

Guidelines: Education Benefits for Certain Survivors of Individuals in Specific Public Servant Positions



**Student Financial Aid Programs
Texas Higher Education Coordinating Board**

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EDUCATION BENEFITS FOR CERTAIN SURVIVORS OF INDIVIDUALS IN SPECIFIC PUBLIC SERVANT POSITIONS

The Texas Higher Education Coordinating Board (THECB) Program Guidelines are intended to support institutions by highlighting requirements that appear in the Texas Education Code (TEC). When administering this program, institutions should always refer to the applicable statutes and rules. The information provided in this document is to be used solely as a resource and does not supersede the statute for this program.

PROGRAM AUTHORITY AND PURPOSE

The exemption for Education Benefits for Certain Survivors of Individuals in Specific Public Servant Positions is authorized by [TEC, Chapter 54, Subchapter D, Section 54.354](#). The program provides education benefits, including exemption from the payment of all tuition, fees, housing, and food expenses, for eligible children and spouses of specific public servants killed in the line of duty.

ELIGIBLE INSTITUTIONS

Any public institution of higher education as defined in [TEC, Section 61.003\(8\)](#), is **required** to participate in the Education Benefits for Certain Survivors of Individuals in Specific Public Servant Positions program.

ELIGIBILITY

ELIGIBILITY REQUIREMENTS [TEC, SECTION 54.354\(A\)](#)

The institution will decide what documentation is necessary to determine whether the surviving spouse or surviving minor child is eligible to receive benefits under the Education Benefits for Certain Survivors of Individuals in Specific Public Servant Positions program.

DOCUMENTATION SUBMITTED MUST PROVE THE FOLLOWING:

Student is an eligible spouse or child.

- An eligible child is:
 - A biological or adopted child (of an eligible public servant) who was younger than 18 years of age on the date of that parent's death
 - A non-biological or non-adopted child who was claimed as a dependent on the federal income tax return (of an eligible public servant) in the year prior to the eligible public servant's death and who was younger than 18 years of age on the date of the individual's death.
- An eligible spouse is:
 - A person who was lawfully married (with or without formalities) to an eligible public servant prior to his or her death.

The deceased public servant was:

- Elected, appointed, or employed as a peace officer by the state or a political subdivision of the state under Article [2.12](#), Code of Criminal Procedure, or other law;
- Employed as a peace officer by a private institution of higher education, including a private junior college, that is located in this state under [TEC, Section 51.212](#);
- A paid probation officer appointed by the director of a community supervision and corrections department who has the duties set out in [Texas Government Code, Section 76.002](#), and the qualifications set out in [Section 76.005](#), or who was appointed in accordance with prior law;
- A parole officer employed by the Texas Department of Criminal Justice who has the duties set out in Section [Texas Government Code 508.001](#) and the qualifications set out in [Section 508.113](#) or in prior law;
- A paid jailer;
- A member of an organized police reserve or auxiliary unit who regularly assists peace officers in enforcing criminal laws;
- A member of the class of employees of the correctional institutions division formally designated as custodial personnel under [Texas Government Code, Section 615.006](#), by the Texas Board of Criminal Justice or its predecessor;
- A jailer or guard of a county jail who is appointed by the sheriff and who:
 - Performs a security, custodial, or supervisory function over the admittance, confinement, or discharge of prisoners and is certified by the Texas Commission on Law Enforcement;
- A juvenile correctional employee of the Texas Juvenile Justice Department;
- An employee of the Department of Aging and Disability Services or Department of State Health Services who:
 - Worked at the department's maximum-security unit or performs on-site services for the Texas Department of Criminal Justice;
- An employee of the state or a political or legal subdivision and is subject to certification by the Texas Commission on Fire Protection;
- An employee of the state or a political or legal subdivision whose principal duties are aircraft crash and rescue firefighting;
- A member of an organized volunteer fire-fighting unit that:
 - Renders fire-fighting services without remuneration; and conducts a minimum of two drills each month, each two hours long;
- An individual who performed emergency medical services or operated an ambulance;

