

SENATE EDUCATION COMMITTEE SUBSTITUTE FOR
SENATE BILL 206

51ST LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2014

AN ACT

RELATING TO HIGHER EDUCATION; PROVIDING FOR THE WAIVER OF
TUITION AND FEES AT PUBLIC POST-SECONDARY EDUCATIONAL
INSTITUTIONS FOR STUDENTS WHO HAVE BEEN IN THE FOSTER CARE
SYSTEM.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. A new section of Chapter 21 NMSA 1978 is
enacted to read:

"[NEW MATERIAL] FOSTER CHILD TUITION AND FEE WAIVER
ELIGIBILITY--NOTIFICATION.--

A. The state educational institutions set forth in
Article 12, Section 11 of the constitution of New Mexico and
their branches, community colleges as provided in Chapter 21,
Article 13 NMSA 1978 and technical and vocational institutes as
provided in Chapter 21, Article 16 NMSA 1978 shall not charge

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1 tuition or fees pursuant to Section 21-1-4 NMSA 1978 to a
2 student:

3 (1) for whom the children, youth and families
4 department provides certification that the student was in the
5 legal custody of the children, youth and families department
6 pursuant to the Children's Code or for whom a New Mexico Indian
7 nation, tribe, or pueblo or the United States department of the
8 interior bureau of Indian affairs division of human services
9 provides certification that the student was in the legal
10 custody of a New Mexico Indian nation, tribe or pueblo or the
11 United States department of the interior bureau of Indian
12 affairs division of human services:

13 (a) on the day preceding the student's
14 eighteenth birthday;

15 (b) on or after the day of the student's
16 fourteenth birthday and the student's parents' rights were
17 relinquished or terminated at that time; or

18 (c) on the day the student graduated
19 from a high school in the state or received a high school
20 equivalency certificate in the state; and

21 (2) who enrolls in one of the state
22 educational institutions set forth in Article 12, Section 11 of
23 the constitution of New Mexico and their branches, community
24 colleges as provided in Chapter 21, Article 13 NMSA 1978 and
25 technical and vocational institutes as provided in Chapter 21,

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1 Article 16 NMSA 1978 no later than the day of the student's
2 twenty-fifth birthday.

3 B. The higher education department shall
4 collaborate with the children, youth and families department,
5 the New Mexico Indian nations, tribes or pueblos and the United
6 States department of the interior bureau of Indian affairs
7 division of human services to ensure that middle school and
8 high school students who are or have been in the legal custody
9 of the children, youth and families department, a New Mexico
10 Indian nation, tribe or pueblo or the United States department
11 of the interior bureau of Indian affairs division of human
12 services learn about the provisions of this section."

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