

Chapter 333

(Senate Bill 225)

AN ACT concerning

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

FOR the purpose of altering the definition of unaccompanied homeless youth by requiring certain documentation that establishes that the child or youth has had a consistent presence in the State for a certain period of time before enrollment in a certain public institution of higher education and a determination of homelessness by a certain individual ~~or certain documentation~~; requiring a financial aid administrator to annually make a certain verification; and generally relating to the tuition exemption for unaccompanied homeless youth.

BY repealing and reenacting, with amendments,
 Article – Education
 Section 15–106.1
 Annotated Code of Maryland
 (2014 Replacement Volume and 2014 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) HAS HAD A CONSISTENT PRESENCE IN THE STATE FOR AT LEAST 1 YEAR BEFORE ENROLLMENT IN A PUBLIC INSTITUTION OF HIGHER EDUCATION THAT IS DOCUMENTED BY SCHOOL, EMPLOYMENT, OR OTHER RECORDS;

~~(II)~~ **(II)** Is not in the physical custody of a parent or guardian;
[and]

~~(III)~~ **(III)** Is a homeless child or youth, as defined by the McKinney-Vento Homeless Assistance Act; AND

~~(IV)~~ **(IV)** WAS DETERMINED TO BE A HOMELESS CHILD OR YOUTH BY:

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

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

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

4. ~~DOCUMENTATION WITH SCHOOL, EMPLOYMENT, OR OTHER RECORDS THAT SHOW A CONSISTENT PRESENCE IN THE STATE FOR AT LEAST 1 YEAR BEFORE ENROLLMENT IN A PUBLIC INSTITUTION OF HIGHER EDUCATION~~ **THE FINANCIAL AID DIRECTOR AT THE PUBLIC INSTITUTION OF HIGHER EDUCATION IN WHICH THE YOUTH SEEKS TO ENROLL.**

(b) When determining whether a youth is an unaccompanied homeless youth, a financial aid administrator shall verify **ANNUALLY** 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).

(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 this Act shall take effect July 1, 2015.

Approved by the Governor, May 12, 2015.