

Guidelines: Peace Officers and Firefighters Disabled in the Line of Duty

**Texas Higher
Education**
COORDINATING BOARD

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PEACE OFFICERS AND FIREFIGHTERS DISABLED IN THE LINE OF DUTY

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. 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 Peace Officers and Firefighters Disabled in the Line of Duty is authorized by [TEC, Chapter 54, Subchapter D, Section 54.352](#). The program provides an exemption from tuition and fees to eligible peace officers and firefighters who are permanently disabled as a result of an injury sustained in the line of duty.

ELIGIBLE INSTITUTIONS

Texas public institutions as defined in [TEC, Section 61.003\(8\)](#), are **required** to participate in the Peace Officers and Firefighters Disabled in the Line of Duty program.



STOP: House Bill 766 of the 86th Legislative Session added disabled firefighters as eligible recipients of this program. The exemption for both peace officers and firefighters is now mandatory for the institution beginning fall 2019.

ELIGIBILITY

ELIGIBILITY REQUIREMENTS ([TEC, SECTION 54.352\(e\)](#))

The institution will decide what documentation is necessary to determine whether the student was an eligible peace officer or firefighter who suffered an eligible injury that resulted in his or her permanent disability.

DOCUMENTATION SUBMITTED MUST PROVE THE FOLLOWING:

Student was an eligible peace officer or firefighter.	Student suffered an eligible injury.
<ul style="list-style-type: none"> • An eligible peace officer is defined as an: <ul style="list-style-type: none"> ○ Individual elected, appointed, or employed to serve as a peace officer for a governmental entity under Article 2.12, Code of Criminal Procedure, or other law. • An eligible firefighter is defined as a: <ul style="list-style-type: none"> ○ Member of a fire department who performs a function listed in Section 143.003(4), Local Government Code, without regard to whether the individual is subject to a civil service system or program. 	<ul style="list-style-type: none"> • Peace officers must have suffered their injury while performing any of the following duties: <ul style="list-style-type: none"> ○ Traffic enforcement or traffic control duties, including enforcement of traffic laws, investigation of vehicle accidents, or directing traffic; ○ Pursuit, arrest, or search of a person reasonably believed to have violated a law; ○ Investigation, including undercover investigation, of a criminal act; ○ Patrol duties, including automobile, bicycle, foot, air, or horse patrol; ○ Duties related to the transfer of prisoners; or ○ Training duties, including participation in any training required by the officer's employer or supervisor or by the Texas Commission on Law Enforcement. • Firefighter duties are not defined.

Student is considered permanently disabled.

Permanent disability can only be determined by the chief administrative officer of the law enforcement agency, fire department, or other entity that employed the student at the time of the injury. The determination must serve as sufficient evidence that the student is no longer able to continue employment as a peace officer or firefighter as a result of the disability.

ENROLLMENT REQUIREMENTS:

- Be enrolled as an undergraduate student or be attending only undergraduate courses.
- Be enrolled as a graduate student, having never been awarded the exemption for the completion of a master's degree.
- Be enrolled as a doctoral student, having never been awarded the exemption for the completion of a doctoral degree.
- Be registered with Selective Service or be exempt (see [Selective Service Statement Requirements](#)).

ALERT: Child Support Arrearages

Per [Texas Family Code, Title 5, Section 231.006](#), a student who is obligated to pay child support and is more than 30 days delinquent is not eligible to receive a state-funded grant or loan.

Institutions determine how to best comply with this state requirement and should work with their legal counsel on questions related to this statutory mandate.

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.
- Is attempting to complete a degree, having never been awarded the exemption for the completion of that degree.

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 while enrolled as an undergraduate if the student:

- Has enrolled in undergraduate hours considered to be excessive under [TEC, Section 54.2001\(a\)\(2\)](#).
- Has received the exemption for a total of 12 undergraduate semesters.

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.



SELECTIVE SERVICE STATEMENT ([TAC, Title 19, Section 22.3](#))

Under [TEC, Title 3, Section 51.9095](#), an individual must file a statement of their selective service status with the institution confirming registration or exemption.

This statute applies to all state-funded financial aid, as well as “federal funds or gifts and grants accepted by this state.” The statement is required from students receiving federal aid or private donations that pass through the state Treasury or Governor’s office (i.e., Governor’s Emergency Education Relief (GEER)), state-appropriated funds, or institutional funding, which includes programs funded by tuition set-asides, exemptions, and waivers.

ALERT: Proof of Selective Service Status No Longer Required

Institutions are no longer required to collect “proof” of registration or exemption from students or to verify the accuracy of the statement against external databases or other resources if conflicting information does not exist (see [Updated Guidance on Statutory Requirements that Impact Financial Aid Memo](#)).

Note: The THECB approved an amendment to TAC, Title 19, Section 22.3 during their quarterly meeting held on April 28, 2022.

Any of the following can be used to meet the statutory statement requirement:

- THECB Selective Service Statement of Registration Status ([English Statement](#) or [Spanish Statement](#))
- Printout from [SSS.gov](#) website
- Institutional Student Information Record (ISIR) if status is available
- THECB Selective Service Statement of Registration Status imbedded in the Texas Application for State Financial Aid (TASFA)

ADDITIONAL INFORMATION

COLLECTION METHOD

The institution has flexibility to create an online, paper, or alternate method to collect the statement as long as it uses the content developed and required by the THECB.

FREQUENCY COLLECTING THE STATEMENT

If the student’s status will NOT change, the statement collected can be used for subsequent semesters at the same institution.

If the student is NOT registered for selective service, a statement must be collected each time they apply for financial aid or a student loan until the statement indicates registered or exempt.

MALES AGE 26 OR OLDER

Individuals older than the maximum age at which an individual is required to be registered with the Selective Service System under federal law are not required to complete this status statement.

RETENTION SCHEDULE

The status statement must be retained in the student’s record based on the retention schedule outlined in the institution’s Program Participation Agreement (PPA).

SELECTIVE SERVICE STATEMENT OF REGISTRATION STATUS

In accordance with [Texas Education Code, Section 51.9095](#), male students must file a Selective Service Statement of Registration Status with their institution or other entity granting financial assistance. For more information about the Selective Service System, visit [sss.gov](#).

Please mark **one** option below:

<input type="checkbox"/> I was born female and not required to register. <input type="checkbox"/> I was born male and am under the age of 18 and not currently required to register. <input type="checkbox"/> I was born male and am REGISTERED with the Selective Service. <input type="checkbox"/> I was born male and am over the age of 18. I am not registered with Selective Service and I am not exempt from registration with Selective Service.	<input type="checkbox"/> I was born male and am EXEMPT from registration because: (please briefly explain why you are exempt in the box below.) <div style="border: 1px solid black; height: 60px; margin-top: 5px;"></div>
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I, _____, hereby certify that the Selective Service status statement provided above is true and accurate.

Student ID: _____ Signature: _____ Date: _____

Complete and return to the Financial Aid Office at your institution of higher education.

Selective Service Statement of Registration Status As of 09/28/2021

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