

CHAPTER 644

(House Bill 1309)

AN ACT concerning

Higher Education – Foster Care Recipients – Waiver of Tuition and Fees

FOR the purpose of clarifying the definition of a foster care recipient; providing that certain foster youth placed by the Department of Human Resources in out-of-home placements other than foster care homes may be eligible for waiver of certain tuition and fees at certain institutions of higher education; and generally relating to the waiver of tuition and fees at certain institutions of higher education for foster care recipients.

BY repealing and reenacting, with amendments,
Article – Education
Section 15–106.1
Annotated Code of Maryland
(2006 Replacement Volume)

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) “Foster care recipient” means an individual who:
- (i) Was placed in [a foster care home] **AN OUT-OF-HOME PLACEMENT** by the Maryland Department of Human Resources; and
 - (ii) 1. Resided in [a foster care home] **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
 - 2. A. Resided in [a foster care home] **AN OUT-OF-HOME PLACEMENT** in the State on the individual’s 14th birthday; and

B. Was adopted out of [a foster care home] **AN OUT-OF-HOME PLACEMENT** after the individual's 14th birthday.

(3) "OUT-OF-HOME PLACEMENT" HAS THE MEANING STATED IN § 5-501 OF THE FAMILY LAW ARTICLE.

~~[(3)]~~ **(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.

(b) (1) Except as provided in paragraph (2) of this subsection, a foster care recipient is exempt from paying tuition at a public institution of higher education if:

(i) The foster care recipient is enrolled at the institution on or before the date that the foster care recipient reaches the age of 21 years;

(ii) The foster care recipient is enrolled as a candidate for an associate's degree or a bachelor's degree; and

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

(2) If a foster care recipient receives a scholarship or grant for postsecondary study and is enrolled before the recipient's 21st birthday as a candidate for an associate's degree or bachelor's degree at a public institution of higher education, the foster care recipient may not be required to pay the difference between the amount of the scholarship or grant and the amount of the tuition.

(3) A foster care recipient 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 is awarded a bachelor's degree.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2007.

Approved by the Governor, May 17, 2007.