



# Educational Benefits Initial Consideration

LEOFF Plan 2 Retirement Board

July 25, 2007

# Overview

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- Programs Available
  - Federal
  - State
  - Other
- Other States
- Policy Issues

# Federal

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- Public Safety Officers' Educational Assistance (PSOEA)
  - Eligibility
    - Children or spouse of public safety officer killed in the line of duty
    - Completed and paid PSOB claim
    - Spouse is eligible any time during lifetime
    - Child is eligible for expenses occurring prior to 27<sup>th</sup> birthday

# Federal

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- Award
  - Maximum of \$860/month full-time
  - Maximum of 45 months of full-time education

# State

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- Eligibility

- Children of law enforcement officer or firefighter killed or totally disabled in the line of duty
- Must begin course study within 10 years of graduation from high school

- Award

- All or a portion of tuition, fees and services and activities fees

# State

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- Limitations
  - Permissive not mandatory
  - Percentage of “gross authorized operating fees revenue”
  - Exceptions to the percentage of “gross authorized operating fees revenue” limitation

# Other Programs

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- Concerns of Police Survivors (COPS)
- National Fallen Firefighters Foundation

# Concerns of Police Survivors

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- Eligibility
  - Children and spouses of law enforcement officers killed in the line of duty
- Award
  - Maximum of \$1,500 per semester, \$12,000 lifetime



# National Fallen Firefighters Foundation

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- Eligibility

- Spouses, children and stepchildren of firefighters honored at the National Fallen Firefighters Memorial
- Children and stepchildren must be under age 30 and under age 22 at the time of the firefighter's death

# Other States

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- Child
  - Almost every state has a benefit
- Spouse and Child
  - Over 50%
- Room and Board
  - Some pay all or part

# Policy Issues

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- Include Spouses Under Current Law
- Make Tuition Waiver Mandatory
- Add Spouses and Children to Exceptions List

# Educational Benefits

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QUESTIONS?

# LAW ENFORCEMENT OFFICERS' AND FIRE FIGHTERS' PLAN 2 RETIREMENT BOARD

## Educational Benefits Initial Consideration

July 25, 2007

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### 1. Issue

The purpose of this report is to investigate current programs available to survivors of law enforcement officers and fire fighters killed or totally disabled in the line of duty for secondary education.

### 2. Staff

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### 3. Members Impacted

A change to the existing statutes for LEOFF Plan 2 could impact any active member with spouse or children. As of the most recent actuarial valuation there were 15,168 active LEOFF Plan 2 members.

### 4. Current Situation

There are three distinct levels of educational benefits for survivors of public safety officers killed or totally disabled in the line of duty. At the federal level, there is the Public Safety Officers' Educational Assistance (PSOEA) Program. The maximum award is \$860.00 per month for a full-time student. At the state level, state universities, regional universities, The Evergreen State College and community colleges may waive all or a portion of tuition fees and services, and activities fees. Organizations related to fire fighters and law enforcement officers such as, the Concerns of Police Survivors (COPS) and the National Fallen Firefighters Foundation (NFFF) offer scholarships to qualified survivors.

## **5. Background Information and Policy Issues**

### **Federal Educational Benefits**

On September 29, 1976 the President of the United States signed into law, legislation that is commonly referred to as the Public Safety Officers' Benefit Act (PSOB). The Act was amended in October 1998 to provide financial assistance for higher education to the dependants of federal, state, and local public safety officers who are killed or permanently and totally disabled as a result of traumatic injury sustained in the line of duty. Called the Public Safety Officers' Educational Assistance (PSOEA) Program, it is a federally funded program that provides educational benefits for the spouse and children of public safety officers killed in the line of duty.

The educational assistance may be used to defray relevant expenses, including tuition and fees, room and board, books, supplies, and other education-related costs. As of October 1, 2006, the maximum award for a full-time student is \$860.00 per month of class attendance (All award amounts are proportionately less for part-time students.). All PSOEA awards must, by law, be reduced by the amount of other governmental assistance that a student is eligible to receive.

The U.S. Department of Justice's Bureau of Justice Assistance - Office of Special Programs, the same office that administers the PSOB Program, administers the PSOEA Program. Assistance is only available after the PSOB death or disability claim process has been completed and benefits have been awarded. Further, the PSOEA applicant must have received at least a portion of the PSOB benefits and be defined as the officer's spouse or child under the PSOB Act and regulations. In January 2000, the law further extended the retroactive eligibility date for financial assistance. Accordingly, the law is retroactive and will apply to the spouses or children of public safety officers whose deaths or permanent and total disabilities are covered by the PSOB Program on or after January 1, 1978. Public safety officers' children are not eligible after their 27th birthday, absent a finding by the Attorney General of extraordinary circumstances.

The PSOEA Program will provide an educational assistance allowance, which may be used solely to defray educational expenses, including tuition, room and board, books, supplies, and education-related fees and costs. All PSOEA awards must, by law, be reduced by the amount of other governmental assistance that a student is eligible to receive.

