

## HR POLICY - EMPLOYEE & DEPENDENT TUITION WAIVERS, 11.22

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## I. PURPOSE

The purpose of this HR Policy is to clarify specific conditions and eligibility criteria relating to employee and dependent tuition fee waiver at East Stroudsburg University. The need for clarification exists because the benefit varies by constituency covered by collective bargaining agreements as well by as local University authority to grant such benefits to non-represented employees and operationalize contract obligations.

## II. APPLICABILITY

This guideline applies to all University employees, retirees and dependents eligible for tuition fee waiver. It is not intended to contravene tuition for waiver benefits for covered employees in any collective bargaining agreement to which the University is subject. It is further intended to complement the collective bargaining agreements, PASSHE Policy 1984-03-A, entitled *Tuition Waiver*, and Board of Governors Policy 1983-18-A, entitled *Waiver of Fees*.

## III. DEFINITIONS

- A. **Tuition Waiver:** Waiver of the University's right to collect tuition for credit courses taken by eligible employees and their dependents.
- B. **Active Pay Status:** Receiving benefits accorded employees with active pay status and are not in a leave without pay status at the date of late registration for the semester for which the waiver is being sought. (Sabbatical leave does not affect eligibility.)
- C. **Dependent:** A legal spouse, certified same sex domestic partner, (hereafter referred to as a domestic partner) or child of an employee or domestic partner who is under the age of 25 by the second day of the academic semester or term for which tuition waiver is sought. Relatives in mere custody of employees, absent court-documented guardianship, are not eligible for the Tuition Waiver Program. Attorney's letters are inadequate to establish legal guardianship.
- D. **Domestic Partner:** (Applies to Faculty, Coaches, SCUPA and Managers Only). The criteria listed below must be met in order for benefits to be extended to domestic partners. An employee and domestic partner must provide management with a completed, notarized "Commonwealth of Pennsylvania Domestic Partner Verification Statement" which will be maintained in the employee's personnel file:
  - 1. Each partner is the same gender.
  - 2. Both partners are unmarried.
  - 3. Both partners are at least 18 years old and mentally competent to enter into a contact in the Commonwealth of Pennsylvania.
  - 4. Partners are the sole domestic partner of the other person.
  - 5. Partners have lived together in the same residence on a continuous basis for at least six months immediately prior to the date of the notarized statement, with the intent to reside together permanently.

6. Partners are not related to each other by adoption or by blood, to a degree that would prohibit marriage in the Commonwealth of Pennsylvania.
  7. Neither partner has been a member of another domestic partnership for the past six months (unless the prior domestic partnership ended as a result of the death or marriage of one of the domestic partners).
  8. Partners are jointly responsible for the common welfare and financial obligations of each other.
- E. Child of Same Sex Domestic Partner:** The biological or legally adopted child or a child for whom the domestic partner is the legal guardian. Children of domestic partners are eligible to receive benefits on the same basis as dependent step-children of a faculty member, coach, management employee's spouse (employee must demonstrate that the child is the legal dependent of his/her certified domestic partner and that the employee has assumed financial responsibility for the child.)
- F. Tuition:** The basic charge or fee for a course. The basic charge is the "Tuition fee". Miscellaneous fees such as general fees, room and board, or textbooks do not apply.
- G. First Undergraduate Degree:** First undergraduate degree at any university. Dependent(s) who have earned their first undergraduate degree are not eligible for tuition waiver. Possession of an associate degree is no barrier to participation.
- H. Dependent Child:** A blood relative of the first degree (offspring), a minor court- assigned to an employee as legal guardian, a legally adopted child or step-child.
- I. Legal Guardianship:** Legal Guardianship is a state court process which results in an order of guardianship. Notary certified statements of guardianship are inadequate to prove legal guardianship.
- J. Termination of Employment:** Severance of the employee-employer relationship through resignation, termination for cause or furlough.

