

HOUSE BILL 482

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4r1892
CF SB 455

By: Delegates M. Washington, Anderson, Barnes, Branch, Clippinger, Davis, Guzzone, Haynes, Hucker, Kaiser, Luedtke, Mitchell, Mizeur, Olszewski, B. Robinson, Summers, Tarrant, A. Washington, Wilson, and Zucker

Introduced and read first time: January 27, 2014

Assigned to: Appropriations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 8, 2014

CHAPTER _____

1 AN ACT concerning

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

3 FOR the purpose of adding certain homeless youths to the list of individuals who may
4 be eligible for a waiver of certain tuition and fees at certain institutions of
5 higher education; requiring a certain administrator to verify ~~a certain youth's~~
6 ~~status in a certain way~~ that certain youths qualify as certain students under a
7 certain federal act; authorizing a certain administrator to rely on certain
8 ~~documents when making a certain determination if certain other documents are~~
9 ~~not available~~; defining a certain term; and generally relating to a tuition
10 exemption for unaccompanied homeless youths.

11 BY repealing and reenacting, with amendments,
12 Article – Education
13 Section 15–106.1
14 Annotated Code of Maryland
15 (2008 Replacement Volume and 2013 Supplement)

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

18 **Article – Education**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 15-106.1.

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

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

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

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

9 B. Resided in an out-of-home placement in the State on
10 the individual’s 13th birthday and was placed into guardianship or adopted out of an
11 out-of-home placement after the individual’s 13th birthday.

12 (ii) “Foster care recipient” includes a younger sibling of an
13 individual described in subparagraph (i) of this paragraph if the younger sibling is
14 concurrently placed into guardianship or adopted out of an out-of-home placement by
15 the same guardianship or adoptive family.

16 (3) “Out-of-home placement” has the meaning stated in § 5-501 of the
17 Family Law Article.

18 (4) (i) “Tuition” means the charges imposed by a public institution
19 of higher education for enrollment at the institution.

20 (ii) “Tuition” includes charges for registration and all fees
21 required as a condition of enrollment.

22 **(5) “UNACCOMPANIED HOMELESS YOUTH” MEANS A CHILD OR**
23 **YOUTH WHO:**

24 **(I) IS NOT IN THE PHYSICAL CUSTODY OF A PARENT OR**
25 **GUARDIAN; AND**

26 **(II) ~~1.~~ IS A HOMELESS CHILD OR YOUTH, AS DEFINED BY**
27 **THE MCKINNEY-VENTO HOMELESS ASSISTANCE ACT; ~~OR~~**

28 **~~2. IS A YOUTH WHO IS AT RISK OF HOMELESSNESS~~**
29 **~~AND SELF-SUPPORTING.~~**

30 **~~(B) WHEN DETERMINING WHETHER A YOUTH IS AN UNACCOMPANIED~~**
31 **~~HOMELESS YOUTH, A FINANCIAL AID ADMINISTRATOR;~~**

1 ~~(1) SHALL REQUEST WRITTEN VERIFICATION FROM:~~

2 ~~(i) A LOCAL EDUCATIONAL AGENCY HOMELESS LIAISON, AS~~
3 ~~DEFINED BY THE MCKINNEY-VENTO HOMELESS ASSISTANCE ACT;~~

4 ~~(ii) A DIRECTOR OF A PROGRAM FUNDED UNDER THE~~
5 ~~RUNAWAY AND HOMELESS YOUTH ACT; OR~~

6 ~~(iii) A DIRECTOR OF A PROGRAM FUNDED UNDER TITLE IV,~~
7 ~~SUBTITLE B OF THE MCKINNEY-VENTO HOMELESS ASSISTANCE ACT; AND~~

8 ~~(2) MAY RELY ON A DOCUMENTED INTERVIEW WITH THE YOUTH~~
9 ~~WHEN THE WRITTEN VERIFICATION REQUIRED UNDER ITEM(1) OF THIS~~
10 ~~SUBSECTION IS NOT AVAILABLE.~~

11 **(B) WHEN DETERMINING WHETHER A YOUTH IS AN UNACCOMPANIED**
12 **HOMELESS YOUTH, A FINANCIAL AID ADMINISTRATOR SHALL VERIFY THAT THE**
13 **YOUTH QUALIFIES AS AN INDEPENDENT STUDENT UNDER THE FEDERAL**
14 **COLLEGE COST REDUCTION AND ACCESS ACT, 20 U.S.C. § 1087VV(D)(1)(H).**

15 **[b] (C) (1) A foster care recipient OR AN UNACCOMPANIED**
16 **HOMELESS YOUTH** is exempt from paying any tuition at a public institution of higher
17 education, regardless of that foster care recipient's **OR UNACCOMPANIED HOMELESS**
18 **YOUTH'S** receipt of any scholarship or grant if:

19 (i) The foster care recipient **OR UNACCOMPANIED HOMELESS**
20 **YOUTH** is enrolled at the institution on or before the date that the foster care recipient
21 **OR UNACCOMPANIED HOMELESS YOUTH** reaches the age of 25 years;

22 (ii) The foster care recipient **OR UNACCOMPANIED HOMELESS**
23 **YOUTH** is enrolled as a candidate for a vocational certificate, an associate's degree, or
24 a bachelor's degree; and

25 (iii) The foster care recipient **OR UNACCOMPANIED HOMELESS**
26 **YOUTH** has filed for federal and State financial aid by March 1 each year.

27 (2) If a foster care recipient **OR AN UNACCOMPANIED HOMELESS**
28 **YOUTH** receives a scholarship or grant for postsecondary study and is enrolled before
29 the recipient's 25th birthday as a candidate for a vocational certificate, an associate's
30 degree, or bachelor's degree at a public institution of higher education, the scholarship
31 or grant may not be applied to the tuition for the foster care recipient **OR**
32 **UNACCOMPANIED HOMELESS YOUTH.**

1 (3) A foster care recipient **OR AN UNACCOMPANIED HOMELESS**
 2 **YOUTH** who is exempt from tuition under this section continues to be exempt until the
 3 earlier of:

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

6 (ii) The date that the foster care recipient **OR**
 7 **UNACCOMPANIED HOMELESS YOUTH** is awarded a bachelor's degree.

8 SECTION 2. AND BE IT FURTHER ENACTED, That:

9 (a) on or before June 30, 2017, each public institution of higher education in
 10 the State shall report to the Maryland Higher Education Commission regarding the
 11 number of unaccompanied homeless youth that receive a tuition exemption under §
 12 15-106.1 of the Education Article, as enacted by Section 1 of this Act, in the preceding
 13 3 years; and

14 (b) on or before September 1, 2017, the Maryland Higher Education
 15 Commission shall report, in accordance with § 2-1246 of the State Government
 16 Article, to the Senate Education, Health, and Environmental Affairs Committee, the
 17 Senate Budget and Taxation Committee, the House Appropriations Committee, and
 18 the House Ways and Means Committee regarding the information collected under
 19 subsection (a) of this section.

20 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take
 21 effect July 1, 2014.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.