

Chapter 600

(House Bill 482)

AN ACT concerning

Higher Education – Unaccompanied Homeless Youth – Tuition Exemption

FOR the purpose of adding certain homeless youths to the list of individuals who may be eligible for a waiver of certain tuition and fees at certain institutions of higher education; requiring a certain administrator to verify ~~a certain youth's status in a certain way~~ that certain youths qualify as certain students under a certain federal act; ~~authorizing a certain administrator to rely on certain documents when making a certain determination if certain other documents are not available~~; defining a certain term; and generally relating to a tuition exemption for unaccompanied homeless youths.

BY repealing and reenacting, with amendments,

Article – Education

Section 15–106.1

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

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

Article – Education

15–106.1.

(a) (1) In this section the following words have the meanings indicated.

(2) (i) “Foster care recipient” means an individual who:

1. Was placed in an out-of-home placement by the Maryland Department of Human Resources; and

2. A. Resided in an out-of-home placement in the State at the time the individual graduated from high school or successfully completed a general equivalency development examination (GED); or

B. Resided in an out-of-home placement in the State on the individual's 13th birthday and was placed into guardianship or adopted out of an out-of-home placement after the individual's 13th birthday.

(ii) “Foster care recipient” includes a younger sibling of an individual described in subparagraph (i) of this paragraph if the younger sibling is concurrently placed into guardianship or adopted out of an out-of-home placement by the same guardianship or adoptive family.

(3) “Out-of-home placement” has the meaning stated in § 5-501 of the Family Law Article.

(4) (i) “Tuition” means the charges imposed by a public institution of higher education for enrollment at the institution.

(ii) “Tuition” includes charges for registration and all fees required as a condition of enrollment.

(5) “UNACCOMPANIED HOMELESS YOUTH” MEANS A CHILD OR YOUTH WHO:

(I) IS NOT IN THE PHYSICAL CUSTODY OF A PARENT OR GUARDIAN; AND

(II) ~~1.~~ IS A HOMELESS CHILD OR YOUTH, AS DEFINED BY THE MCKINNEY-VENTO HOMELESS ASSISTANCE ACT; OR

~~2.~~ IS A YOUTH WHO IS AT RISK OF HOMELESSNESS AND SELF-SUPPORTING.

~~(B) WHEN DETERMINING WHETHER A YOUTH IS AN UNACCOMPANIED HOMELESS YOUTH, A FINANCIAL AID ADMINISTRATOR:~~

~~(1) SHALL REQUEST WRITTEN VERIFICATION FROM:~~

~~(i) A LOCAL EDUCATIONAL AGENCY HOMELESS LIAISON, AS DEFINED BY THE MCKINNEY-VENTO HOMELESS ASSISTANCE ACT;~~

~~(ii) A DIRECTOR OF A PROGRAM FUNDED UNDER THE RUNAWAY AND HOMELESS YOUTH ACT; OR~~

~~(iii) A DIRECTOR OF A PROGRAM FUNDED UNDER TITLE IV, SUBTITLE B OF THE MCKINNEY-VENTO HOMELESS ASSISTANCE ACT; AND~~

~~(2) MAY RELY ON A DOCUMENTED INTERVIEW WITH THE YOUTH WHEN THE WRITTEN VERIFICATION REQUIRED UNDER ITEM(1) OF THIS SUBSECTION IS NOT AVAILABLE.~~

(B) WHEN DETERMINING WHETHER A YOUTH IS AN UNACCOMPANIED HOMELESS YOUTH, A FINANCIAL AID ADMINISTRATOR SHALL VERIFY THAT THE YOUTH QUALIFIES AS AN INDEPENDENT STUDENT UNDER THE FEDERAL COLLEGE COST REDUCTION AND ACCESS ACT, 20 U.S.C. § 1087VV(D)(1)(H).

[(b)] (C) (1) A foster care recipient **OR AN UNACCOMPANIED HOMELESS YOUTH** is exempt from paying any tuition at a public institution of higher education, regardless of that foster care recipient's **OR UNACCOMPANIED HOMELESS YOUTH'S** receipt of any scholarship or grant if:

(i) The foster care recipient **OR UNACCOMPANIED HOMELESS YOUTH** is enrolled at the institution on or before the date that the foster care recipient **OR UNACCOMPANIED HOMELESS YOUTH** reaches the age of 25 years;

(ii) The foster care recipient **OR UNACCOMPANIED HOMELESS YOUTH** is enrolled as a candidate for a vocational certificate, an associate's degree, or a bachelor's degree; and

(iii) The foster care recipient **OR UNACCOMPANIED HOMELESS YOUTH** has filed for federal and State financial aid by March 1 each year.

(2) If a foster care recipient **OR AN UNACCOMPANIED HOMELESS YOUTH** receives a scholarship or grant for postsecondary study and is enrolled before the recipient's 25th birthday as a candidate for a vocational certificate, an associate's degree, or bachelor's degree at a public institution of higher education, the scholarship or grant may not be applied to the tuition for the foster care recipient **OR UNACCOMPANIED HOMELESS YOUTH**.

(3) A foster care recipient **OR AN UNACCOMPANIED HOMELESS YOUTH** who is exempt from tuition under this section continues to be exempt until the earlier of:

(i) 5 years after first enrolling as a candidate for an associate's degree or a bachelor's degree at a public institution of higher education in the State; or

(ii) The date that the foster care recipient **OR UNACCOMPANIED HOMELESS YOUTH** is awarded a bachelor's degree.

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) on or before June 30, 2017, each public institution of higher education in the State shall report to the Maryland Higher Education Commission regarding the number of unaccompanied homeless youth that receive a tuition exemption under § 15-106.1 of the Education Article, as enacted by Section 1 of this Act, in the preceding 3 years; and

(b) on or before September 1, 2017, the Maryland Higher Education Commission shall report, in accordance with § 2-1246 of the State Government Article, to the Senate Education, Health, and Environmental Affairs Committee, the Senate Budget and Taxation Committee, the House Appropriations Committee, and the House Ways and Means Committee regarding the information collected under subsection (a) of this section.

SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2014.

Approved by the Governor, May 15, 2014.