

LEGISLATIVE REFERENCE BUREAU

L.R.B. Form No. 4 (Rev. 3/25/10)

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No. _____

LEGISLATIVE REFERENCE BUREAU

AN ACT

Providing for a waiver of tuition and other fees for children of certain volunteer firefighters at community colleges and State-owned institutions of higher education and for additional powers and duties of the Pennsylvania Higher Education Assistance Agency.

INTRODUCED _____ 20 _____

By _____ District NO. _____

By _____ District NO. _____

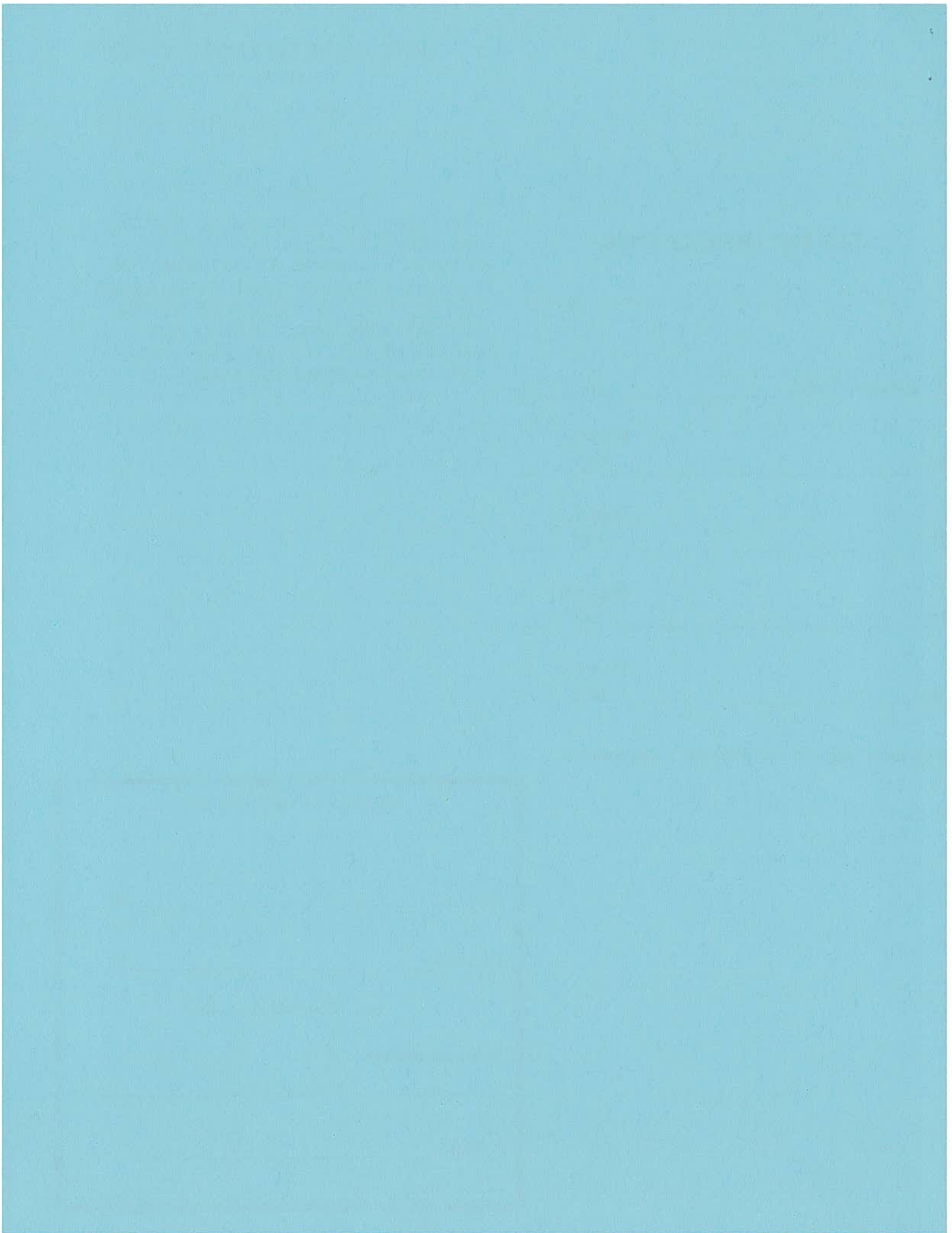
By _____ District NO. _____

By _____ District NO. _____

See next page for additional co-sponsors.

