
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 747 Session of
2001

INTRODUCED BY LOGAN, KUKOVICH, WAUGH, COSTA, BOSCOLA, BODACK,
WAGNER, O'PAKE, MOWERY, KITCHEN, HUGHES, MUSTO AND STACK,
MARCH 28, 2001

REFERRED TO EDUCATION, MARCH 28, 2001

AN ACT

1 Establishing an educational assistance program for volunteer
2 firefighters; providing for grants; and making an
3 appropriation.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Educational
8 Assistance Program for Active Certified Volunteer Firefighters
9 Act.

10 Section 2. Definitions.

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

14 "Agency." The Pennsylvania Higher Education Assistance
15 Agency.

16 "Applicant." An active member of a volunteer fire company.
17 The Pennsylvania Higher Education Assistance Agency shall
18 determine whether the member is an active member of a volunteer

1 fire company. Active volunteer firefighter status may be
2 evidenced by acceptable documentation as determined by the
3 agency, including documentation provided by a representative.

4 "Approved institution of higher learning." An educational
5 institution offering a postsecondary program of education
6 located in this Commonwealth and approved by the Pennsylvania
7 Higher Education Assistance Agency.

8 "Approved program of education." A degree-granting or
9 certificate-granting curriculum or course of study pursued at an
10 approved institution of higher learning on a full-time or part-
11 time basis or its equivalent as determined by the Pennsylvania
12 Higher Education Assistance Agency.

13 "Commissioner." The Pennsylvania State Fire Commissioner.

14 "Full-time student." A student enrolled in an approved
15 institution of higher learning pursuing an approved program of
16 education equal or greater than 15 credit hours or its
17 equivalent recognized by the Pennsylvania Higher Education
18 Assistance Agency as a full-time course of study.

19 "Part-time student." A student enrolled in an approved
20 institution of higher learning pursuing an approved program of
21 education of less than 15 credit hours or its equivalent
22 recognized by the Pennsylvania Higher Education Assistance
23 Agency as a part-time course of study.

24 "Professional certification program." The program operated
25 by the Office of State Fire Commissioner for the certification
26 of firefighters.

27 "Program." The Educational Assistance Program established in
28 this act.

29 "Qualified resident." An individual who has been a bona fide
30 resident of this Commonwealth for a period of at least 12

1 consecutive months immediately prior to the time an application
2 for a grant is made. The Pennsylvania Higher Education
3 Assistance Agency shall determine whether an applicant is a
4 qualified resident.

5 "Representative." The fire chief or president of a volunteer
6 fire company.

7 "Volunteer fire company." A nonprofit, chartered
8 corporation, association or organization located in this
9 Commonwealth which provides fire protection services within this
10 Commonwealth.

11 Section 3. Educational Assistance Program.

12 (a) Purpose.--An Educational Assistance Program is hereby
13 established to provide grants to applicants for the purpose of
14 pursuing approved programs of education. Applicants shall be
15 entered into the program upon the receipt of their first grant
16 under subsection (b) or (c) and shall remain in the program for
17 the duration of their enrollment in an approved program of
18 education, but in no event shall they remain in the program for
19 a period exceeding five academic years or their equivalent, as
20 determined by the agency unless the agency determines that the
21 period of membership should be extended due to the applicant's
22 injury due to disability incurred in the line of duty.

23 (b) Criteria for part-time student assistance grants.--An
24 applicant is eligible to receive a part-time student assistance
25 grant pursuant to this act if the applicant meets all of the
26 following:

27 (1) Is a qualified resident of this Commonwealth.

28 (2) Has received a certificate of eligibility pursuant
29 to section 4.

30 (3) Has enrolled as a part-time student in an approved

1 program of education at an approved institution of higher
2 learning.

3 (4) Accepts an obligation to serve in a volunteer fire
4 company for a period of at least six years from the date of
5 entry into the program.

6 (c) Criteria for full-time student assistance grants.--An
7 applicant is eligible to receive a full-time student assistance
8 grant pursuant to this act if the applicant meets all of the
9 following:

10 (1) Is a qualified resident of this Commonwealth.

11 (2) Has received a certificate of eligibility pursuant
12 to section 4.

13 (3) Has enrolled as a full-time student in an approved
14 program of education at an approved institution of higher
15 learning.

