

Chapter 260

(House Bill 1012)

AN ACT concerning

Higher Education – Tuition Waiver – Foster Care Recipients

FOR the purpose of altering the definition of “foster care recipient”, for purposes of a certain tuition waiver, to include certain individuals who are placed into guardianship or who are adopted out of an out-of-home placement by a certain guardianship family; providing that certain foster care recipients are eligible for a certain tuition waiver if the recipient is enrolled in a vocational certificate program at a public institution of higher education in the State, subject to certain conditions; and generally relating to tuition waivers at institutions of higher education for foster care recipients.

BY repealing and reenacting, with amendments,
Article – Education
Section 15–106.1
Annotated Code of Maryland
(2008 Replacement Volume and 2012 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.

(b) (1) [Except as provided in paragraph (2) of this subsection, a] **A** foster care recipient is exempt from paying **ANY** tuition at a public institution of higher education, **REGARDLESS OF THAT FOSTER CARE RECIPIENT’S RECEIPT OF ANY SCHOLARSHIP OR GRANT** 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 25 years;

(ii) The foster care recipient is enrolled as a candidate for **A VOCATIONAL CERTIFICATE**, 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 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 [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 ~~**A VOCATIONAL CERTIFICATE**~~, 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 ~~October~~ July 1, 2013.

Approved by the Governor, May 2, 2013.