

Chapter 576

(House Bill 104)

AN ACT concerning

Higher Education – Community Colleges – Tuition Waiver for Disabled Individuals

FOR the purpose of clarifying and amending the requirements for obtaining an exemption from the payment of tuition at community colleges for certain disabled individuals; establishing certain conditions for the tuition waiver; limiting the tuition waiver to a maximum number of credits per semester; clarifying that receipt of certain benefits under the Social Security Act provides eligibility for the tuition waiver; and generally relating to tuition waivers for disabled individuals at community colleges.

BY repealing and reenacting, with amendments,
Article – Education
Section 16–106(c)
Annotated Code of Maryland
(2008 Replacement Volume and 2010 Supplement)

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

Article – Education

16–106.

(c) (1) Any resident of this State who is [retired from] **OUT OF** the work force by reason of total and permanent disability who enrolls at a community college in a class that has at least 10 regularly enrolled students:

(i) Is exempt from payment of tuition **FOR UP TO 6 CREDITS PER SEMESTER OR UP TO 12 CREDITS PER SEMESTER IF THE INDIVIDUAL IS ENROLLED IN CLASSES AS PART OF A DEGREE OR A CERTIFICATE PROGRAM DESIGNED TO LEAD TO EMPLOYMENT**; and

(ii) Shall be counted in computing full-time equivalent enrollment under § 16–305 of this title.

(2) In order to receive this exemption, an individual who meets the requirements of paragraph (1) of this subsection shall [obtain] **PROVIDE THE COMMUNITY COLLEGE WITH** certification from the Social Security Administration

[or], the Railroad Retirement Board [that the individual receives disability or retirement benefits under the Social Security Act or the Railroad Retirement Act.

(3) In order to obtain this exemption, an individual who meets the requirements of paragraph (1) of this subsection, who was a federal employee, and who does not receive disability or retirement benefits under the Social Security Act or the Railroad Retirement Act shall obtain certification from], **OR IN THE CASE OF A FORMER FEDERAL EMPLOYEE, FROM** the individual's federal retirement or pension authority of the [employee's] **INDIVIDUAL'S**:

(i) Total and permanent disability; and

(ii) Receipt of disability **OR RETIREMENT** benefits based on a standard that is at least as stringent as the standard applied by the Social Security Act.

~~(4)~~ **(3) CERTIFICATION FROM THE SOCIAL SECURITY ADMINISTRATION OF AN INDIVIDUAL'S RECEIPT OF DISABILITY OR RETIREMENT BENEFITS UNDER EITHER TITLE II OR TITLE XVI OF THE FEDERAL SOCIAL SECURITY ACT SHALL SATISFY THE REQUIREMENT IN PARAGRAPH ~~(3)~~(H) (2)(II) OF THIS SUBSECTION.**

(4) (I) IN ORDER TO RECEIVE THIS EXEMPTION, AN INDIVIDUAL WHO MEETS THE REQUIREMENTS OF PARAGRAPH (1) OF THIS SUBSECTION AND IS ENROLLED IN A DEGREE OR CERTIFICATE PROGRAM SHALL SUBMIT A TIMELY APPLICATION FOR ANY STATE OR FEDERAL STUDENT FINANCIAL AID, OTHER THAN A STUDENT LOAN, FOR WHICH THE STUDENT MAY QUALIFY.

(II) ANY STUDENT FINANCIAL AID, OTHER THAN A STUDENT LOAN, RECEIVED BY THE STUDENT SHALL BE APPLIED FIRST TO PAY THE STUDENT'S TUITION.

(III) UNDER THIS EXEMPTION, THE WAIVER SHALL APPLY TO THE DIFFERENCE, IF ANY, BETWEEN THE CHARGE FOR TUITION AND THE FINANCIAL AID AWARD, NOT INCLUDING A STUDENT LOAN, THAT THE STUDENT RECEIVES.

(IV) ON REQUEST, THE COMMUNITY COLLEGE SHALL ASSIST ANY INDIVIDUAL REQUIRED TO SUBMIT AN APPLICATION FOR STATE OR FEDERAL STUDENT FINANCIAL AID UNDER THIS PARAGRAPH.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

Approved by the Governor, May 19, 2011.