#### IV. GENERAL CONDITIONS

**A. Deadlines for filing:** The following deadlines apply to all employees.

Winter, by **November 23**

Spring, by **November 23**

Summer, by **March 27**

Fall, by **June 5**

- B. Termination of employment:** If an eligible receiving benefits under this guideline terminates employment, the benefits under the guideline will cease at the completion of the current academic semester.
- C. Number of Covered Dependents:** There is no limit on the number of covered dependents for any eligible employee.

- D. **Course Grade:** Tuition waiver will be honored for any course taken by an eligible employee provided the employee receives some type of transcript grade, including incomplete or withdrawn.
- E. **Good Standing Requirement for Spouse/Domestic Partners and Children:** In order for spouse/domestic partners, children of domestic partners or children to continue to receive tuition waiver benefits under this guideline, they must remain in good academic standing as defined in the undergraduate catalog.
- F. **Benefit Eligibility after the Beginning of the Semester:** When an employee or dependent becomes eligible for benefits under this program after the date of late registration for a semester, the benefits will commence at the beginning of the next semester.
- G. **Taxability of Benefits:** Graduate course tuition waiver benefits may be taxable under the IRS Code as income. Refer to IRS Code, Section 127 for more information.
- H. **Tuition Waiver Benefits Granted in Error:** If tuition waiver benefits are granted in error the employee is liable for reimbursement of the benefit to the University, payable within 30 days of the date the employee is notified.
- I. **Divorced Spouse:** If an employee and his or her spouse become divorced after the beginning of late registration, the spouse/stepchild's tuition waiver benefit will cease after the completion of that semester.
- J. **Termination of a Domestic Partnership:** if an employee and his/her domestic partner dissolve their partnership after the beginning of late registration, the domestic partner's tuition waiver benefit will cease after the completion of that semester.
- K. **Taxation of Tuition Waiver Benefits:** The cost of providing tuition waiver benefits to domestic partners and children of domestic partners is considered taxable income and subject to income and payroll tax withholding for the employee.
- L. **University Employees Killed or Missing in Action in Covered Military Operations in the Middle East:** The PA System of Higher Education provides in PASSHE Policy 1984-03-A for full tuition waiver for dependent children of University employees killed or missing in action as a result of covered military operation in the Middle East at any PASSHE university for which they meet admissions criteria and have been accepted. The Maximum waiver period is for the greater of 4 years or 8 semesters. Waivers are restricted to programs of undergraduate education leading to a student's first baccalaureate degree.

## V. REFUNDS ON EMPLOYEE/DEPENDENT TUITION WAIVERS

The Waivers are non-refundable and can only be used to address tuition and tuition technology fee expenses.

### A. For Tuition Waivers and Merit-Based Scholarships

1. Students who receive both a tuition waiver and merit-based scholarship who began prior to Spring 2023:

- a. Will be eligible to receive both the waiver and the merit-based scholarship concurrently for up to eight semesters from the start date of their first semester (summer semesters are not included.)
- b. Must maintain eligibility requirements for both the waiver and merit-based scholarship to continue to receive them.

## VI. GUIDELINES

East Stroudsburg University of Pennsylvania seeks to promote and encourage the concept of universal education. In consideration of this goal, the University shall provide for waiver of tuition for eligible employees and their dependents under the parameters listed below.

