

## CHAPTER 429-A

### TUITION WAIVER AT STATE POSTSECONDARY EDUCATIONAL INSTITUTIONS FOR PERSONS WHO HAVE RESIDED IN FOSTER CARE

#### §12571. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 1999, c. 216, §1 (NEW).]

**1. Authority.** "Authority" means the Finance Authority of Maine. [PL 1999, c. 216, §1 (NEW).]

**2. Family foster home.** "Family foster home" means the same as defined in Title 22, section 8101, subsection 3. [PL 1999, c. 216, §1 (NEW).]

**2-A. Permanency guardian.** "Permanency guardian" means the person described in Title 22, section 4038-C. [PL 2005, c. 471, §1 (NEW).]

**3. State postsecondary educational institution.** "Postsecondary educational institution" means the University of Maine System, the Maine Maritime Academy and the Maine Community College System. [PL 1999, c. 216, §1 (NEW); PL 2003, c. 20, Pt. OO, §2 (AMD); PL 2003, c. 20, Pt. OO, §4 (AFF).]

**4. Unmet need.**  
[PL 1999, c. 774, §1 (RP).]

#### SECTION HISTORY

PL 1999, c. 216, §1 (NEW). PL 1999, c. 774, §1 (AMD). PL 2003, c. 20, §OO2 (AMD). PL 2003, c. 20, §OO4 (AFF). PL 2005, c. 471, §1 (AMD).

#### §12572. Tuition waiver

Any person who was in the custody of the Department of Health and Human Services and resided in foster care or subsidized adoptive care or was a minor ward of a subsidized permanency guardian as provided in Title 22, section 4038-D at the time that person graduated from high school or successfully completed a general educational development examination or its equivalent under section 257 may attend, as provided in this section, any state postsecondary educational institution free of tuition charges. [PL 2005, c. 471, §2 (AMD).]

**1. Eligibility of person.** A person is eligible for a tuition waiver under this chapter if the person is:

A. A Maine resident; [PL 1999, c. 216, §1 (NEW).]

B. A high school graduate or has attained a high school equivalency diploma as described under section 257; and [PL 1999, c. 216, §1 (NEW).]

C. Accepted for admission to a state postsecondary educational institution. [PL 1999, c. 216, §1 (NEW).]

[PL 1999, c. 216, §1 (NEW).]

**2. Limitation.** The tuition waiver provided by this chapter is limited to:

A. Persons participating in undergraduate degree programs or certificate programs of at least one year; [PL 1999, c. 216, §1 (NEW).]

B. Persons who have not been enrolled full time for more than 5 years or the equivalent; and [PL 1999, c. 774, §2 (AMD).]

C. Persons who have completed an application for federal student financial aid programs for which they may be eligible. [PL 1999, c. 774, §2 (AMD).]

D. [PL 1999, c. 774, §2 (RP).]  
[PL 1999, c. 774, §2 (AMD).]

**3. Continuation.** The tuition waiver provided by this chapter is awarded on a yearly basis and continues to be available, if the person is otherwise eligible under this section, as long as the person remains in good academic standing at a state postsecondary educational institution.  
[PL 1999, c. 216, §1 (NEW).]

**4. Revenue reduction.** A state postsecondary educational institution shall absorb the reduction in tuition revenues that results from providing a tuition waiver to an eligible person under this chapter. The institution may not request additional General Fund appropriations from the Legislature to offset the reduction in tuition revenues.  
[PL 1999, c. 774, §3 (NEW).]

#### SECTION HISTORY

PL 1999, c. 216, §1 (NEW). PL 1999, c. 774, §§2,3 (AMD). PL 2003, c. 689, §B6 (REV). PL 2005, c. 471, §2 (AMD).

#### §12573. Administration

**1. Application.** A person desiring a tuition waiver under this chapter may apply to the authority for determination of eligibility. Application must be on forms and in a manner prescribed by rule of the authority. Rules adopted pursuant to this chapter are routine technical rules as defined in the Maine Administrative Procedure Act, Title 5, chapter 375, subchapter II-A.  
[PL 1999, c. 216, §1 (NEW).]

**2. Decision.** The authority shall determine whether an applicant is eligible and notify the applicant. The authority shall also notify the state postsecondary educational institution at which the person is accepted of the eligibility of that person for a tuition waiver. Unless notified by the authority of a change in the student's eligibility, the institution may not bill an eligible student for tuition during that school year.  
[PL 1999, c. 216, §1 (NEW).]

**3. Limitation.** Tuition waivers to eligible persons are limited to 30 new students per year in each year at state postsecondary educational institutions as follows:

A. The first 25 tuition waivers must be available to eligible persons at the University of Maine System, the Maine Maritime Academy and the Maine Community College System; and [PL 2003, c. 187, §1 (NEW).]

B. Of the 5 remaining tuition waivers, 3 must be available to eligible persons at the University of Maine System and 2 must be available to eligible persons at the Maine Community College System.  
[PL 2003, c. 187, §1 (NEW).]

[PL 2003, c. 187, §1 (AMD).]

#### SECTION HISTORY

PL 1999, c. 216, §1 (NEW). PL 1999, c. 774, §4 (AMD). PL 2003, c. 187, §1 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 131st Maine Legislature and is current through January 1, 2025. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.