### **State Educational Benefits**

For children of any law enforcement officer or fire fighter, who lost his or her life or became totally disabled in the line of duty, while employed by any public law enforcement agency or full-time or volunteer fire department in this state, the governing boards of the state universities, regional universities, The Evergreen State College and the governing boards of the community colleges may exempt them from the payment of all or a portion of tuition fees

and services and activities fees. However, such persons may receive the exemption only if they begin their course of study at a state-supported college, university or community college within ten years of their graduation from high school.

The laws allowing the waiver of tuition fees, service and activities fees apply only to the eligible children of law enforcement officers and fire fighters killed in the line of duty and do not include spouses. The amount of tuition, services and activity fees that a state university, regional university, The Evergreen State College and community college may waive is limited in statute to a percentage of the institution's gross authorized operating fees revenue. For example, the University of Washington is limited to 21% of their gross authorized operating fees revenue and the community colleges are all limited to 35% of their gross authorized operating fees revenue. While 21% of the University of Washington's gross operating fees revenue would seem to be a large sum of money, two things must be kept in mind. First, there are several other categories of students vying for those same dollars and second, the waiver is permissive, not mandatory.

There are some exceptions granted to the gross operating fee revenue limitation. These include; long-term unemployed and underemployed individuals, Washington residents who are age sixty or older, state employees, teachers and other instructional staff and certain military or naval veterans. For these groups, the waiver is also permissive.

The last group granted exceptions to the waiver limitation are the children and spouses of eligible veterans and national guard members, who became totally disabled or lost his or her life while engaged in active federal military or naval service. For this group, the waiver is mandatory.

### **COPS, National Fallen Firefighters Foundation and Other Organizations**

Concerns of Police Survivors (COPS) offers scholarships that provide financial assistance to surviving children and to surviving spouses of law enforcement officers killed in the line of duty who wish to pursue a course of study beyond high school. Scholarships are not awarded for post-graduate study. Scholarships are not awarded to survivors who are entitled to a tuition-free education as a state death benefit.

Applicants seeking financial assistance for education purposes are limited to the receipt of not more than \$1,500 per semester, and total scholarship awards shall not exceed a \$12,000 lifetime maximum. COPS scholarships are awarded three times annually: Fall/Winter semester (begins late August or early September), Winter/Spring semester (begins late December or early January), and Summer semester (begins May or June). A completed application is required for consideration each semester, and the awarding of a scholarship for any one semester does not guarantee a scholarship for any future semesters.

Scholarship recipients are determined by an independent Scholarship Committee drawn from the outside community and comprised of persons knowledgeable about education and the law

enforcement profession. The National Board of COPS determines the amount of funding that will be set aside for educational scholarships each year.

Scholarships are paid directly to the institution of higher learning on behalf of the scholarship recipient and may be expended only for tuition, required texts, and associated fees (not room and board charges). Any unused amount is returned to COPS.

COPS has partnered with a university accredited by the Higher Learning Commission of North Central Association of Colleges and Schools (NCACS) to receive a special reduced tuition rate. They offer 100% online distance learning degree programs for adult learners to obtain a college education. One can earn a Bachelor's degree, Master's degree or Doctorate degree in Psychology, Business and Technology Management or Education.

The National Fallen Firefighters Foundation offers financial assistance for post-secondary education and training to spouses, children and stepchildren of fire fighters. Children and stepchildren must be under age 30 and have been under age 22 at the time of the fire fighter's death.

Additionally, surviving spouses may also receive assistance through the Steve Young Memorial Scholarship Program administered by the Fraternal Order of Police (FOP). The line-of-duty death must have occurred between January 1, 2001 and December 31, 2006, and meet other criteria and stipulations.

### **Educational Benefits in Other States**

Like Washington, almost every state has some form of tuition waiver for eligible children of law enforcement officers or fire fighters killed in the line of duty. They vary on age, number of semester or quarters covered and whether or not stepchildren qualify. Over half of the states also cover spouses, although many have the benefit terminate upon remarriage. Some states include textbooks and other fees. There are several states that include room and board in their waiver laws. Some states allow for post-graduate work.

### **Policy Issues**

There are several policy issues the Board can examine. One issue is whether or not to include spouses under the current waiver laws. A second issue is whether or not to move them to the list of exceptions to the waiver limitations. Finally, the Board may want to consider whether or not the waiver should be mandatory.



## 6. Supporting Information

### References

PSOEA – [http://www.ojp.usdoj.gov/BJA/grant/psob/psob\\_education.html](http://www.ojp.usdoj.gov/BJA/grant/psob/psob_education.html)

COPS – <http://www.nationalcops.org/serv05.htm>

National Fallen Firefighter Foundation – <http://www.firehero.org/>

Other States – [http://www.nvfc.org/benefits/state-by-state.php?Type=Death\\_Educ\\_Child](http://www.nvfc.org/benefits/state-by-state.php?Type=Death_Educ_Child)  
[http://www.nvfc.org/benefits/state-by-state.php?Type=Death\\_Educ\\_Spouse](http://www.nvfc.org/benefits/state-by-state.php?Type=Death_Educ_Spouse)