

Chapter 320

**(Senate Bill 701)**

AN ACT concerning

**Higher Education – Tuition Waivers for Foster Care Recipients and  
Unaccompanied Homeless Youth – Alterations**

FOR the purpose of altering the definition of “foster care recipient” for certain tuition waivers to include an individual who resided in an out-of-home placement at the time the individual graduated from high school or successfully completed a GED; clarifying that the definition of “tuition” includes fees for credit-bearing and noncredit courses; and generally relating to tuition waivers for foster care recipients and unaccompanied homeless youth.

BY repealing and reenacting, with amendments,

Article – Education

Section 15–106.1(a)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 Supplement)

BY repealing and reenacting, without amendments,

Article – Education

Section 15–106.1(c)

Annotated Code of Maryland

(2014 Replacement Volume and 2016 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 on the individual’s 18th birthday **OR AT THE TIME THE INDIVIDUAL GRADUATED FROM HIGH SCHOOL OR SUCCESSFULLY COMPLETED A GED;**

B. Resided in an out-of-home placement 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; or

C. Resided in an out-of-home placement in the State for at least 1 year on or after the individual's 13th birthday and returned to live with the individual's parents after the out-of-home placement ended.

(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 **FOR CREDIT-BEARING AND NONCREDIT COURSES** required as a condition of enrollment.

(5) "Unaccompanied homeless youth" means a child or youth who:

(i) Has had a consistent presence in the State for at least 1 year before enrollment in a public institution of higher education that is documented by school, employment, or other records;

(ii) Is not in the physical custody of a parent or guardian;

(iii) Is a homeless child or youth, as defined by the McKinney-Vento Homeless Assistance Act; and

(iv) Was determined to be a homeless child or youth by:

1. A Maryland local school system homeless liaison, as defined by the McKinney-Vento Homeless Assistance Act;

2. A Director or a designee of the Director of a Maryland-based program funded under the Runaway and Homeless Youth Act;

3. A Director or a designee of the Director of a Maryland-based program funded under Title IV, Subtitle B of the McKinney-Vento Homeless Assistance Act; or

4. The financial aid director at the public institution of higher education in which the youth seeks to enroll.

(6) "Vocational certificate" means a certificate or license awarded by a public institution of higher education on completion of a course of study that prepares an individual to work in a career field by taking credit-bearing courses or noncredit courses.

(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.

(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.

(3) A foster care recipient or an unaccompanied homeless youth 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 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 or unaccompanied homeless youth is awarded a bachelor's degree.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2017.

**Approved by the Governor, April 18, 2017.**