Referred to Committee on	
Date _____	20 _____
Reported _____	20 _____
As Committed-Amended	
Recommendation	

By Hon. _____	



AN ACT

1 Providing for a waiver of tuition and other fees for children of
2 certain volunteer firefighters at community colleges
3 and State-owned institutions of higher education and for
4 additional powers and duties of the Pennsylvania Higher
5 Education Assistance Agency.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Short title.

9 This act shall be known and may be cited as the Volunteer
10 Firefighter Child Postsecondary Education Waiver Act.

11 Section 2. Definitions.

12 The following words and phrases when used in this act shall
13 have the meanings given to them in this section unless the
14 context clearly indicates otherwise:

15 "Active member" or "active membership." The status of a
16 member in good standing of a volunteer fire company who,
17 accordingly, is actively involved on a regular basis in the
18 duties expected of a volunteer firefighter by a volunteer fire
19 company.

1 "Associate degree." An undergraduate degree awarded by a
2 community college or a State-owned institution.

3 "Baccalaureate degree." An undergraduate degree awarded by a
4 State-owned institution.

5 "Child." A resident of this Commonwealth who is the child by
6 birth or adoption of a volunteer firefighter.

7 "Community college." A public college or technical institute
8 which is established and operated under Article XIX-A of the act
9 of March 10, 1949 (P.L.30, No.14), known as the Public School
10 Code of 1949, and all branches or campuses of such public
11 college or technical institute.

12 "Educational waiver." The waiver, by a community college or
13 a State-owned institution, of tuition and fees for an eligible
14 child.

15 "Municipality." A county, city, borough, incorporated town
16 or township, regardless of form of government.

17 "Pennsylvania Higher Education Assistance Agency" or "PHEAA."
18 The Pennsylvania Higher Education Assistance Agency created by
19 the act of August 7, 1963 (P.L.549, No.290), referred to as the
20 Pennsylvania Higher Education Assistance Agency Act.

21 "Program." The Postsecondary Educational Waiver Program
22 established by this act.

23 "Room and board charge." The amount charged by a community
24 college or a State-owned institution for provision of lodging
25 and meals to a student enrolled at the community college or
26 State-owned institution.

27 "State-owned institution." An institution which is part of
28 the State System of Higher Education under Article XX-A of the
29 act of March 10, 1949 (P.L.30, No.14), known as the Public
30 School Code of 1949, and all branches and campuses of such

1 institution.

2 "Total institution charges." Tuition and fees plus room and
3 board charges.

4 "Tuition and fees." The instructional charge and any other
5 fee established by the governing board of a community college
6 for Commonwealth residents attending the community college or
7 the instructional fee established by the Board of Governors of
8 the State System of Higher Education for Commonwealth residents
9 attending State-owned institutions.

10 "Tuition waiver credit." Credit earned by an active
11 volunteer firefighter for three years of active service as a
12 member of a volunteer fire company that qualifies the child of
13 the active volunteer firefighter for one year of educational
14 instruction or two semesters at a community college or State-
15 owned institution.

16 "Volunteer fire company." A nonprofit chartered corporation,
17 association or organization located in this Commonwealth which
18 provides fire protection services within this Commonwealth.

19 "Volunteer firefighter." An individual who is an active
20 member of a volunteer fire company of this Commonwealth. The
21 term does not include a former member of a volunteer fire
22 company.

23 Section 3. Postsecondary Educational Waiver Program.

24 (a) Establishment.--

25 (1) The Postsecondary Educational Waiver Program is
26 established for any child of a volunteer firefighter.

27 (2) The program shall require that an eligible volunteer
28 firefighter serve as an active volunteer firefighter for
29 three years in order to earn one tuition waiver credit.

30 (3) No active volunteer firefighter shall be eligible to

1 earn a tuition waiver credit for service as an active
2 volunteer firefighter for a volunteer fire company beyond 12
3 total years of eligible service as an active volunteer
4 firefighter for a volunteer fire company.

5 (4) No active volunteer firefighter shall be eligible to
6 earn a tuition waiver credit for any service as an active
7 volunteer firefighter that occurred prior to the effective
8 date of this section.

9 (b) Eligibility.--

10 (1) A volunteer firefighter shall be deemed to be
11 eligible for the program if the volunteer firefighter is an
12 active member of a volunteer fire company.