### FACULTY Covered by the APSCUF Agreement

1. Employee: Total waiver of tuition fee for any PA State System University graduate or undergraduate credit-bearing course for full-time tenured or tenure-track, and temporary full-time faculty with an *academic or calendar year* appointment, from first day of employment. Tuition waiver will not apply to part-time faculty. Temporary full-time faculty with an academic and calendar year contract are eligible for a waiver of tuition during the subsequent summer session should they receive renewal of their full-time (academic year) contract by the end of the spring semester. (*Note: In order for spouse, same sex domestic partner, children or children of same sex domestic partner to be eligible for tuition waiver, faculty member himself or herself must meet the eligibility criteria outlined in this section.*)
2. Spouse/Same Sex Domestic Partner: Total waiver of tuition fee for any East Stroudsburg undergraduate credit-bearing course until first undergraduate degree is earned. (see *Note* in section A.1.)
3. Children/children of Domestic Partner: (also see *Note* in section A.1.)
  - a. ESU Courses: Total waiver of tuition fee for a child under age 25 for any East Stroudsburg University undergraduate credit-bearing course until first undergraduate degree is earned.
  - b. Courses at PASSHE Universities Other than ESU: 50 % waiver under same conditions as section 3a.
  - c. Death or Permanent Disability of Faculty Member with at least 10 years of PA State System of Higher Education Service: total waiver tuition fee for any ESU undergraduate credit-bearing course until child reaches age 25 or earns first undergraduate degree. Tuition fee waiver does not apply to the spouse of the deceased or permanently disabled faculty member.
  - d. Children of Part-Time Faculty: Available to children of Regular Part-Time (RPT) and Temporary Part-Time faculty that have at least 50% FTE workload for two back-to-back semesters. Pro-rated tuition waiver is based upon the faculty member's workload at the beginning of the semester the student is attending

(e.g. if 75% FTE, then waiver of 75% of tuition). Waiver effective beginning in the Spring 2020 semester (workload from Fall 2019 will count towards meeting the eligibility for the Spring 2020 semester).

- i. Additional information: Will lose eligibility for the waiver when FTE workload drops below 50%. Summer sessions are eligible if faculty member works 50% or greater in the Spring semester and subsequent Fall semester. Pro-rated waiver for Summer session based upon FTE in Fall semester. Winter sessions are eligible if faculty member works 50% or greater in the prior Fall semester and subsequent Spring semester. Pro-rated waiver for winter session based upon FTE in the subsequent Spring semester.
4. Children of Retirees: Tuition waiver at the levels stated in section A.3 when ESU faculty has retired, is at or above the superannuation age, and has served at least 10 years in the PA System of Higher Education.

### **COACHES covered by APSCUF Agreement**

1. Employee: Total waiver of tuition fee for any PA State System University graduate or undergraduate credit-bearing course for regular, full-time coaches from first day of employment. (*Note*: In order for spouse or children to be eligible for tuition waiver, coach must himself or herself meet the eligibility criteria outlined in this section.)
2. Spouse/ Domestic Partner: Total waiver of tuition fee for any East Stroudsburg university undergraduate credit-bearing course until spouse/domestic partner earns his or her first undergraduate degree. (see Note in section B.1.)
3. Children/Children of Domestic Partner: (also see *Note* in section B.1.)
  - a. ESU Courses: Total waiver of tuition fee for a child under age 25 for any East Stroudsburg University undergraduate credit-bearing course until first undergraduate degree is earned.
  - b. Course at PASSHE Universities Other than ESU: 50% waiver under same conditions as section 3a.
  - c. Death or permanent Disability of Coach with at least 10 years of PA State System of Higher Education Service: Total waiver of tuition fee for any ESU undergraduate credit-bearing course until child reaches age 25 or earns first undergraduate degree.
  - d. Children of Part-Time Coaches: Pro-rated tuition waiver based upon the regular part-time coach's FTE. Waiver effective beginning in the Spring 2020 semester.
4. Children of Retirees: Tuition waiver at levels stated in section B.3 when ESU Coach has retired and has served at least 10 years in PA System of Higher Education. Coach must "retire" (i.e. begin to draw annuity) at separation / retirement. Effective beginning in the Spring 2020 semester.

