

Tennessee Student Assistance Corporation

Thursday March 19, 2009

DISCUSSION ITEM H: 2009 General Assembly Legislative Report

Staff Recommendation: For discussion only.

Background: Members of the first term of the 106th General Assembly have introduced approximately 60 bills pertaining to the Tennessee Education Lottery Scholarship (TELS) Program as well as other student financial aid bills.

A brief summary of the significant bills now pending with the General Assembly is provided in the pages that follow.

Supporting Document: *Summary of Legislation Pending with the 106th General Assembly (2009) Relative to Postsecondary Education Student Financial Aid, March 2009.*

**Summary of Legislation Pending with the 106th General Assembly (2009)
Relative to Postsecondary Education Student Financial Aid**

House Bills

- HB0006
SB0709 This bill proposes the "TEL (Tennessee Education Lottery) Financial Assistance Grant." As introduced, the bill would require a student to meet all non-academic requirements for the TELS Scholarship and be eligible for a PELL grant, demonstrating financial need, to receive an award.
- HB0043
SB0898 As introduced, this bill will divide the lottery scholarship ASPIRE award into a grant and a work-study program. The ASPIRE award for the 2009-10 academic year will be \$750, and an additional \$750 that can be earned in the ASPIRE work-study program. The Tennessee Student Assistance Corporation (TSAC) shall establish a work-study program for the tutoring and mentoring, of public school students in improving academic performance.
- HB0044
SB0891 As proposed, this bill creates the ASPIRE work-study program to provide additional postsecondary financial assistance from net lottery proceeds to students receiving both the Tennessee HOPE Scholarship and the ASPIRE award. As proposed the Tennessee Student Assistance Corporation (TSAC) shall establish a work-study program for the tutoring and mentoring of public school students.
- HB0058
SB0892 As introduced, permits a Tennessee HOPE Scholarship recipient to maintain academic eligibility by maintaining "good standing" at the eligible postsecondary institution in which the student is enrolled.
- HB0062
SB1822 Immigrants - As introduced, enacts the "Tennessee Immigration Compliance Act" which states, "For postsecondary education, whereby the Tennessee Higher Education Commission shall set forth, or cause to be set forth, policies regarding postsecondary benefits that comply with all federal law including but not limited to public benefits as described in 8 U.S.C. § 1611."
- HB0063
SB1821 Immigrants - As introduced, enacts the "Tennessee Taxpayer and Citizen Protection Act," which states, "An individual who is not lawfully present in the US shall not be eligible on the basis of residence within the state for (1) Any postsecondary education benefit, including, but not limited to, Scholarship or financial aid; or (2) Resident tuition."

- HB0086
SB0118 This bill proposes to broaden eligibility for the HOPE Scholarship by removing the requirement that a military parent's home-of-record or residence is Tennessee if a student qualifies to be classified as an in-state student and meets other specified requirements.
- HB0316
SB0320 This bill proposes to expand Hope Scholarship eligibility to include Tennessee residents who graduate from accredited boarding schools that are not located in Tennessee.
- HB0364
SB0676 This bill proposes to enact the "Tennessee Math and Science Teacher service Scholarship Program," a loan forgiveness program to be funded by private donations, for students seeking licensure to teach mathematics or science in a Tennessee public school. The award amount shall be \$5,000 per academic year, and the student shall agree to teach math or science in a public school for one (1) year for each year the award is received.
- HB0379
SB0319 This bill amends the provision pertaining to out-of-state boarding schools lottery eligibility by replacing the language, "a regional accrediting association" with, "an accrediting association."
- HB0423
SB0434 This bill proposes to delay the effective date of rules until reviewed by Joint Government Operations Committees.
- HB0511 This bill will allow a student with a documented medical disability that restricts the student's attendance to part-time to petition for an extension of time in which to receive a Tennessee HOPE Scholarship. Such extension shall not extend beyond ten (10) years from the date of the student's initial enrollment at any postsecondary institution.
- HB0577
SB1102 Higher Ed - As introduced, this bill expands tuition exemptions for the children and spouses of certain veterans, including removing the age limitation restriction that is currently 23 years of age and younger; expanding the enrollment eligibility from 135 to 150 hours; and expanding the field of veterans for whose child or spouse will now be eligible.
- HB0599
SB075 Education - As introduced, enacts the "Parental Choice Scholarship Act." This bill will allow children of public school age to attend either an elementary or secondary public school other than the school the eligible student is attending, or any nonpublic school that is participating in the program. Allowance levels will be determined by household income. Amends Title 49 Chapter 6

