

HOUSE BILL 297

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5lr2254
CF SB 225

By: **Delegate M. Washington**

Introduced and read first time: February 4, 2015

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Higher Education – Unaccompanied Homeless Youth Tuition Exemption –**
3 **Modification**

4 FOR the purpose of altering the definition of unaccompanied homeless youth by requiring
5 a determination of homelessness by a certain individual or certain documentation;
6 requiring a financial aid administrator to annually make a certain verification; and
7 generally relating to the tuition exemption for unaccompanied homeless youth.

8 BY repealing and reenacting, with amendments,

9 Article – Education

10 Section 15–106.1

11 Annotated Code of Maryland

12 (2014 Replacement Volume and 2014 Supplement)

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

15 **Article – Education**

16 15–106.1.

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

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

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

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

12 (ii) "Tuition" includes charges for registration and all fees required
13 as a condition of enrollment.

14 (5) "Unaccompanied homeless youth" means a child or youth who:

15 (i) Is not in the physical custody of a parent or guardian; [and]

16 (ii) Is a homeless child or youth, as defined by the McKinney-Vento
17 Homeless Assistance Act; AND

18 (iii) **WAS DETERMINED TO BE A HOMELESS CHILD OR YOUTH BY:**

19 **1. A MARYLAND LOCAL SCHOOL SYSTEM HOMELESS**
20 **LIAISON, AS DEFINED BY THE MCKINNEY-VENTO HOMELESS ASSISTANCE ACT;**

21 **2. A DIRECTOR OR A DESIGNEE OF THE DIRECTOR OF A**
22 **MARYLAND-BASED PROGRAM FUNDED UNDER THE RUNAWAY AND HOMELESS**
23 **YOUTH ACT;**

24 **3. A DIRECTOR OR A DESIGNEE OF THE DIRECTOR OF A**
25 **MARYLAND-BASED PROGRAM FUNDED UNDER TITLE IV, SUBTITLE B OF THE**
26 **MCKINNEY-VENTO HOMELESS ASSISTANCE ACT; OR**

27 **4. DOCUMENTATION WITH SCHOOL, EMPLOYMENT, OR**
28 **OTHER RECORDS THAT SHOW A CONSISTENT PRESENCE IN THE STATE FOR AT LEAST**
29 **1 YEAR BEFORE ENROLLMENT IN A PUBLIC INSTITUTION OF HIGHER EDUCATION.**

30 (b) When determining whether a youth is an unaccompanied homeless youth, a
31 financial aid administrator shall verify **ANNUALLY** that the youth qualifies as an

1 independent student under the federal College Cost Reduction and Access Act, 20 U.S.C. §
2 1087vv(d)(1)(H).

3 (c) (1) A foster care recipient or an unaccompanied homeless youth is exempt
4 from paying any tuition at a public institution of higher education, regardless of that foster
5 care recipient's or unaccompanied homeless youth's receipt of any scholarship or grant if:

6 (i) The foster care recipient or unaccompanied homeless youth is
7 enrolled at the institution on or before the date that the foster care recipient or
8 unaccompanied homeless youth reaches the age of 25 years;

9 (ii) The foster care recipient or unaccompanied homeless youth is
10 enrolled as a candidate for a vocational certificate, an associate's degree, or a bachelor's
11 degree; and

12 (iii) The foster care recipient or unaccompanied homeless youth has
13 filed for federal and State financial aid by March 1 each year.

14 (2) If a foster care recipient or an unaccompanied homeless youth receives
15 a scholarship or grant for postsecondary study and is enrolled before the recipient's 25th
16 birthday as a candidate for a vocational certificate, an associate's degree, or bachelor's
17 degree at a public institution of higher education, the scholarship or grant may not be
18 applied to the tuition for the foster care recipient or unaccompanied homeless youth.

19 (3) A foster care recipient or an unaccompanied homeless youth who is
20 exempt from tuition under this section continues to be exempt until the earlier of:

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

23 (ii) The date that the foster care recipient or unaccompanied
24 homeless youth is awarded a bachelor's degree.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
26 1, 2015.