

CHAPTER 48

(HB 62)

AN ACT relating to tuition assistance.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

SECTION 1. A NEW SECTION OF KRS CHAPTER 164 IS CREATED TO READ AS FOLLOWS:

- (1) *Tuition and mandatory student fees for any public postsecondary institution, including all four (4) year universities and colleges and institutions of the Kentucky Community and Technical College System, shall be waived for a Kentucky foster or adopted child who is a full-time student if:*
 - (a) *The student meets all entrance requirements for the postsecondary institution;*
 - (b) *The student maintains academic eligibility while enrolled at the postsecondary institution; and*
 - (c) *The student is over age eighteen (18) and the student's family receives state-funded adoption assistance under KRS 199.555, is currently placed in foster care by the Cabinet for Families and Children or the Department of Juvenile Justice; is in an independent living program; was in the custody of the Cabinet for Families and Children or the Department of Juvenile Justice prior to being adopted by a family that resides in Kentucky; or was in the custody of the Cabinet for Families and Children or the Department of Juvenile Justice on his or her eighteenth birthday.*
- (2) *Upon request of the postsecondary institution, the Cabinet for Families and Children shall confirm the status of the student seeking to participate in the waiver program. Release of this information shall not constitute a breach of confidentiality required by KRS 620.050.*
- (3) *The student shall complete the Free Application for Federal Student Aid to determine the level of need and eligibility for state and federal financial aid programs. If the sum of the tuition waiver plus other student financial assistance, except loans, from all sources exceeds the student's total cost of attendance, as defined in 20 U.S.C. sec. 1087ll, the tuition waiver shall be reduced by the amount exceeding the total cost of attendance.*
- (4) *The student shall be eligible for the tuition waiver:*
 - (a) *For entrance to the institution for a period of no more than four (4) years after the date of graduation from high school; and*
 - (b) *For a period of five (5) years after admittance to an institution if satisfactory progress is achieved or maintained.*
- (5) *No later than six (6) months after the effective date of this Act, the Cabinet for Families and Children shall promulgate administrative regulations in accordance with KRS Chapter 13A to implement provisions of subsection (2) of this section.*
- (6) *Nothing in this section shall be construed to:*
 - (a) *Guarantee acceptance of or entrance into any postsecondary institution for a foster or adopted child;*

- (b) *Limit the participation of a foster or adopted child in any other program of financial assistance for postsecondary education; or*
- (c) *Require any postsecondary institution to waive costs or fees relating to room and board.*

Approved March 15, 2001