- HB0678
SB1487 This bill will require THEC's annual report on lottery programs to also be made to the Select Oversight Committee on Education.
- HB0712
SB1416 This bill enacts the "Targeted Education and Economic Development Act (TEED)," a five-year pilot program, using net lottery proceeds, to encourage Tennesseans to pursue academic studies in certain developing fields in emerging industries and practice in Tennessee in those emerging areas after graduation. Students shall have an adjusted gross income attributable to the student of no more than thirty-six thousand dollars (\$36,000) and agree to be employed in an emerging industry area one (1) year for each year of funding provided by a TEED Scholarship.
- HB0794 This bill increases the Dual Enrollment Grant for those students attending a four-year institution, or two-year institution with on-campus housing from \$100 per credit hour to \$200 per credit hour for a maximum of three (3) credit hours per semester.
- HB0835
SB1464 This bill expands the Wilder-Naifeh Technical Skills Grant to include students attending the Fire Service and Codes Enforcement Academy, established pursuant to T.C.A. § 68-102-201. This bill limits such grants to \$500 per student annually.
- HB0841
SB0990 This bill is cited as the "Tennessee Taxpayer and Citizen Protection Act," requiring any agency of this state responsible for the administration of state and local public benefits that are not mandated by federal or constitutional law to verify the identity of each applicant for those benefits and verify that the applicant is eligible for benefits as prescribed by this section.
- HB0881
SB1778 This bill establishes a student loan program, funded from net lottery proceeds, to assist students seeking to become truck drivers, with the cost of tuition, fees, and books, but not to exceed \$4,000. Students attending TN Technology Centers will not be eligible, as they would be eligible for the Wilder-Naifeh award.
- HB0892 This bill expands the Helping Heroes Grants from a maximum of three hundred seventy-five (375) students per year to five hundred (500) students per year, providing, however, that no more than one million dollars (\$1,000,000) shall be expended for the program per academic year.
- HB0902
SB1188 As introduced, adds University of Tennessee System and Board of Regents as recipients of THEC's annual report on Scholarship and grant programs data.

- HB0905
SB1191 This bill requires TSAC, in consultation with THEC, to prepare a status report for the Governor and General Assembly on the Tennessee HOPE Foster Child Tuition Grant Program on an annual basis.
- HB1137
SB1683 This bill proposes, “The Comprehensive Illegal Immigration Act,” which requires that all state agencies check the citizenship status of all persons eighteen (18) years of age or older prior to the receipt public benefits.
- HB1152
SB1337 This bill would allow a student who meets all requirements for a TN HOPE Scholarship as an entering freshman except that the student does not meet the applicable academic requirements for initial eligibility for the scholarship, but who enrolls in an eligible postsecondary institution no later than sixteen (16) months after completing high school or obtaining a GED, to be eligible for a TN HOPE Scholarship at the end of the semester in which the student has attempted a total of twelve (12) semester hours, or succeeding benchmarks, if the student achieves a cumulative grade point average of at least 2.75.
- HB1163
SB1884 This bill proposes awarding a “Supplemental Bridge Grant” to all HOPE, HOPE Access, and Non-traditional students, funded by net lottery proceeds. The award for HOPE and Non-traditional students attending a four-year institution, including those students attending a two-year institution with on-campus housing, shall be awarded a Bridge Grant of \$750 per semester, and students attending a two-year institution, excluding those students attending a two-year institution with on-campus housing, shall be awarded a Bridge Grant of \$350 per semester for the Fall and Spring of 2009-10 academic year. Students receiving a HOPE Access Grant shall be awarded a Bridge Grant equal to fifty percent of the grant awarded the HOPE students.
- This bill also provides that all funds that were transferred from the Lottery for Education fund for the “Energy Efficient Schools Council Fund”, not yet obliged, shall be returned to the Lottery for Education Fund prior to June 30, 2009.
- HB1219
SB1693 This bill will require THEC, with the assistance of TBR, UT, and TSAC, to study tuition relief programs for veterans that have been enacted in other states and the feasibility of establishing tuition relief programs for veterans enrolled in postsecondary institutions. THEC shall report its findings and recommendations to the Senate and House Education Committees.

- HB1294
SB1308 As introduced, this bill expands the Wilder-Naifeh Technical Skills Grants to firefighters attending the Fire Service and Codes Enforcement Academy. Each student shall be eligible for \$500 annually. The student shall maintain satisfactory progress and continuous enrollment for continued eligibility.
- HB1296
SB1781 This bill proposes to broaden eligibility for the HOPE Scholarship by removing the requirement that a military parent's home-of-record or residence is Tennessee if a student qualifies to be classified as an in-state student and meets other specified requirements.
- HB2031
SB2165 As introduced, this bill permits a dependent child of a religious worker who graduates from a high school that is not regionally accredited in a foreign country to be eligible for a HOPE Scholarship, if the student meets the same requirements of homeschooled religious workers' children who are presently eligible for the Scholarship.
- HB2130
SB2185 This bill proposes to award any entering freshman receiving a HOPE Scholarship or HOPE Access Grant an additional one-time grant of five hundred dollars (\$500) upon submission of documentation satisfactory to TSAC that such student completed the Tennessee Scholars Program.
- HB2321
SB2312 This bill proposes to remove the requirement of passage of the TCAP tests in order to receive a full diploma, and provides for end-of-course assessments. As such, TSAC would be required to remove all references to this test in its lottery scholarship day materials.
- HB2342
SB2199 This bill would allow a student who meets all requirements for a TN HOPE Scholarship as an entering freshman except that the student does not meet the applicable academic requirements for initial eligibility for the Scholarship, but who enrolls no later than sixteen (16) months after completing high school or obtaining a GED, shall be eligible for a TN HOPE Scholarship at the at the end of a semester when continuing eligibility for a HOPE Scholarship is reviewed, if the student achieves a cumulative grade point average of at least 2.75, or at the end of any semester at which continuing eligibility for a TN HOPE Scholarship would be evaluated under T.C.A. § 49-4-911(a)(1) or § 49-4-911(a)(2).

