

### §92.3

### 28 CFR Ch. I (7-1-13 Edition)

(i) For purposes of this assistance, a dependent child means a natural or adopted child or stepchild of a law enforcement officer who at the time of the officer's death was no more than 21 years old or, if older than 21 years, was in fact dependent on the child's parents for at least one-half of the child's support (excluding educational expenses), as determined by the Director based on a review of any available documentation.

(ii) The educational assistance available under this subsection is subject to the same dollar limitations set forth in §92.4, but carries no police service obligation, repayment contingencies, or requirement for approval of a course of study.

#### **§92.3 How and when should I apply to participate in the Police Corps?**

(a) The application and selection process occurs at the State level. An applicant may apply to participate in more than one State Police Corps program, provided that the applicant is prepared to commit to serve as a law enforcement officer in the State to which application is made. Application forms should be obtained from the State Police Corps agencies.

(b) Applicants may seek admission to the Police Corps either before commencement of or during the applicant's course of undergraduate or graduate study. However, acceptance into the Police Corps will be conditioned on matriculation in or acceptance for admission at a four-year institution of higher education. Specific application deadlines will be established by State Police Corps agencies.

#### **§92.4 How will participants be selected from applicants?**

(a) Applicants should be selected competitively based upon selection criteria developed by the State Police Corps agency pursuant to this subsection. Appropriate application materials should be developed by the State Police Corps agency to obtain the information reasonably needed to make selection and assignment decisions and to provide required information to the Director.

(b) The State Police Corps agency should develop selection criteria in

consultation with local law enforcement officials, representatives of police labor organizations and police management organizations, and other appropriate State and local agencies. Selection criteria should seek to attract highly qualified individuals with backgrounds and characteristics likely to assure effective participation in the Police Corps. Criteria should include consideration of factors bearing on the statutory eligibility requirements set forth in §92.1, and may include (without limitation) consideration of:

- (1) Scholastic record;
- (2) Work experience;
- (3) Extracurricular and/or community involvement;
- (4) Letters of recommendation;
- (5) Demonstrated interest in policing as a career.

(c) After selection, the State Police Corps agency will forward to the Director, Office of the Police Corps and Law Enforcement Education a list of persons selected for admission to the Police Corps. With respect to each person, the list should set forth:

- (1) Name;
- (2) Address;
- (3) Social security number;
- (4) Name and location of law enforcement agency to which the person has been assigned;
- (5) Educational institution in which the person is enrolled or has been accepted for admission, and course of study;
- (6) Date on which the person is expected to commence his/her service;
- (7) Certification that the person has been found to meet the statutory selection criteria at 42 U.S.C. § 14096;
- (8) A Police Corps Agreement signed by the applicant; and
- (9) An itemization of the educational expenses that the person is eligible to receive through scholarship and/or reimbursement.

(i) With respect to individuals identified to receive educational assistance under §92.2(c), the list should contain the information in paragraphs (c) (1), (2), (3), (5) and (9) of this section.

(ii) With respect to the list in the aggregate, a summary of the racial and gender distribution of the individuals.

(d) After selection, the State Police Corps agency should notify applicants

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of their selection, their agency assignment, and their assignment to a training class. However, admission to the Police Corps is not final until the Police Corps Agreement has been signed both by the applicant and the Director.

### § 92.5 What educational expenses does the Police Corps cover, and how will they be paid?

(a) Educational expenses are paid either in the form of a scholarship or a reimbursement. Scholarships will be paid where Police Corps participants are currently enrolled in an approved course of study in an institution of higher education. Reimbursements will be paid to participants for educational expenses incurred prior to admission to the Police Corps. In certain circumstances, a Police Corps participant may receive a reimbursement for past expenses and a scholarship for current expenses.

(b) Requests for payment of educational expenses by a Police Corps participant should be submitted to the Director through the State Police Corps agency.

(1) Educational expenses are expenses that are directly attributable to a course of education leading to the award of either a baccalaureate or graduate degree, and may include:

(i) Tuition, in an amount billed by the institution of higher education;

(ii) Fees, in an amount billed by the institution of higher education;

(iii) Cost of books required to be purchased pursuant to the curriculum in which the candidate is enrolled;

(iv) Cost of transportation from the candidate's home to school, calculated at actual cost or the current prevailing rate for mileage reimbursement for federal travel;

(v) Cost of room and board;

(vi) Miscellaneous expenses not to exceed \$250 per academic semester.

(2) A participant receiving a scholarship may submit payment requests prior to the commencement of each subsequent academic year in which he/she is enrolled in an institution of higher education.

(3) For participants currently enrolled in an institution of higher education, each payment request must be accompanied by:

(i) A certification from the institution that the participant is maintaining satisfactory academic progress;

(ii) A certification by or on behalf of the State or local police force to which the participant will be assigned that the participant's course of study includes appropriate preparation for police service.

(4) The maximum Police Corps payment per participant per academic year, whether in the form of scholarship or reimbursement, is \$7,500. In the case of a participant who is pursuing a course of educational study during substantially an entire calendar year, the maximum payment will be \$10,000 per such calendar year.

(5) The total of all Police Corps scholarship or reimbursement payments to any one participant shall not exceed \$30,000.

(6) Police Corps scholarship payments will be made directly to the institution of higher education that the student is attending. Each institution of higher education receiving a Police Corps scholarship payment shall remit to such student any funds in excess of the costs of tuition, fees, and room and board payable to the institution.

(7) Reimbursements for past expenses will be made directly to the Police Corps participant. One half of the reimbursement will be paid after the participant is sworn in and starts the first year of required service. The remainder will be paid upon successful completion of the first year of required service. The Director may, upon a showing of good cause, advance the date of the first reimbursement payment to an individual participant.

[61 FR 49972, Sept. 24, 1996, as amended at 64 FR 33018, June 21, 1999]

### § 92.6 What colleges or universities can I attend under the Police Corps?

(a) The choice of institution is up to the participant, as long as the institution meets the definition of an "institution of higher education." As defined in 20 U.S.C. 1141(a), an "institution of higher education" means an educational institution in any State which:

(1) Admits as regular students only persons having a certificate of graduation from a school providing secondary