

Florida Department of Education (FDOE) Guidance on Rule 6A-14.0306, F.A.C.

The purpose of this question and answer document is to provide additional information and clarification regarding the new Rule 6A-14.0306, Florida Administrative Code (F.A.C.), *Death Benefits for Survivors of First Responders and Military Members*. This guidance is aimed to ensure all institutions have the information needed to implement the relevant fee waivers.

1. Q: What is the purpose of this rule?

A: The purpose of this rule is to outline the procedures to provide educational death benefits to eligible spouses and children of firefighters, paramedics, emergency medical technicians, law enforcement officers, correctional officers, correctional probation officers and members of the Florida National Guard and the United States Armed Forces who, while performing official duties, are killed or are injured and die as a result of such injury.

2. Q: When did the waiver become effective?

A: In 2019, the amendments outlined in Senate Bill 7098 (Chapter No. 2019-24, Laws of Florida) pertaining to first responders and members of the Florida National Guard and the United States Armed Forces went into effect July 1, 2019. (DFC Memo June 28, 2019: <http://www.fldoe.org/core/fileparse.php/5592/urlt/19LegtoFCSPresidents.pdf>)

3. Q: To whom must a Florida College System institution provide the waiver?

A: The spouses or children of deceased firefighters, paramedics and emergency medical technicians, law enforcement officers, correctional officers and correctional probation officers, Members of the Florida National Guard and the United States Armed Forces are eligible for the educational benefits. See Table 1 for a summary of the applicable waivers.

4. Q: How many credits or clock hours does the waiver cover?

A: The waiver covers the amount equal to the cost of tuition and matriculation and registration fees for a total of 120 credit hours or 3,600 clock hours.

5. Q: Must the deceased have been a Florida resident at the time of death for their surviving spouses or children to qualify for the waiver?

A: For spouses and children to utilize the educational benefits, the following must apply:

- *Law enforcement, correctional or correctional probation officer:* Must have been employed, elected or appointed by a municipality, the state or any political subdivision of the state as a: (1) full-time, part-time, or auxiliary law enforcement officer, correctional officer, or correctional probation officer, as defined in s. 943.10(14), F.S.; (2) a state attorney investigator or public defender investigator, with duties as specified in s. 112.19(1)(b), F.S.; or (3) a full-time officer or employee certified pursuant to Chapter 943, F.S., whose duties include serving process or attending court as bailiff.
- *National Guard:* Must have been full-time Florida active duty.
- *Firefighter:* Must have been a duly employed uniformed firefighter employed by an employer of Florida municipal, county and state fire prevention, certified pursuant to [s. 633.408, F.S.](#)
- *The United States Armed Forces:* The deceased military member of the United States Army, Navy, Air Force, Marine Corps or Coast Guard must have been a Florida resident, or his or her duty post must have been within Florida, at the time of death.
- *Emergency medical technician or paramedic:* Must have been certified by the Florida Department of Health to perform basic or advanced life support pursuant to Part III of

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Chapter 401; must have been employed by a state board, commission, department, division, bureau, or agency, or a county, municipality, or other political subdivision of the state; and whose primary duties and responsibilities include on-the-scene emergency medical care.

6. Q: Is the spouse or child required to be a Florida resident to be eligible for the waiver?

A: No. Spouses and children may utilize the waiver if the first responders and military members were employed according to the requirements outlined in question 5.

7. Q: What documentation is required for proof of eligibility?

A: Each Florida College System institution board of trustees shall adopt written policies and procedures for determining waiver eligibility, including any necessary documentation to prove marriage, kinship, employment or military status, death, and death in the line of duty, and offer examples of such documentation. Institutional policies may also include an appeals process after an initial eligibility determination.

8. Q: How should colleges report these waivers?

A: For state reporting, the Student Database Data Element 3006 Course Fee Kind will be modified to include a new table value. Table value "2" should be used for a child or spouse of a Florida National Guard member killed in the line of duty, effective for the 2020-21 reporting year. Additionally, colleges will be expected to report the value of these fee waivers in the annual Student Fee Exemptions and Waivers report submitted to the FCS budget office.

Contact Information

For questions regarding the rule, please contact Dr. Shanna Autry, Director of Student Affairs, at Shanna.Autry@fldoe.org.

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Table 1: Summary of Fee Waivers under Rule 6A-14.0306, F.A.C.

Paragraph	Applies to Spouses and Children of Deceased...	Loss of Life	When Benefits Must Commence – Spouse	When Benefits End – Dependent	Amount Waived	Enrollment Status	Circumstances of Withdrawal of Benefits	Academic Standing Requirement	Employment Requirement/Residency at Loss of Life
1	Law enforcement, correctional or correctional probation officer	Accidental: On or after June 22, 1990 Unlawful/intentional: On or after July 1, 1980	Five years after death up until 10 th anniversary of death	Until the child's 25th birthday	An amount equal to the cost of tuition and matriculation and registration fees for a total of 120 credit hours/ 3,600 clock hours	Full-time or Part-time	Noncompliance with discipline and scholarship requirements	Good standing	Must have been employed, elected or appointed by a municipality, the state or any political subdivision of the state as a: (1) full-time, part-time, or auxiliary law enforcement officer, correctional officer, or correctional probation officer; (2) a state attorney investigator or public defender investigator (3) a full-time officer; or employee whose duties include serving process or attending court as bailiff
1	National Guard	While on active duty	Five years after death up until 10 th anniversary of death	Until the child's 25th birthday	An amount equal to the cost of tuition and matriculation and registration fees for a total of 120 credit hours/ 3,600 clock hours	Full-time or Part-time	Noncompliance with discipline and scholarship requirements	Good standing	Must have been full-time Florida active duty

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2	Firefighter	Accidental: On or after June 22, 1990 Unlawful/intentional: On or after July 1, 1980	Five years after death up until 10 th anniversary of death	Until the child's 25th birthday	An amount equal to the cost of tuition and matriculation and registration fees for a total of 120 credit hours/ 3,600 clock hours	Full-time or Part-time	Noncompliance with discipline and scholarship requirements	Good standing	Must have been a duly employed uniformed firefighter employed by an employer of Florida municipal, county and state fire prevention, certified pursuant to s. 633.408, F.S.
3	The United States Armed Forces	While on active duty	Five years after death up until 10 th anniversary of death	Until the child's 25th birthday	An amount equal to the cost of tuition and matriculation and registration fees for a total of 120 credit hours/ 3,600 clock hours	Full-time or Part-time	Noncompliance with discipline and scholarship requirements	Good standing	The deceased military member of United States Army, Navy, Air Force, Marine Corps or Coast Guard must have been a Florida resident or his or her duty post must have been within Florida, at the time of death
4	Emergency medical technician or paramedic	Accidental: On or after July 1, 2019 Unlawful/intentional: On or after July 1, 2019	Five years after death up until 10 th anniversary of death	Until the child's 25th birthday	An amount equal to the cost of tuition and matriculation and registration fees for a total of 120 credit hours/ 3,600 clock hours	Full-time or Part-time	Noncompliance with discipline and scholarship requirements	Good standing	Must have been certified by the Florida Department of Health to perform basic or advanced life support pursuant to Part III of Chapter 401; must have been employed by a state board, commission, department, division, bureau, or agency, or a county, municipality, or

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									other political subdivision of the state; and whose primary duties and responsibilities include on-the-scene emergency medical care