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§16–106.

(a) Any full–time classified employee of a community college who enrolls, during his nonworking hours, in any class at the community college that has at least 10 regularly enrolled students:

(1) Is exempt from payment of tuition; and

(2) May not be counted in computing full–time equivalent enrollment at the community college under § 16–305 of this title.

(b) (1) (i) In this subsection, "tuition" means the basic instructional charge for courses offered at a community college.

(ii) "Tuition" does not include:

1. Any fees or costs associated with a self–supporting program; or

2. Any fees for:

A. Registration;

B. Application;

C. Administration; or

D. Laboratory work.

(2) Except as provided in paragraph (3) of this subsection, any resident of this State who is 60 years old or older and who enrolls in any class, which is eligible under § 16–305 of this title for State support, at the community college:

(i) Shall be exempt from payment of tuition; and

(ii) Shall be counted in computing full–time equivalent enrollment under § 16–305 of this title if enrolled in any class that is eligible for State support.

(3) A community college is required to waive the tuition for a course for senior citizens under this subsection only when course space is available.

(4) This subsection may not be construed to prohibit a community college board of trustees from offering senior citizens other educational opportunities free of charge, provided that the senior citizen is not counted in computing full–time equivalent enrollment for the purpose of receiving State support.

(c) (1) Any resident of this State who is out of the work force by reason of total and permanent disability who enrolls at a community college in a class that has at least 10 regularly enrolled students:

(i) Is exempt from payment of tuition:

1. For up to 6 credits per semester or up to 12 credits per semester if the individual is enrolled in classes as part of a degree or a certificate program designed to lead to employment; or

2. For continuing education instruction designed to lead to employment, including life skills instruction; and

(ii) Shall be counted in computing full–time equivalent enrollment under § 16–305 of this title.

(2) In order to receive this exemption, an individual who meets the requirements of paragraph (1) of this subsection shall provide the community college with certification from the Social Security Administration, the Railroad Retirement Board, or in the case of a former federal employee, from the individual's federal retirement or pension authority of the individual's:

(i) Total and permanent disability; and

(ii) Receipt of disability or retirement benefits based on a standard that is at least as stringent as the standard applied by the Social Security Act.

(3) Certification from the Social Security Administration of an individual's receipt of disability or retirement benefits under either Title II or Title XVI of the federal Social Security Act shall satisfy the requirement in paragraph (2)(ii) of this subsection.

(4) (i) In order to receive this exemption, an individual who meets the requirements of paragraph (1) of this subsection and is enrolled in a degree or

certificate program shall submit a timely application for any State or federal student financial aid, other than a student loan, for which the student may qualify.

(ii) Any student financial aid, other than a student loan, received by the student shall be applied first to pay the student's tuition.

(iii) Under this exemption, the waiver shall apply to the difference, if any, between the charge for tuition and the financial aid award, not including a student loan, that the student receives.

(iv) On request, the community college shall assist any individual required to submit an application for State or federal student financial aid under this paragraph.

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