### **C. STAFF EMPLOYEES Covered by an AFSCME Agreement**

1. Employee: Total waiver of tuition fee for any East Stroudsburg University undergraduate credit-bearing course up to 128 credit hours (at ESU) for permanent full-time employees in an active pay status who have been employed by the University for 6 months at the date of late registration for class(es) for which tuition waiver is sought. The benefit is provided on a “space available” basis only. A maximum of 6 credit hours a semester must be observed and courses under this benefit must be taken during non –working hours. (*Note*: In order for spouse or children to be eligible for tuition waiver, staff employee must himself or herself meet the eligibility criteria outlined in this section.)
2. Spouse: Total waiver of tuition fee for any East Stroudsburg University undergraduate credit-bearing course until spouse earns his or her first undergraduate degree. (see *Note* in section C.1.)
3. Children: (also see Note section C.1.)
  - a. ESU Courses: Total waiver of tuition fee for a child under age 25 for any East Stroudsburg University undergraduate credit-bearing courses until first undergraduate degree is earned. The benefit is provided on a “space available” basis only.
  - b. Death or Permanent Disability of Staff Employee with at Least 15 years of PA State System of Higher Education Service: Total waiver of tuition fee for any ESU undergraduate credit-bearing course until child reaches age 25 or earns first undergraduate degree, on a “space available” basis.
4. Children of Retirees: Tuition waiver at levels stated and under the conditions specified in Section C.3 when ESU Staff Employee has retired, is at or above the superannuation age, and has served at least 15 years of service in the PA System of Higher Education.

#### **D. PROFESSIONAL EMPLOYEES Covered by SCUPA Agreement**

1. Employee: Total waiver of tuition fee for any PA State System University undergraduate credit-bearing course up to 128 credit hours or graduate credit bearing course up to 60 credit hours. Effective Fall of 2008 tuition fee waiver also applies to graduate credits not to exceed 60 graduate credits or any combination of undergraduate or graduate credits up to 60 credits. Tuition fee waiver is available for permanent full-time employees or temporary full-time employees hired with an expectation of working more than twelve (12) consecutive months, or for nine (9) consecutive months for two (2) consecutive years. The employee must also be in an active pay status at the date of late registration for the semester for which the waiver is being sought. The benefit is provided on a “space available” basis only. A maximum of 6 credit hours a semester must be observed and courses under this benefit must be taken during non-working hours. (*Note* : In order for spouse or children to be eligible for tuition waiver, staff employee must himself or herself meet the eligibility criteria outlined in this section.)
2. Spouse/Same Sex Domestic Partner: (see Note in section D.1.)
  - a. ESU Courses: Total waiver of tuition fee for any East Stroudsburg University

undergraduate credit-bearing course until spouse/ same sex domestic partner earns his or her first undergraduate degree.

- b. Courses at PASSHE Universities Other than ESU: Effective spring semester 2013 50% waiver under the same conditions as Section 2a.
3. Children: (also see Note in Section D.1.)
    - a. ESU Courses: Total waiver of tuition fee for a child under age 25 for any East Stroudsburg University undergraduate credit-bearing course until first undergraduate degree is earned. The benefit is provided on a “space available” basis only.
    - b. Death or Permanent Disability of Staff Employee with at Least 15 years of PA State System of Higher Education Service: Total waiver of tuition fee for any ESU undergraduate credit-bearing course until child reaches age 25 or earns first undergraduate degree, on a “space available” basis.
  4. Children of Retirees: Tuition waiver at the levels stated and under the conditions specified in Section D.3 when ESU Professional Employee has retired after January 1, 2003, is at or above the superannuation age, and has served at least 15 years in the PA System of Higher Education.

