

SB 155 Changes to Md. Code Educ. § 15-106.1

Current Law	Problem	SB 155 Change	Rationale
Requires annual verification of homelessness	Results in traumatic loss of waiver, which in turn causes drop-out, loss of all financial aid, and return to homelessness	Repeals annual verification of homelessness	<ul style="list-style-type: none"> • Technical correction that remedies an unintended and unforeseen consequence of the annual verification requirement. Students access the waiver, use financial aid to secure stable housing, then must re-verify homelessness and lose the waiver because they are housed. This causes the student to lose all financial aid, which in turn causes them to lose their housing and become homeless again. The legislature did not intend for students to remain homeless throughout college in order to receive the waiver and understands that housing is necessary to support academic success. • No other state with a homeless youth tuition waiver requires annual verification of homelessness • Lessens administrative burden for institutions and documentation challenges for students • Congress passed federal legislation in December 2020 that repeals annual verification of homelessness on the FAFSA
Limits eligibility to “unaccompanied” homeless youth	Excludes youth experiencing homelessness with a parent/guardian	Repeals eligibility requirement that student must be “unaccompanied”	<ul style="list-style-type: none"> • Youth experiencing homelessness with a parent/guardian experience the same barriers to higher education and have the same need for assistance as unaccompanied youth • MD is the only state with a homeless youth tuition waiver that limits eligibility to “unaccompanied youth” • MD’s parallel foster youth tuition waiver grants eligibility to youth who have reunified with family or been adopted • This change will not result in significant increase in t
No requirement that institutions provide an	<ul style="list-style-type: none"> • Many institutions do not provide an application and rely upon staff to 	Requires institutions to make an application available and notify students of the application	<ul style="list-style-type: none"> • Making an application available will provide a mechanism for students to self-identify as homeless and receive assistance accessing the tuition waiver and other financial aid

application or appeal process	<p>proactively identify potentially eligible students</p> <ul style="list-style-type: none"> • Lack of awareness of tuition waiver among students and financial aid staff • Inconsistent and incorrect application of tuition waiver law at institution level 	Requires institutions to provide an appeal process that includes notice, opportunity to be heard, and written decision within 30 days of appeal submission	<ul style="list-style-type: none"> • Providing an appeal process will give waiver applicants a mechanism to challenge erroneous eligibility determinations and will promote consistent and proper systemic implementation of the waiver law
No reference to on-campus housing priority or other housing supports	Waiver recipients need stable housing in order to successfully attend and graduate from college	Requires that institutions of higher education that provide on-campus housing establish a priority for waiver recipients, including for any housing that is available during breaks	<ul style="list-style-type: none"> • On-campus housing is limited at many 4-year institutions and is insufficient to meet the needs of all students. Accordingly, institutions prioritize certain students for on-campus housing. • Establishing an on-campus housing priority for homeless youth waiver recipients promotes housing stability and supports their educational success while imposing no additional cost to institutions. • Consistent with numerous other states that have on-campus housing priorities for homeless college students.
Defines “tuition” without specific reference to fall, winter, spring, and summer terms	Institutions have attempted to deny waiver coverage for winter and summer terms	Specifies that “tuition” includes charges for the fall, winter, spring, and summer terms	<ul style="list-style-type: none"> • Avoids misapplication of the waiver law. The existing definition of “tuition” should be interpreted to include charges for any and all academic terms. MHEC guidance currently specifies that the waiver applies to fall, winter, spring, and summer terms.
Does not specify that eligibility determination must be honored by subsequent institutions	A student could lose waiver eligibility if they transfer schools	Specifies that a receiving institution must honor the eligibility determination of an originating institution	<ul style="list-style-type: none"> • Ensures continuity for students, including students who start at a 2-year institution and transfer to a 4-year institution • Particularly important to specify this requirement given that SB 155 repeals annual verification of homelessness
Requires institutions to	<ul style="list-style-type: none"> • Current data does not provide 	<ul style="list-style-type: none"> • Requires institutions/MHEC to 	<ul style="list-style-type: none"> • Promotes transparency and enables MHEC and MGA to monitor implementation of tuition waiver law

provide certain aggregate data to MHEC annually, and requires MHEC to compile data in annual report to MGA	<p>information about the number of waiver denials or terminations and the bases for these denials or terminations</p> <ul style="list-style-type: none"> • Institutions may be using inconsistent or incorrect forms 	<p>report on the number and basis of denials and terminations, as well as the number and outcome of appeals</p> <ul style="list-style-type: none"> • Requires institutions to provide copies of any forms used, such as waiver application and appeal forms 	
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SB 155 Sponsor Amendments

Current Law	Problem	SB 155 Change	Rationale
Provides list of specific entities that can verify homelessness	List is too limited and would exclude State-funded programs serving homeless youth and federally-funded TRIO programs	Adds additional entities to list of who can verify homelessness	Conforms to other state laws and expanded list of entities that can verify homelessness for FAFSA purposes pursuant to recent federal legislation
Does not provide for a homeless youth liaison at higher education institutions	Students experiencing homelessness need support accessing financial aid and other resources	Requires institutions to designate a liaison within the financial aid office or other appropriate office to assist homeless youth	<ul style="list-style-type: none"> • Having a single point of contact for homeless youth is a national best practice that is reflected in other state laws and already implemented at a number of Maryland institutions • Will not impose additional cost on institutions as existing staff can be designated as a liaison • Will lead to specialized expertise in financial aid offices
Data reports are not disaggregated based on demographics	It is unclear whether there are equity issues with tuition waiver access and implementation	Requires that data reported are disaggregated by race, ethnicity, age, sexual orientation, and gender identity	<ul style="list-style-type: none"> • Promotes transparency and equity, and allows MGA monitoring • Institutions can easily request demographic info on tuition waiver application even if they are not currently collecting it

