

# SENATE BILL 455

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CF HB 482

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By: **Senator Reilly**

Introduced and read first time: January 27, 2014

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

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; authorizing a certain administrator to rely on certain  
6 documents when making a certain determination if certain other documents are  
7 not available; defining a certain term; and generally relating to tuition  
8 exemption for unaccompanied homeless youths.

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

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

16 **Article – Education**

17 15–106.1.

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

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

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

4                   B.    Resided in an out-of-home placement in the State on  
5 the individual's 13th birthday and was placed into guardianship or adopted out of an  
6 out-of-home placement after the individual's 13th birthday.

7                   (ii)   "Foster care recipient" includes a younger sibling of an  
8 individual described in subparagraph (i) of this paragraph if the younger sibling is  
9 concurrently placed into guardianship or adopted out of an out-of-home placement by  
10 the same guardianship or adoptive family.

11                  (3)    "Out-of-home placement" has the meaning stated in § 5-501 of the  
12 Family Law Article.

13                  (4)    (i)    "Tuition" means the charges imposed by a public institution  
14 of higher education for enrollment at the institution.

15                  (ii)   "Tuition" includes charges for registration and all fees  
16 required as a condition of enrollment.

17                  **(5)    "UNACCOMPANIED HOMELESS YOUTH" MEANS A CHILD OR**  
18 **YOUTH WHO:**

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

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

23                  **2.    IS A YOUTH WHO IS AT RISK OF HOMELESSNESS**  
24 **AND SELF-SUPPORTING, AS VERIFIED BY:**

25                  **A.    A LOCAL EDUCATIONAL AGENCY HOMELESS**  
26 **LIAISON, AS DEFINED BY THE MCKINNEY-VENTO HOMELESS ASSISTANCE ACT;**

27                  **B.    A DIRECTOR OF A PROGRAM FUNDED UNDER THE**  
28 **RUNAWAY AND HOMELESS YOUTH ACT;**

29                  **C.    A DIRECTOR OF A PROGRAM FUNDED UNDER**  
30 **TITLE IV, SUBTITLE B OF THE MCKINNEY-VENTO HOMELESS ASSISTANCE**  
31 **ACT; OR**

1                   **D. A FINANCIAL AID ADMINISTRATOR OF THE**  
2 **INSTITUTION OF HIGHER EDUCATION WHERE THE YOUTH IS APPLYING OR**  
3 **ENROLLED.**

4                   **(B) IN THIS SECTION, WHEN DETERMINING WHETHER A YOUTH IS AN**  
5 **UNACCOMPANIED HOMELESS YOUTH, A FINANCIAL AID ADMINISTRATOR MAY**  
6 **RELY ON A DOCUMENTED INTERVIEW WITH THE YOUTH WHEN FORMAL WRITTEN**  
7 **DOCUMENTATION IS NOT AVAILABLE.**

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

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

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

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

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

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

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

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

33                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
34 July 1, 2014.