

**BOARD OF HIGHER EDUCATION**  
**REQUEST FOR COMMITTEE AND BOARD ACTION**

**COMMITTEE:** Fiscal Affairs and Administrative Policy                      **NO.:** FAAP 13-17  
**COMMITTEE DATE:** October 09, 2012  
**BOARD DATE:** October 16, 2012

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**AMENDED GUIDELINES FOR THE FOSTER CHILDREN TUITION WAIVER PROGRAM, AS REQUIRED BY CHAPTER 15A, SECTION 19.**

**MOVED:**            The Board of Higher Education hereby adopts the following guidelines for the Foster Children Tuition Waiver and Fee Assistance Program.

Authority:            Massachusetts General Laws Chapter 15A, Section 19; Section 2 of Chapter 139 of the Acts of 2012  
Contact:             Dr. Clantha McCurdy, Senior Deputy Commissioner, Access and Student Financial Assistance

## **BACKGROUND**

In July 2008, the Massachusetts Legislature amended Chapter 15A, Section 19 - Public Education Tuition Waiver, of the General Laws to provide for full tuition and fee waivers for foster children in the custody of the Department of Children and Families who choose to attend a Massachusetts public college or university. The Board of Higher Education was required to establish guidelines for these waivers. Further, Section 19 states that, "The commonwealth, not the institutions of public higher education, shall bear the cost of these waivers, after all reimbursement from the federal government has been exhausted."

The Foster Child Tuition Waiver and Fee Assistance Program is designed to provide financial support for higher education for foster children in state custody who were neither adopted nor returned home. These children have few support systems and significant needs. Without the benefit of parental support, foster children whose lives are filled with numerous obstacles, face the additional challenge of financing their education when they enroll as students in higher education institutions. While foster children may qualify for financial aid, many face the burden of acquiring high student loan debt to meet their educational costs. The Foster Child Tuition Waiver and Fee Assistance Program provides a valuable resource for such students and will help reduce their educational loan debt. Annually, an average of 450 students benefit from these tuition and fee waivers. The fiscal year appropriation, however, has fallen short of covering 100 percent of fees for all eligible students.

The Fiscal Year 2013 budget appropriation language links student eligibility to a specific Expected Family Contribution (EFC), should the appropriation be insufficient to cover full tuition and fees for all eligible students, as determined by the Free Application for Federal Student Aid (FAFSA) and allows the BHE to adopt guidelines for this purpose. The attached guidelines are amended to comply with the FY 2013 budget appropriation language.

## **SECTION Q: DEPARTMENT OF CHILDREN AND FAMILIES FOSTER CHILD TUITION WAIVER AND FEE ASSISTANCE PROGRAM**

### **PURPOSE:**

In July 2008, the Massachusetts Legislature amended Chapter 15A, Section 19 - Public Education Tuition Waiver, of the General Laws. This law provides for full tuition and fee waivers for foster children in the custody of the Department of Children and Families and children adopted through this agency that choose to attend a Massachusetts public institution of higher education, and it requires the Board of Higher Education to establish guidelines for these waivers. Section 19 also states, "The commonwealth, not the institutions of public higher education, shall bear the cost of these waivers, after all reimbursement from the federal government have been exhausted."

### **DEFINITIONS:**

#### ***ELIGIBLE INSTITUTION:***

An institution within the system of public higher education under Section 5 of Chapter 15A of the General Laws.

#### ***ELIGIBLE PROGRAM:***

Any eligible state supported undergraduate degree or certificate program offered by the institution.

#### ***ELIGIBLE STUDENT:***

Shall mean a student who has not earned a baccalaureate degree and meets the following conditions:

- Is a current or former foster child placed in the custody of the Department of Children and Families and remained in custody through age 18 without subsequently being returned home, or
- Is a child whose guardianship was sponsored by the Department of Children and Families through age 18;
- and meets the following criteria:
  - a) Is a permanent legal resident of Massachusetts or was a permanent legal resident at the time of the Department of Children and Families sponsored guardianship
  - b) Is a US Citizen or noncitizen eligible under Title IV Regulations
  - c) Was in the custody of the Department of Children and Families for at least six months before age of 18
  - d) Has applied for financial aid, using the Free Application for Federal Student Aid (FAFSA), and

- e) Is enrolled full time, half time, or part time in an eligible program or is taking an eligible course as defined
- f) Is in compliance with applicable law regarding Selective Service
- g) Is not in default of any Federal or State Student Loans for attendance at any institution or owes a refund for any previous financial aid received
- h) Is in good standing and meets the institution's requirements for Satisfactory Academic Progress

***ELIGIBLE COURSE:***

Any state-supported course offered by an institution at a public college or university, excluding all graduate courses and courses in the M.D. program at the University of Massachusetts Medical Center. Eligible courses include those toward an undergraduate degree program, certificate program, short-term certificate program, and non-credit courses. Institutions are encouraged to develop waiver programs for eligible students that would provide 50 percent tuition waiver for any non-state supported course and/or certificate program.

***AWARD VALUE:***

Subject to budget appropriation, the award under this program shall be equal to 100 percent of all billed tuition and fees, at the resident rate, as follows:

- a) a waiver of tuition for all students who qualify for tuition waivers under this section of the Commonwealth Tuition Waiver Guidelines, plus 100 percent of all fees for all state-supported courses or program of study.

Whenever the fiscal year appropriation is not sufficient to permit reimbursement of 100 percent of fees, the DHE will prioritize assistance to students meeting the legislative mandated EFC, up to 100 percent. Students with an EFC of \$10,000 and above will be reimbursed for fall/spring fees, subject to available funding, and only after 100% of all fees are reimbursed for students with an EFC below \$10,000, as required by appropriation language. In all cases, all awards are subject to appropriation and assistance under this program is awarded after consideration of all other federal scholarship and grant resources. Institutions may not use this tuition and fee assistance program to supplant other state, federal or institutional aid previously awarded to the student. Wherever possible, institutions are encouraged to use the Tuition and Fee Assistance Program to reduce student education loan debt.

***INSTITUTIONAL DISBURSEMENT OF GRANT:***

Each participating institution must provide information to the Massachusetts Department of Higher Education regarding the student's financial aid award for the current academic year. This information will be used to determine the student's Tuition and Fee assistance. Institutions must disburse funds in compliance with guidelines governing all state financial aid programs.

***PARTICIPATION AGREEMENT:***

All institutions receiving funds under the Massachusetts Foster Child Tuition and Fee Assistance Program for eligible Foster Children must have an active State Financial Aid Participation Agreement on file with the Office of Student Financial Assistance.

**AUDIT REQUIREMENTS:**

- a) The Commissioner of Higher Education shall require each campus to furnish annually by August 31 a report detailing the number of Foster Children assisted for the previous year and the corresponding amount of tuition waived.
- b) All financial books, records and documents pertaining to this program shall at all times be open to inspection, review and audit by the Commissioner of Higher Education, the State Auditor or their authorized representatives who shall have access to the premises wherever such books, records and documents are located. The institutions shall retain such books, records and documents for seven years. An institution may retain such records for a period of five years if approval is received from the Records Conservation Board in accordance with General Laws, Chapter 30 Section 42.