

(iv) The payments authorized by this paragraph are in addition to the State operating fund to community colleges authorized in § 16-305(c) of this subtitle.

(3) (i) Any student attending a community college in this State who is not a resident of this State and is enrolled in an education program leading to licensure in nursing shall be included as an in-county resident for tuition purposes and shall be included as an in-State resident for computation of the State aid to community colleges in accordance with § 16-305 of this subtitle.

(ii) The student shall furnish a surety bond or guaranteed promissory note to the State with security satisfactory to the Maryland Higher Education Commission, that on completion of the Nursing Education Program, the student will work for at least 2 years in a hospital or related institution as defined in § 19-301 of the Health - General Article in this State.

(iii) The Secretary of Health and Mental Hygiene may determine if there is a shortage of nurses.

(iv) Subject to subparagraphs (v) and (vi) of this paragraph, if the Secretary determines that there is no shortage of nurses, the Nonresident Student Tuition Reduction and State Aid Program established under this paragraph may not be applied to any courses required for the nursing program.

(v) Subparagraph (iv) of this paragraph applies only to students who enroll in a Nursing Education Program subsequent to the determination made under subparagraph (iv) of this paragraph.

(vi) Subparagraph (v) of this paragraph may not affect any student who is participating in the Nonresident Tuition Reduction and State Aid Program prior to the determination under subparagraph (iii) of this paragraph.

(4) (i) Each board of community college trustees may waive the out-of-state fee as determined in paragraph (1) of this subsection for a student who is employed by a business located in the county that supports the community college.

(ii) Any student attending a community college in this State who receives a tuition waiver as provided by this paragraph shall not be included as an in-State resident for computation of State aid to community colleges in accordance with § 16-305 of this subtitle.

(5) (I) EACH BOARD OF COMMUNITY COLLEGE TRUSTEES SHALL WAIVE THE OUT-OF-STATE FEE AS DETERMINED IN PARAGRAPH (1) OF THIS SUBSECTION FOR A STUDENT WHO RESIDES IN THIS STATE BUT DOES NOT MEET THE IN-STATE RESIDENCY REQUIREMENT FOR TUITION PURPOSES AND IS EMPLOYED BY THE STATE OR A COUNTY OR MUNICIPAL CORPORATION A PUBLIC SCHOOL TEACHER EMPLOYED BY A COUNTY BOARD IF:

1. A. THE COURSE OR PROGRAM IS REQUIRED BY THE STUDENT'S EMPLOYER COUNTY BOARD OR BY THE STATE LAW OR THE COUNTY BOARD TO MAINTAIN THE TEACHER'S PRESENT SALARY, STATUS, OR POSITION WITH THE STATE, COUNTY, OR MUNICIPAL CORPORATION COUNTY BOARD; OR