

**U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT
ICE Policy System (IPS)**

OFFICE OF PRIMARY INTEREST: OFFICE OF TRAINING AND DEVELOPMENT

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| SUPERSEDES: | See Section 3 |

DIRECTIVE TITLE: Tuition Assistance Program (TAP)

- 1. PURPOSE and SCOPE.** This Directive implements the Tuition Assistance Program (TAP) at U.S. Immigration and Customs Enforcement (ICE). TAP provides financial assistance to ICE employees for academic, professional, or technical courses taken through accredited institutions during non-duty hours. The purpose of TAP is to improve an employee's ability to perform current job skills and/or enhance an employee's career development in support of the ICE mission. This Directive applies to all components of ICE.

- 2. AUTHORITIES/REFERENCES.**
 - 2.1.** Homeland Security Act of 2002, H.R. 5005.
 - 2.2.** Title 5, United States Code (U.S.C), Section 4107(a).
 - 2.3.** Title 5, U.S.C. Section 4109(a)(2).

- 3. SUPERSEDED/CANCELLED POLICY/SUMMARY OF CHANGES.**

This Directive supersedes previously recognized processes for the implementation of any tuition assistance program for all ICE Offices. It is the originating and establishing Directive for tuition assistance for ICE employees.

- 4 BACKGROUND.**
 - 4.1** According to the provisions of Title 5 U.S.C. Section 4109(a)(2), the head of an agency may pay or reimburse employees for all or a part of the necessary expenses of training. Implementation of TAP provides an excellent opportunity for its employees to improve their job skills and to continue their career and professional development to support the agency's mission while being reimbursed for related training expenses.

4.2 Federal law prohibits the use of funds for the purpose of obtaining an academic degree pursuant to Title 5 U.S.C. Section 4107(a). Course(s) taken toward an academic degree that contribute significantly to meet an identified agency training need, resolving an identified agency staffing problem, or accomplishing goals in the strategic plan of the agency may be entitled to reimbursement. Similarly, courses toward a degree where the degree fits into part of a coordinated agency employee development program may also be entitled to reimbursement as long as it is linked to accomplishing the strategic goals of the agency.

5. DEFINITIONS.

5.1. **Diploma Mills**, as defined by the Office of Personnel Management (OPM) in "Strengthening Oversight of the Use of Diploma Mill Credentials in Federal Employment," dated May 13, 2004, are non-traditional schools that are not accredited by institutions recognized by the Department of Education. They generally award degrees or certificates with little or no course work completed by the student.

5.2. **Eligible employees** include permanent career or career-conditional ICE employees, and seasonal or term employees who have worked a minimum of one year (2,080 hours) before applying for TAP.

5.3. **Tuition Assistance** includes reimbursement of 100 percent of the total course expenses that are prepaid not to exceed \$2,000 per fiscal year for education-related expenses associated with the cost of tuition, fees, books and other related materials. Tuition assistance under TAP does not include travel expenses, parking, late registration fees, and student activity fees (e.g., health fees and library fees).

5.4. **Tuition Assistance Program Application Package** includes the following:

5.4.1 Standard Form (SF) 182, Request, Authorization, Agreement and Certification of Training Form, (Attachment 1) with all appropriate signatures;

5.4.2 Separate TAP Application Form (Attachment 2) completed for each course;

5.4.3 Separate Justification Page provided for each course explaining how the course(s) relate to the ICE mission;

5.4.4 Copy of the course description and schedule of fees; and

5.4.5 Copy of the receipt from the school confirming the amount and type of assistance to be received by the employee (e.g., grant, loan, or scholarship), if a school provided financial assistance.

6. POLICY.

- 6.1. Eligible employees must submit a TAP application package as described in Section 5.4 above, for tuition reimbursement no later than two weeks prior to the course starting date to be considered for reimbursement.
- 6.2. Employees who attend "Diploma Mills" are not eligible to receive reimbursement under TAP.
- 6.3. An employee whose employment with ICE ends before completion of pre-approved course(s) is not entitled to reimbursement.
- 6.4. An employee must receive a final grade of "C," earn a "Pass" (if the course taken was Pass/Fail), or receive a "Certificate of Completion" for each course in order to receive reimbursement.
- 6.5. Employees may be reimbursed for all or part of the costs of training or education up to \$2,000 per fiscal year.
- 6.6. An employee is not eligible to receive assistance under TAP if the employee is attending training paid by another federal agency, pursuant to Title 38 U.S.C. Section 3681.
- 6.7. TAP expenses paid shall be from the fiscal year appropriation that the obligation was incurred.

7. RESPONSIBILITIES.

- 7.1. **Office of Training and Development (OTD) - ICE Headquarters** OTD will process TAP application packages and manage implementation of this program, including coordinating the employee's reimbursement.

8. PROCEDURES.

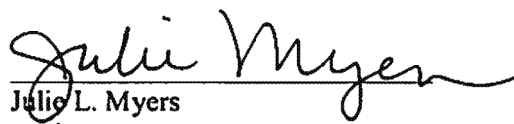
- 8.1. An eligible employee must submit a properly completed TAP application package to OTD no later than two weeks prior to the start date of the course.
- 8.2. Within ten days of receipt of the application package, OTD will track all incoming TAP application packages, confirm the availability of funds, and advise the employee of any issues with the application package.
- 8.3. OTD will manage a waiting list if funds are unavailable and inform the employee if the employee is placed on this list.

- 8.4. After completing the course, the employee must submit the following to OTD:
 - 8.4.1 A copy of all receipts for tuition and books;
 - 8.4.2 A copy of the employee's receipt of any financial assistance provided in excess of the amount reported in Section 5.4.5 above;
 - 8.4.3 An official copy of the final course grade; and
 - 8.4.4 A properly completed SF1164, Claim for Reimbursement for Expenditures on Official Business (Attachment 3).
- 8.5. OTD will review the course completion items, perform tracking and processing functions and ensure payment in accordance with this Directive, including attachments.

9. ATTACHMENTS.

- 9.1. Attachment 1: SF-182 Form, Request, Authorization, Agreement and Certification of Training;
 - 9.2. Attachment 2: Tuition Assistance Program Application Form with Justification Page;
 - 9.3. Attachment 3: SF1164 Claim for Reimbursement for Expenditures on Official Business.
 - 9.4. Attachment 4: Standard Operating Procedures for ICE Tuition Assistance Program, and
10. **NO PRIVATE RIGHT STATEMENT.** This Directive is an internal policy statement of ICE. It is not intended to, and does not create any rights, privileges, or benefits, substantive or procedural, enforceable by any party against the United States; its departments, agencies, or other entities; its officers or employees; or any other person.

Approved


Julie L. Myers
Assistant Secretary