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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:

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

(1) for whom the children, youth and
families department provides certification that the student
was in the legal custody of the children, youth and families
department pursuant to the Children's Code or for whom a
New Mexico Indian nation, tribe, or pueblo or the United
States department of the interior bureau of Indian affairs
division of human services provides certification that the

1 student was in the legal custody of a New Mexico Indian
2 nation, tribe or pueblo or the United States department of
3 the interior bureau of Indian affairs division of human
4 services:

5 (a) on the day preceding the student's
6 eighteenth birthday;

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

10 (c) on the day the student graduated
11 from a high school in the state or received a high school
12 equivalency certificate in the state; and

13 (2) who enrolls in one of the state
14 educational institutions set forth in Article 12, Section 11
15 of the constitution of New Mexico and their branches,
16 community colleges as provided in Chapter 21, Article 13
17 NMSA 1978 and technical and vocational institutes as provided
18 in Chapter 21, Article 16 NMSA 1978 no later than the day of
19 the student's twenty-fifth birthday.

20 B. The higher education department shall
21 collaborate with the children, youth and families department,
22 the New Mexico Indian nations, tribes or pueblos and the
23 United States department of the interior bureau of Indian
24 affairs division of human services to ensure that middle
25 school and high school students who are or have been in the

1 legal custody of the children, youth and families department,
2 a New Mexico Indian nation, tribe or pueblo or the
3 United States department of the interior bureau of Indian
4 affairs division of human services learn about the provisions
5 of this section." _____

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