

HOUSE BILL 297

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5lr2254
CF SB 225

By: **Delegate M. Washington**

Introduced and read first time: February 4, 2015

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 13, 2015

CHAPTER _____

1 AN ACT concerning

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

4 FOR the purpose of altering the definition of unaccompanied homeless youth by requiring
5 certain documentation that establishes that the child or youth has had a consistent
6 presence in the State for a certain period of time before enrollment in a certain public
7 institution of higher education and a determination of homelessness by a certain
8 individual ~~or certain documentation~~; requiring a financial aid administrator to
9 annually make a certain verification; and generally relating to the tuition exemption
10 for unaccompanied homeless youth.

11 BY repealing and reenacting, with amendments,
12 Article – Education
13 Section 15–106.1
14 Annotated Code of Maryland
15 (2014 Replacement Volume and 2014 Supplement)

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

18 **Article – Education**

19 15–106.1.

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

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

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

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

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

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

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

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

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

20 (5) “Unaccompanied homeless youth” means a child or youth who:

21 **(I) HAS HAD A CONSISTENT PRESENCE IN THE STATE FOR AT**
22 **LEAST 1 YEAR BEFORE ENROLLMENT IN A PUBLIC INSTITUTION OF HIGHER**
23 **EDUCATION THAT IS DOCUMENTED BY SCHOOL, EMPLOYMENT, OR OTHER RECORDS;**

24 ~~(ii)~~ **(II)** Is not in the physical custody of a parent or guardian; [and]

25 ~~(iii)~~ **(III)** Is a homeless child or youth, as defined by the McKinney-Vento
26 Homeless Assistance Act; AND

27 ~~(iv)~~ **(IV)** WAS DETERMINED TO BE A HOMELESS CHILD OR YOUTH
28 BY:

29 1. A MARYLAND LOCAL SCHOOL SYSTEM HOMELESS
30 LIAISON, AS DEFINED BY THE MCKINNEY-VENTO HOMELESS ASSISTANCE ACT;

1 **2. A DIRECTOR OR A DESIGNEE OF THE DIRECTOR OF A**
2 **MARYLAND-BASED PROGRAM FUNDED UNDER THE RUNAWAY AND HOMELESS**
3 **YOUTH ACT;**

4 **3. A DIRECTOR OR A DESIGNEE OF THE DIRECTOR OF A**
5 **MARYLAND-BASED PROGRAM FUNDED UNDER TITLE IV, SUBTITLE B OF THE**
6 **McKINNEY-VENTO HOMELESS ASSISTANCE ACT; OR**

7 **4. ~~DOCUMENTATION WITH SCHOOL, EMPLOYMENT, OR~~**
8 **~~OTHER RECORDS THAT SHOW A CONSISTENT PRESENCE IN THE STATE FOR AT LEAST~~**
9 **~~1 YEAR BEFORE ENROLLMENT IN A PUBLIC INSTITUTION OF HIGHER EDUCATION~~**
10 **THE FINANCIAL AID DIRECTOR AT THE PUBLIC INSTITUTION OF HIGHER EDUCATION**
11 **IN WHICH THE YOUTH SEEKS TO ENROLL.**

12 (b) When determining whether a youth is an unaccompanied homeless youth, a
13 financial aid administrator shall verify **ANNUALLY** that the youth qualifies as an
14 independent student under the federal College Cost Reduction and Access Act, 20 U.S.C. §
15 1087vv(d)(1)(H).

16 (c) (1) A foster care recipient or an unaccompanied homeless youth is exempt
17 from paying any tuition at a public institution of higher education, regardless of that foster
18 care recipient's or unaccompanied homeless youth's receipt of any scholarship or grant if:

19 (i) The foster care recipient or unaccompanied homeless youth is
20 enrolled at the institution on or before the date that the foster care recipient or
21 unaccompanied homeless youth reaches the age of 25 years;

22 (ii) The foster care recipient or unaccompanied homeless youth is
23 enrolled as a candidate for a vocational certificate, an associate's degree, or a bachelor's
24 degree; and

25 (iii) The foster care recipient or unaccompanied homeless youth has
26 filed for federal and State financial aid by March 1 each year.

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

32 (3) A foster care recipient or an unaccompanied homeless youth who is
33 exempt from tuition under this section continues to be exempt until the earlier of:

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

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1 (ii) The date that the foster care recipient or unaccompanied
2 homeless youth is awarded a bachelor's degree.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
4 1, 2015.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.