- Employed by the political subdivision of the state or is an emergency medical services volunteer as defined by [Health and Safety Code 773.003](#), and qualified as an emergency care attendant or at a higher level of training under Section [773.046](#), [773.047](#), [773.048](#), [773.049](#), or [773.0495](#), Health and Safety Code;
- An employee or formally designated as a chaplain for an organized volunteer fire-fighting unit or other fire department of this state or of a political subdivision of this state; law enforcement agency of this state or of a political subdivision of this state; or the Texas Department of Criminal Justice;
- Employed by the state or a political subdivision of the state and who is considered by the governmental employer to be a trainee for a position otherwise described in [Texas Government Code, Section 615.003](#);
- Employed by the Department of Public Safety and, as certified by the director, was:
 - Deployed into the field in direct support of a law enforcement operation, including patrol, investigative, search and rescue, crime scene, on-site communications, or special operations; and given a special assignment in direct support of operations relating to organized crime, criminal interdiction, border security, counterterrorism, intelligence, traffic enforcement, emergency management, regulatory services, or special investigations
- Employed by the Parks and Wildlife Department and, as certified by the executive director of the Parks and Wildlife Department, was:
 - Employed into the field in direct support of a law enforcement operation, including patrol, investigative, search and rescue, crime scene, on-site communications, or special operations; and given a special assignment in direct support of operations relating to organized crime, criminal interdiction, border security, counterterrorism, intelligence, traffic enforcement, emergency management, regulatory services, or special investigations.

*If the parent's death occurred *prior to* Sept. 1, 2000, the student may be eligible for the [Children of Disabled or Deceased Firefighters and Law Enforcement Officers](#) program ([TEC, Section 54.351](#)).

ENROLLMENT REQUIREMENTS:

- Must meet all entrance requirements of the institutions.
- Be enrolled full-time as an undergraduate student or attending only undergraduate courses.
- Be registered with Selective Service or be exempt (see [Selective Service Statement Requirements](#)).

CONTINUATION OF ELIGIBILITY

A student can continue to receive this exemption in subsequent semesters or terms if the student:

- Meets the institution's grade point average (GPA) requirement for financial aid.

NOTE: A student who fails to meet the institutional GPA requirement may have the ability to regain eligibility for this exemption if he or she meets the GPA requirement during an upcoming term or semester in which the exemption was not awarded. The student may also be granted a hardship **exception** by the institution.

DISCONTINUATION OF ELIGIBILITY

A student may *not* continue to receive this exemption in a subsequent semester or term if the student:

- Has enrolled in undergraduate hours considered to be excessive under [TEC Section 54.2001 \(a\)\(2\)](#);
- The student receives a bachelor's degree; or
- The student has attempted 200 hours of course credit while receiving the exemption.

NOTE: At the start of a semester or term, if a student is attempting undergraduate hours considered to be excessive, the student may continue to receive this exemption if he or she is granted a hardship **extension** by the institution.

HARDSHIP PROVISIONS

Institutions must adopt a hardship policy that may grant a student an **exception** from meeting the institution's GPA requirement, or an **extension** of eligibility for undergraduate excess hours, when a student has a showing of a hardship or other good cause, including:

- A showing of a severe illness or other debilitating condition that could affect the student's academic performance;
- An indication that the student is responsible for the care of a sick, injured, or needy person and that the student's provision of care could affect the student's academic performance;
- The student's active duty or other service in the United States armed forces or the student's active duty in the Texas National Guard; or
- Any other cause considered acceptable by the institution.

All hardship decisions must be documented in the student's record and be available for submission to the THECB, if requested.

AWARDING

Institutions **must exempt** the cost of all tuition, fees, and books for **eligible** undergraduate courses attempted by the student. Eligible courses are those for which an institution receives formula funding ([TEC, Section 54.2002](#)).

NOTE: Formula funding is defined as the method used to allocate appropriated sources of funds among institutions of higher education. Formula-funded courses are those that do not depend solely on student tuition and fees to cover their costs.

Institutions are **required** to pay (from appropriated general revenue) the cost of a student's housing and food if:

- The student qualifies to reside in institutional housing, and the student elects to reside in that housing.

⚠️ ALERT: If there is no space available in the institution's student housing, the institution **must** pay the student each month an equivalent amount that would have expended had the student lived in the institution's housing.



