

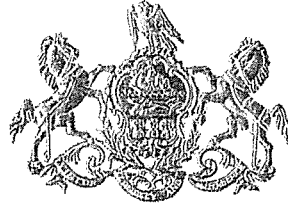
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March 13, 2012

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MEMORANDUM

TO: All Senators

FROM:  Senator Lisa Baker

SUBJECT: Bills Governing Residency Requirements for Tuition Waivers for Children and Spouses of Deceased Soldiers

Please join me in co-sponsoring a two-bill package that allows the children and spouse of a Pennsylvania National Guard member killed in action to qualify for the state's tuition waiver, regardless of whether the service member was a resident of Pennsylvania at the time of death.

The package amends existing law to provide that the Pennsylvania National Guard member must have been a resident of Pennsylvania at any time during his or her service in the Guard in order for the children or spouse to qualify for this educational benefit.

This legislation was prompted by a National Guardsman killed in combat in Afghanistan last summer. Although the fallen soldier was a resident of Pennsylvania at one time, and his children remained residents, the soldier may not have been an official resident at the time of his death. These two bills clarify that his children, and children in similar circumstances, are eligible to receive the tuition waiver should they decide to pursue higher education in Pennsylvania.

In the past ten years, only two children have been affected by this residency issue, according to the Pennsylvania Department of Military and Veterans Affairs (DMVA). While the legislation's scope is extremely limited, it provides a valuable benefit to those children who have suffered the loss of a parent in combat. This legislation is a priority for the DMVA.

Two distinct statutes relate to Pennsylvania's tuition benefit: (1) Section 3503 of Title 51 (Military Affairs) and (2) the Police Officer, Firefighter, Correction Employee and National Guard Member Child Beneficiary Act of 1998, as amended, which governs the Postsecondary Educational Gratuities Program administered by the Pennsylvania Higher Education Assistance Agency (PHEAA). Therefore, two bills have been drafted to effectuate this change.

If you wish to co-sponsor this two-bill package, please contact Liz Clancy by email at LClancy@pasen.gov or by phone at 787-7428. Thank you.