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Title 07 DEPARTMENT OF HUMAN RESOURCES Subtitle 02 SOCIAL SERVICES ADMINISTRATION

07.02.11 Out-of-Home Placement Program

Authority: Family Law Article, §§5-501, 5-504, 5-524—5-534, 5-701, and 5-709; Courts and Judicial Proceedings Article, §§3-801, 3-802, 3-815, 3-816.1, 3-817, 3-819.1, 3-819.2, 3-820, and 3-823; Human Services Article, §9-101 et seq.; and Education Article, §15-106.1; Annotated Code of Maryland (Agency Note: Federal Regulatory Reference: 42 U.S.C. §§620 et seq., 670 et seq.; 45 CFR §205.10; 45 CFR §303.72; 45 CFR 1355—1357)

Notice of Proposed Action

[13-256-P]

The Secretary of Human Resources proposes to amend Regulation .12 under **COMAR 07.02.11 Out-of-Home Placement Program**.

Statement of Purpose

The purpose of this action is to implement the provisions of S.B. 414 and H.B. 1012 of the 2013 Regular Session by updating current regulations to include youth in guardianship placement or youth who are adopted by a guardianship family, and youth enrolled in a vocational certificate program at a public institution of higher education, as foster care recipients who are eligible to receive a tuition waiver.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Andrea Shuck, Regulations Coordinator, Department of Human Resources, 311 West Saratoga Street, 2nd Floor, Baltimore, MD 21201, or call 410-767-2149, or email to andrea.shuck@maryland.gov, or fax to 410-333-0637. Comments will be accepted through October 7, 2013. A public hearing has not been scheduled.

.12 Education for the Child in Out-of-Home Placement.

A. — J. (text unchanged)

K. Tuition Waiver.

(1) The Maryland tuition waiver provides a waiver of tuition for a Maryland public institution of higher education and is applicable to certain youth in, or formerly in, out-of-home care. In order to qualify for the tuition waiver, the youth shall be placed by a local department of social services in an out-of-home placement within the State:

(a) (text unchanged)

(b) On the youth's 13th birthday and the youth is *placed into guardianship* or [is] adopted from out-of-home placement after the youth's 13th birthday; or

(c) If the youth is the younger sibling of a youth, as described in [§J(1)(b)] §K(1)(b) of this regulation and is concurrently placed into guardianship or adopted from an out-home-placement by the same guardianship or adoptive family.

(2) The youth [may] shall be exempted from paying any tuition at a Maryland public institution of higher education, regardless of the youth's receipt of scholarships or grants, if the youth:

(a) Is enrolled as a candidate for an associate's degree, [or] a bachelor's degree, or a vocational certificate at a Maryland public institution of higher education on or before age 25; and

(b) (text unchanged)

(3) Tuition is determined by the [Maryland Higher Education Commission (MHEC) and does not include room, board, books, transportation, or other costs] individual public institution of higher education and includes the cost of tuition and registration fees as well as all fees that are required as a condition of enrollment. Tuition does not include the cost of room, board, books, and transportation.

(4) (text unchanged)

(5) The waiver is applied [only to the remaining balance of tuition after all other grants and scholarships have been exhausted] to the cost of tuition and registration fees as well as all fees that are required as a condition of enrollment. Scholarships and grants that the youth receives may not be used to pay for these costs.

(6) (text unchanged)

(7) The youth is responsible for adherence to all financial aid policies of the [MHEC] Maryland Higher Education Commission and the Maryland public institution of higher education at which the youth is enrolled.

(8) (text unchanged)

L. (text unchanged)

THEODORE DALLAS
Secretary of Human Resources