16 (4) Accepts an obligation to serve in a volunteer fire
17 company for a period of at least six years from the date of
18 entry into the program.

19 (5) Does not possess a baccalaureate degree.

20 (d) Information required annually.--In order for an
21 applicant to receive a grant for each academic year in which the
22 applicant is a member of the program, an applicant shall
23 annually, in addition to meeting the requirements of this act,
24 provide such information as the agency, by regulation, deems
25 necessary.

26 Section 4. Certification of eligibility.

27 The commissioner shall verify to the agency that an applicant
28 has received certification from the Professional Certification
29 Program and shall provide the agency with a certificate of
30 eligibility for the applicant.

1 Section 5. Grant amounts.

2 (a) Part-time student assistance grants.--Grants awarded
3 pursuant to this act to part-time students shall be determined
4 by the agency without regard to financial need and shall not
5 exceed for each academic year or period the lesser of:

6 (1) one-half the tuition of the part-time course of
7 study in which the part-time student is enrolled; or

8 (2) one-half the tuition charged to a resident of this
9 Commonwealth at a member institution of the State System of
10 Higher Education for the same academic year or period.

11 (b) Full-time student assistance grants.--Grants awarded
12 pursuant to this act to full-time students shall be determined
13 by the agency without regard to financial need and shall not
14 exceed for each academic year or period the lesser of:

15 (1) the tuition of the approved institution of higher
16 learning for the approved program of education in which the
17 full-time student is enrolled; or

18 (2) the tuition charged to a resident of this
19 Commonwealth at a member institution of the State System of
20 Higher Education for the same academic year or period.

21 (c) Promissory notes.--At the time of receipt of the grant,
22 a part-time or full-time student shall sign a promissory note to
23 repay the full amount of the grant if the requirements of the
24 program are not fulfilled.

25 (d) Other grants.--The agency shall not reduce the amount of
26 other agency grants or aid for which the applicant qualifies on
27 account of the applicant's eligibility for or receipt of grants
28 pursuant to this act.

29 (e) Adjustments.--If the agency determines that the amount
30 appropriated for the program in any year will be insufficient to

1 provide grants in the amounts set forth in this section to all
2 applicants, the agency may reduce the maximum amount of the
3 grants proportionately or set a limit on the number of
4 participants to ensure that sums expended do not exceed
5 appropriations.

6 Section 6. Limitations.

7 (a) Time.--No applicant shall be eligible for part-time or
8 full-time student assistance grants or a combination thereof
9 pursuant to this act for a total of more than five academic
10 years or their equivalent as determined by the agency.

11 (b) Required active status.--No grant payments shall be made
12 pursuant to this act except during the applicant's service as an
13 active member of a volunteer fire company.

14 Section 7. Requirements.

15 (a) Liability.--An applicant who has received a grant shall
16 be required to remain on active service with a volunteer fire
17 company for a period of at least six years from the date of
18 entry into the program and remain enrolled as a part-time or
19 full-time student with respect to the type of grant they
20 initially received. An applicant who has received a grant and
21 fails to meet these requirements shall be liable to the
22 Commonwealth for repayment of all grant payments made.

23 (b) Review.--The agency shall determine whether an applicant
24 has complied with the requirements of this act.

25 (c) Forgiveness of recoupment.--The agency may forgive
26 recoupment of all or part of an applicant's grant payments if
27 the agency determines that the applicant's failure to fulfill
28 the six-year service obligation was the result of the
29 applicant's death or injury due to disability incurred in the
30 line of duty.

1 Section 8. Regulations.

2 The agency shall promulgate regulations to administer the
3 provisions of this act.

4 Section 9. Appropriation.

5 The sum of \$5,000,000 is hereby appropriated to the
6 Pennsylvania Higher Education Assistance Agency from the General
7 Fund for the purpose of issuing part-time and full-time student
8 assistance grants. A portion of the funds appropriated may be
9 used to pay the costs of the administration of this act. Sources
10 of the grants shall be appropriations. Administrative costs for
11 the 2001-2002 fiscal year shall not exceed 5% of the total
12 amount of funds appropriated. Administrative costs in subsequent
13 years shall not exceed 4% of the total amount of funds
14 appropriated and shall be based on the processing fee for the
15 total number of applications.

16 Section 10. Effective date.

17 This act shall take effect in 60 days.