

260-RICR-40-10-1

## **TITLE 260 - DEPARTMENT OF LABOR AND TRAINING**

### **CHAPTER 40 - INCOME SUPPORT**

#### **SUBCHAPTER 10 - POLICE AND FIRE**

##### **PART 1 - Board of Police Officers' Relief**

### **1.1 Authority**

This Part is promulgated pursuant to R.I. Gen. Laws §§ 45-19-2, 45-19-4, 45-19-4.1, 45-19-4.2, 45-19-4.3.

### **1.2 Purpose**

Within the Department of Labor & Training there is a Board of Police Officers' Relief which administers funds for relief of police officers and/or their dependents.

### **1.3 Rules and Regulations**

- A. Board membership shall be in accordance with R.I. Gen. Laws § 45-19-2. The Board shall elect the following officers to two (2) year terms: Chairperson, Vice-Chairperson and Secretary. Elections for Chairperson shall take place in January of the even numbered years, and elections for Vice-chairperson and Secretary shall take place in January of the odd numbered years. Current officeholders may be re-elected.
- B. All meetings of the Board shall be held at the Department of Labor & Training or at a location designated by the Chairperson. The schedule of all meetings shall be posted in compliance with the Rhode Island Open Meetings Law. All meetings shall be conducted by the Chairperson (or the Vice-Chairperson in the Chairperson's absence) in accordance with Robert's Rules of Order. The Board Secretary shall make and keep all minutes in compliance with the law.
- C. A vote by three (3) members of the Board shall be necessary to conduct any business of the Board, but a vote of a lesser number shall be sufficient to adjourn a meeting to the next meeting.
- D. All requests for information shall be addressed to either the Board's Chairperson or the Secretary.

- E. All requests for benefits shall be made either in writing or by telephone with the Chairperson or his/her designee. The Board shall thereupon mail to the applicant an application form for benefits which is to be completed by said applicant or legal guardian and returned to the Board. It shall be the responsibility of the applicant or legal guardian to insure all application forms are complete. The Board shall have the right to refuse to consider any application which is not complete.
- F. Except for good cause shown, an applicant for death benefits shall furnish the following documents with the application:
1. an original copy of the police officer's death certificate,
  2. a letter from the deceased officer's Chief of Police, or his/her designee, stating that the deceased was a sworn member of the police department,
  3. a medical statement of the attending physician specifying the cause of death, and
  4. certified copies of any applicable birth certificates.
- G. An application for tuition benefits for a totally and permanently disabled police officer, or for the children of such police officers, shall be accompanied by the following:
1. a letter from the physician stating that the police officer is totally and permanently disabled, meaning any impairment of mind or body making it impossible for one to follow a gainful occupation,
  2. the name of the college or university to be attended by the applicant,
  3. the applicant's birth certificate,
  4. a statement from the police officer's Chief of Police confirming that said police officer was a sworn member of the police department.
- H. It shall be the responsibility of the applicant or legal guardian to furnish the Board with any additional information the Board deems necessary to fully consider any application for benefits.
- I. The Board shall be subject to R.I. Gen. Laws Chapter 42-35 *et seq.* in any matter coming before it. A written statement regarding the Board's decision will be issued within sixty (60) days of the Board's receipt of the complete application form unless circumstances require a longer period of time. All decisions of the

Board concerning applications for benefits shall be available for public inspection pursuant to R.I. Gen. Laws Chapter 38-2 *et seq.*

- J. All medical statements provided to the Board shall be governed by R.I. Gen. Laws Chapter 38-2 *et seq.* The Chairperson or his/her designee shall be responsible for maintaining the confidentiality of medical information provided to the Board. In addition, correspondence mailed to the Board which contains confidential medical information shall be addressed to and opened only by the Chairperson or his/her designee.
- K. Annuity payments will be prorated on a per diem basis for partial months paid. No retroactive payment for benefits will exceed six (6) calendar months.
- L. It shall be the responsibility of the annuitant to report all lost or stolen checks to the Board in a timely manner. A copy of a police report shall be forwarded to the Board within five (5) days of the report of any lost or stolen check. Lost or stolen checks shall be replaced in accordance with procedures established by the Treasurer of the State of Rhode Island.

#### **1.4 Education Requirements**

- A. Applicants must comply with all applicable provisions of R.I. Gen. Laws Chapter 45-19 *et seq.* to qualify for educational grants.
- B. Recipients of educational grants shall insure application forms are completed thoroughly. Except for good cause shown, all applications must be submitted to the Board no less than sixty (60) days prior to the beginning of the new semester. The Board shall have the right to refuse to consider any application which is not complete.
- C. Recipients must be enrolled in a degree or certificate program in either a full-time or part-time capacity at the respective state college or university and must meet all entrance requirements of the said college or university. Educational grants for children of disabled police officers shall not apply to graduate degrees.
- D. Recipients shall be required to provide the Board with written proof of acceptance to a degree or certificate program.
- E. Educational grants shall cover four (4) calendar years regardless of full or part-time status beginning with the first semester attended, said period shall be deemed to be continuous. However, in the case of special circumstances (i.e. personal illness, family illness or death of family member) review will be made by the Board. The Board reserves the right to require documentation of such special circumstances. The recipient must immediately notify the Board of any interruption in his/her studies.

- F. Educational grants shall apply to tuition payments only and shall not cover lab fees, activity fees, books, room, board, etc. Said additional fees shall be the responsibility of the recipient.
- G. Recipients must comply with academic, requirements, and rules of conduct and standards established by the college or university. Students placed on academic probation may face the possibility of their loss of the educational grant. The Board shall, upon notification of such academic probation status, immediately notify the recipient of the possibility of such loss of benefits.
- H. The Board shall grant tuition payments only for those courses successfully completed. Recipients must sign a waiver granting the college or university permission to forward a copy of the recipient's grades to the Board. The Board reserves the right to either seek reimbursement for failed or incomplete courses or make adjusted payments for successive semesters for any such failed or incomplete course.
- I. Recipients must comply with school policy regarding dropping and adding courses. Students must notify the Board immediately of any dropped courses paid for by the Board. Any violation of the school's "add/drop" policy may be viewed as a failed or incomplete course by the Board.
- J. Recipients completing study in an associate degree program shall not be precluded from continuing on to a bachelor's degree program, provided, however, that the total years of study for both the associate and bachelor degree shall not exceed four (4) calendar years. Any recipient who elects to continue his/her education to receive a bachelor's degree shall notify the Board of such intent.
- K. Recipients shall not be entitled to retroactive payments for any courses completed prior to the recipient's initial application for educational tuition benefits and the Board's approval of said initial application.

**260-RICR-40-10-1**

**TITLE 260 - DEPARTMENT OF LABOR AND TRAINING**

**CHAPTER 40 - INCOME SUPPORT**

**SUBCHAPTER 10 - POLICE AND FIRE**

**PART 1 - Board of Police Officer's Relief (260-RICR-40-10-1)**

Type of Filing: Amendment

Effective Date: 06/15/2018

Editorial Note: This Part was filed with the Department of State prior to the launch of the Rhode Island Code of Regulations. As a result, this digital copy is presented solely as a reference tool. To obtain a certified copy of this Part, contact the Administrative Records Office at (401) 222-2473.