#### **E. PUBLIC SAFETY & SECURITY OFFICERS covered by the SPFPA**

1. Employees: Total waiver of tuition fee for any East Stroudsburg University undergraduate credit-bearing course up to 128 credit hours (at ESU) for permanent full-time employees in an active pay status who have been employed by the University for 6 months at the date of late registration for the class(es) for which tuition waiver is sought. The benefit is provided on a “space available” basis only. A maximum of 6 credit hours a semester must be observed and courses under this benefit must be taken during non-working hours. (*Note:* In order for spouse or children to be eligible for tuition waiver, staff employee must himself or herself meet the eligibility criteria outlined in this section.)
2. Spouse: Total waiver of tuition fee for any East Stroudsburg University undergraduate credit-bearing course until spouse earns his or her first undergraduate degree. (See *Note* in Section E.1.)
3. Children: (also see Note in Section E.1.)
  - a. ESU Courses: Total waiver of tuition fee for a child under age 25 for any East Stroudsburg University undergraduate credit-bearing course until first undergraduate degree is earned. The benefit is provided on a “space available” basis only.
  - b. Death or Permanent Disability of staff Employee with at Least 15 years of PA State System of Higher Education Service: Total waiver of tuition fee for any ESU undergraduate credit-bearing course until child reaches age 25 or earns first undergraduate degree, on a “space available” basis.



4. Children of Retirees: Tuition waiver at level stated and under the conditions specified in Section E.3 when ESU Public Safety or security Employee has retired, is at or above the superannuation age, and has served at least 15 years in the PA System of Higher Education.

## **F. MANAGEMENT**

1. Employee: Total waiver of tuition fee for any East Stroudsburg University undergraduate and graduate credit-bearing course for regular, full-time or temporary full-time University Managers hired with an expectation of working more than twelve (12) consecutive months with continual employment from first day of employment. (*Note*: in order for spouse, domestic partner, children of domestic partner or children to be eligible for tuition waiver, ESU Manager must himself or herself meet the eligibility criteria outlined in this section.)
  - a. Effective with the start of the Fall 2019 semester, eligible employee of the University, Student Association and Foundation that are not represented by a bargaining unit, shall receive a tuition waiver for up to six (6) credits during each full semester (Summer, Fall and Spring) for courses offered by the University in an undergraduate, graduate or doctoral degree program.
2. Spouse/Domestic Partners: Total waiver of tuition fee for any East Stroudsburg University undergraduate credit-bearing course until first undergraduate degree. (See *Note* in section G.1.)
3. Children/children of Domestic Partners: (also see Note in Section G.1.)
  - a. ESU Courses: Total waiver of tuition fee for a child under age 25 for any East Stroudsburg University undergraduate credit-bearing course until first undergraduate degree is earned.
  - b. Courses at PASSHE University Other than ESU: 50% waiver under same conditions as Section 3a.
  - c. Death or permanent Disability of Manager with at Least 10 years of PA State System of Higher Education Service: Total waiver of tuition fee for ESU undergraduate credit-bearing course until child reaches age 25 or earns first undergraduate degree.
4. Spouse/Domestic Partner, Children of Domestic Partner or Children of Retirees: Tuition waiver at levels stated in Sections G.2. And G.3 when ESU Manager has retired, is at above the superannuation age, and has served at least 10 years in the PA System of Higher Education.

## **G. SEIU**

1. Employee: No tuition waiver benefit per CBA
2. Children: (per Board of Governors Policy 1984-03-A- Tuition Waiver) ESU Courses: Total waiver of tuition fee for a child under age 25 for any East Stroudsburg University

undergraduate credit-bearing course until first undergraduate degree is earned. The benefit is provided on a “space available” basis only.

## VII. PROCEDURES

East Stroudsburg University Tuition Fee Waiver is to be completed by eligible employees and their dependents who are taking courses at ESU. A new form must be completed for each semester including each summer session.

- PASSHE Management, Coach & Faculty Tuition Waiver is to be completed by eligible Coach, Faculty and Managers whose children attend other State System Schools.
- Completed forms are to be brought to Human Resources for **verification of eligibility**. Once approved, forms will be sent to the appropriate office for tuition waiver processing.
- Applications filed after the completion date of the course(s) will not be considered.
- **Human Resources are the issuing authority for eligibility**. Questions relating to eligibility should be directed to your HR Business Partner.
- Appeals for denial of waiver may be submitted to the Director of Human Resources within ten days of denial.

**To access the Tuition Waiver [form click here](#).**