SELECTIVE SERVICE STATEMENT

Male students must be registered with or exempt from Selective Service (SS) in order to be eligible to receive federal or state financial assistance. In accordance with [TEC, Section 51.9095](#), male students must file the required **Selective Service Statement of Registration Status** (found below) with their institution or other entity granting or guaranteeing financial assistance. This includes grants, scholarships, loans, or other assistance funded by state revenue, including federal funds or gifts and grants accepted by the state.

When is the statement NOT Required?

- **When the SS registration is confirmed through the Institutional Student Information Record (ISIR):** The ISIR confirmation serves as the student’s official, signed statement because the Department of Education validates registration directly with the Selective Service System (SSS).
- **NEW** **When the SS registration is confirmed through the [SSS.gov website](#):** The institution can save the confirmation directly from the website to serve as the student’s official, signed statement on record.
- **NEW** **When the ISIR confirms that a student is under the age of 18:** No statement or documentation is needed for the applicable award year, even if the student turns 18 during that year.

When is the statement REQUIRED, including all supporting documentation?

- When the student completes a Free Application for Federal Student Aid (FAFSA) but is flagged “not registered” on the ISIR and SS status **cannot** be confirmed on the [SSS.gov website](#).
- **NEW** **When the student completes a Texas Application for State Financial Aid (TASFA):** The required statement is embedded in the 2020-21 TASFA and must be completed by the student.
- **NEW** **When the student does not complete a FAFSA or TASFA but applies for state financial aid, such as through exemptions or waivers, and SS status cannot** be confirmed on the [SSS.gov website](#).

ADDITIONAL INFORMATION

FREQUENCY COLLECTING THE STATEMENT

If the student’s status will NOT change, the statement and supporting documentation can be used for subsequent semesters. (Example: The student entered the U.S. after the eligible age to register.)

If the student’s status is temporary, the statement must be collected each academic year until the student is registered or determined exempt. (Example: Student is under age 18 but did not complete a FAFSA or TASFA.)

RETENTION SCHEDULE

The status statement and all documentation must be retained in the student’s record for 7 years after the date of completion of the award period ([TEC, Section 441.1855](#)).

REPROCESSED ISIRS

If the student’s most recent ISIR transaction has been reprocessed by the Central Processing System (CPS) and the registration with the SSS was confirmed, the institution does not need to collect the status statement or any documentation.

Institutions may collect the required status statement and documentation either electronically or on paper.

[\(English Statement\)](#) or [\(Spanish Statement\)](#)

SELECTIVE SERVICE STATEMENT OF REGISTRATION STATUS	
Male students must verify their current Selective Service registration status by marking one of the statements below and providing proof of their registration status to their current institution. Failure to do so may result in the loss of eligibility for state financial aid.	
_____ I am under the age of 18 and not currently required to register.	
_____ I am REGISTERED with the Selective Service and, <i>Check the following box that applies:</i> <input type="checkbox"/> I have already submitted proof of registration to my current institution. <input type="checkbox"/> Proof of registration is included with this statement. <input type="checkbox"/> I will submit proof of my registration. NOTE: Proof is required to be considered eligible for financial aid.	_____ I am EXEMPT from registration and, <i>Check the following box that applies:</i> <input type="checkbox"/> I have already submitted proof of my exemption to my current institution. <input type="checkbox"/> Proof of my exemption is included with this statement. <input type="checkbox"/> I will submit proof of my exemption. NOTE: Proof is required to be considered eligible for financial aid.
_____ I am over the age of 18. I am not registered with Selective Service and I am not exempt from registration with Selective Service.	
I, _____, hereby certify that the Selective Service status statement provided above is true and accurate.	
Student ID: _____	Signature: _____ Date: _____

APPENDIX 1: QUICK REFERENCES

CONTACT FINANCIAL AID SERVICES

By phone: (844) 792-2640

Contact us by completing an [online inquiry form](#) and select “Financial Aid Question” as the Contact Reason.

OTHER RESOURCES FOR INSTITUTIONS

General program information for institutions	Student Financial Aid Programs Information Webpage
Texas Program Statutes	Texas Education Code
Texas Program Rules	Texas Administrative Code
Information concerning programs, procedures, allocations, and other topics will be communicated to institutions through the GovDelivery system. To receive these communications, interested individuals must subscribe.	GovDelivery
Federal Selective Service Requirement Guide	Who Must Register Chart