13 (2) No individual who is a former member of a volunteer
14 fire company shall be eligible for the program.

15 (3) No individual who has applied for active membership
16 as a volunteer firefighter to a volunteer fire company shall
17 be eligible for the program.

18 (4) No individual employed as a firefighter on a full-
19 time basis by a municipality shall be eligible for the
20 program.

21 (5) A child of a volunteer firefighter who is an active
22 member of a volunteer fire company shall be eligible for an
23 educational waiver provided the child is 25 years of age or
24 younger at the time of application for participation in the
25 program, meets all admission requirements of the community
26 college or State-owned institution to which the application
27 is made and is enrolled as a full-time student at a community
28 college or a State-owned institution.

29 (6) A child who is 25 years of age or younger at the
30 time of the child's application for participation in the

1 program and who meets all other eligibility requirements may
2 receive an educational waiver for up to four years provided
3 the child otherwise continues to be eligible for
4 participation.

5 (c) Scope of benefit.--

6 (1) The benefit available under this section shall be
7 provided only for a full-time student who is pursuing
8 undergraduate studies leading to an associate degree or a
9 baccalaureate degree.

10 (2) A child becomes eligible for this benefit after the
11 child has applied for available scholarships and Federal and
12 State grants to cover tuition and fees. The child must
13 provide a record of application for such financial aid to the
14 community college or State-owned institution to which the
15 child applies.

16 (3) A community college or a State-owned institution
17 shall waive all remaining tuition, total tuition and fees
18 minus awarded scholarships and Federal and State grants, for
19 an eligible child during the time the child is enrolled as a
20 full-time student provided the child meets all requirements
21 for admission to the community college or State-owned
22 institution and during the child's enrollment complies with
23 all requirements of the institution for continued attendance
24 and award of an associate degree or a baccalaureate degree.

25 (d) Administration.--

26 (1) Applications for an educational waiver shall be
27 submitted to PHEAA by the child or the parent or guardian of
28 the child, together with a certified copy of the child's
29 birth certificate or adoption record or other documentation
30 of birth or adoption acceptable to PHEAA. The application

1 shall include a copy of the child's letter of acceptance at a
2 community college or a State-owned institution.

3 (2) Within 30 days of receipt of a completed
4 application, PHEAA shall send written notice to the child and
5 the community college or State-owned institution of the
6 child's eligibility or noneligibility for participation in
7 the program. If the child is determined to be ineligible for
8 an educational waiver, the notice shall include the reason or
9 reasons for such determination and an indication that an
10 appeal of PHEAA's determination may be made pursuant to 2
11 Pa.C.S. (relating to administrative law and procedure).

12 (3) Upon receipt of notification of the child's
13 eligibility from PHEAA, a community college or a State-owned
14 institution is prohibited from charging the child or the
15 child's parent or guardian any tuition or fee charge. If
16 moneys have been received by the community college or the
17 State-owned institution for these purposes, those moneys must
18 be refunded in full within 30 days of receipt by the
19 community college or the State-owned institution of the
20 notice of the child's eligibility.

21 (4) Each community college or State-owned institution at
22 which an eligible child is enrolled shall notify PHEAA upon
23 the child's graduation or when the child is no longer
24 enrolled at the community college or State-owned institution.

25 Section 4. Report to the General Assembly.

26 Each year as part of its budget presentation to the General
27 Assembly, PHEAA shall provide a report on:

28 (1) The number of applications submitted during the
29 prior year, including the number of applications approved and
30 disapproved.

1 (2) The number of children currently participating in
2 the program at community colleges or State-owned
3 institutions.

4 (3) The number of program participants who have
5 completed requirements for an associate degree or a
6 baccalaureate degree during the prior year.

7 (4) The total number of program participants who have
8 received an associate degree or a baccalaureate degree since
9 the program's inception.

10 (5) The number of program participants who were approved
11 for an educational waiver but who did not obtain an associate
12 degree or a baccalaureate degree.

13 Section 5. Regulations.

14 PHEAA shall, in the manner provided by law, promulgate the
15 rules and regulations necessary to carry out this act.

16 Section 6. Severability.

17 The provisions of this act are severable. If any provision of
18 this act or its application to any person or circumstance is
19 held invalid, the invalidity shall not affect other provisions
20 or applications of this act which can be given effect without
21 the invalid provision or application.

22 Section 7. Effective date.

23 This act shall take effect immediately.

