

# SENATE BILL 455

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CF HB 482

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By: ~~Senator Reilly~~ **Senators Reilly, Conway, Dyson, Ferguson, Montgomery,  
and Rosapepe**

Introduced and read first time: January 27, 2014

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 5, 2014

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## 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; ~~authorizing a certain administrator to rely on certain~~  
6 ~~documents when making a certain determination if certain other documents are~~  
7 ~~not available~~ requiring a certain administrator to verify that certain youth  
8 qualify as certain students under a certain federal act; defining a certain term;  
9 and generally relating to a tuition exemption for unaccompanied homeless  
10 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**

19 15–106.1.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

~~B. A DIRECTOR OF A PROGRAM FUNDED UNDER THE RUNAWAY AND HOMELESS YOUTH ACT;~~

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

~~D. A FINANCIAL AID ADMINISTRATOR OF THE INSTITUTION OF HIGHER EDUCATION WHERE THE YOUTH IS APPLYING OR ENROLLED.~~

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

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

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

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

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

**(2) If a foster care recipient OR AN UNACCOMPANIED HOMELESS YOUTH 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 OR 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:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.