administrative head.

(f) Reimbursement Limits

The State Court Administrator will establish a reimbursement limit for this program, per fiscal year. A regular employee may be reimbursed for the cost of tuition, required textbooks, and related fees, such as registration, laboratory, activity, student, and/or facility fees for approved courses, up to the established limit. Excluded from reimbursement are late fees, interest on delayed payment plans, parking fees, medical service, health or physical fees, or any other fee not deemed to be reimbursable. Any portion of tuition and/or related fees covered by other sources, such as Veteran Education Benefits, scholarships, and grants will not be reimbursable. It is the Judiciary's policy to follow all applicable Internal Revenue Service regulations regarding educational assistance.

Contact the Judicial College or visit the Judiciary's website for information on the current reimbursement limit for the fiscal year.

(g) Reimbursement

Within 30 days of being notified that the regular employee has successfully completed a course or certification program, the regular employee must submit a completed Tuition Reimbursement Request form, to include:

- (1)** The original copy of the grade or completion report from the educational institution that shows the regular employee has met the grade or completion requirements as indicated below.
 - (A) Non-College Course – pass or certificate of successful completion;
 - (B) Undergraduate Course - grade of C or better;
 - (C) Graduate or Post Graduate Course - grade of B or better; and,
 - (D) Certification Program – certificate of completion.
- (2)** The original receipt(s) from the educational institution for tuition, textbooks, and other related fees paid by the regular employee up to the allowance per eligible regular employee per fiscal year.
- (3)** The regular employee must send the required information to the Judicial College for reimbursement.
- (4)** The regular employee must be employed by the Judiciary at the time the course is completed to be eligible for reimbursement.

(h) Employee's Responsibility

- (1)** After successful completion of an approved course or certification, the regular employee must meet the conditions described in Section (g) to obtain reimbursement.
- (2)** The regular employee must agree to continue employment with the Judiciary for a minimum of 12 months following the completion of the last successfully completed course or certification. The regular employee is to immediately refund the Judiciary for reimbursements for a course if the

regular employee fails to meet this requirement due to either a voluntary or involuntary termination of employment, with the exception of a reduction in force.

- (i) Judicial College Responsibility:** The Judicial College is responsible for the overall administration of this policy.
- (j) Modification, Suspension, or Termination of Policy:** This policy may be modified, suspended, or terminated at any time due to budgetary constraints or other sufficient reasons as determined by the Chief Judge of the Court of Appeals or the State Court Administrator.
- (k) Exceptions:** The Chief Judge of the Court of Appeals or the State Court Administrator may make exceptions to any provision of this policy.
- (l) Interpretive Authority:** The Judicial College is responsible for the interpretation of this policy.
- (m) Not a Contract:** This policy does not constitute or create an express or implied contract. It is not intended to, and does not, create contractual obligations with respect to any matter it covers, with the exception of the regular employee responsibilities in Section (h)(2).