HB2346
SB2338

Fiscal Review Committee - As introduced, provides that upon the request of two (2) or more members of the general assembly, an impact note shall be prepared by the commissioners of the various state departments for any general bill affecting business. Such note shall include an analysis of the impact on business of such bill, including a statement as to the immediate effect and, if determinable or reasonably foreseeable, the long-range effect of the measure.

Senate Bills

- SB0037
HB0839 This bill proposes to expand eligibility for the Helping Heroes Grant Scholarship to include current members of a reserve or Tennessee National Guard unit who have served on active military service of the United States, and who meet all other eligibility requirements for the grant. This bill also proposes to remove the limitation on the number of recipients of the Helping Heroes grant, but retains the limitation on the total annual amount to be expended for such grants.
- SB0048
HB0870 This bill proposes to broaden eligibility for the HOPE scholarship by removing the requirement that a military parent's home-of-record or residence is Tennessee if a student qualifies to be classified as an in-state student and meets other specified requirements.
- SB0103
HB0880 This bill creates the Tennessee Quality Teacher Fellowship (TQTF) program which consists of the TQTF Fifth year Scholarship for students in their fifth year of preparation, or preparing for a master's degree leading to licensure to teach in Tennessee; the TQTF College Scholarship for entering freshmen enrolling in a teacher preparation program; and the TQTF Innovation Scholarship for students in a joint teacher preparation program, with the postsecondary institution matching awarded funds. Students shall agree to teach three years in a public school after receipt of licensure.
- SB0122 As introduced, this bill requires all state agencies and political subdivisions to verify eligibility of all individuals 18 years of age or older before providing public benefits by using the federal "Systematic Alien Verification for Entitlements" (SAVE) program, with limited exceptions.
- SB0144
HB0312 This bill increases the Dual Enrollment Grant for those students attending a four-year institution, or two-year institution with on-campus housing from \$100 per credit hour to \$200 per credit hour for a maximum of three (3) credit hours per semester.
- SB0145
HB0388 Immigrants - This bill requires all state agencies to verify eligibility of all individuals 18 years of age or older before providing public benefits by using the federal "SAVE" program.
- SB0146
HB0313 This bill proposes to allow the student to receive the award of a HOPE scholarship for any semester or other period other than the Fall and Spring semester, in which the student is enrolled in an

eligible postsecondary institution and meets all applicable requirements for the scholarship.

SB0198
HB0425 Administrative Procedure (UAPA) - As introduced, this bill would require approval of the general assembly before a permanent rule would become effective. In addition, this bill proposes to repeal the provisions authorizing emergency and public necessity rules.

SB0311
HB0474 This bill will allow a student with a documented medical disability that restricts the student's attendance to part-time to petition for an extension of the five-year period in which a student can receive a HOPE scholarship, not to exceed ten years from the date of initial enrollment.

SB0513
HB1686 This bill will change the requirement for HOPE Access Grant recipients to enroll in an eligible postsecondary institution from the current sixteen (16) months after graduating to twenty-eight (28) months after graduating.

SB0771
HB1143 This bill is clarifies the requirements for provisional receipt of a HOPE scholarship, by adding the word "continuous" in the second sentence of T.C.A. § 49-4-911(a)(2), so that as amended the sentence shall read, "Subsequently, the student shall be eligible to receive the scholarship, if the student maintains both full-time and continuous enrollment..."

SB0876
HB1630 This bill proposes the "Green Tennessee Assistance Grant Act" to encourage students who attend full-time, and pursue either a master's or doctoral program, in areas of study particularly suited for environmental protection, sustainable development and ecological stewardship, to be funded from net lottery proceeds. The award shall be \$1,000 per semester, for a maximum of four (4) semesters. Areas of study shall include one of the following fields: Agriculture; Animal Sciences; Ecology; Food Science; Forestry sciences; or Wildlife and Wildlands Management;

SB1137
HB1668 Changes the requirement that a student shall have a minimum G.P.A. of 3.0 at the end of 72, 96, or any subsequent multiple of twenty-four hours, to a 2.75. G.P.A.

SB1272
HB1390 This bill enacts the "Tennessee Taxpayer and Citizen Protection Act," which states that every agency shall verify the lawful presence in the United States of any natural person eighteen (18) years of age or older who has applied for state benefits.

SB1315
HB1864 This bill will require THEC to report on the effectiveness of the HOPE Tennessee Math and Science Teacher Loan Forgiveness

Program in its annual report.

- SB1316 This bill requires THEC to include in its annual report, a comprehensive breakdown of the eligibility requirements of the HOPE Non-traditional award.
- SB1541
HB1544 This bill will authorize TSAC to award a scholarship or grant to a student, who for nonacademic reasons was not awarded a scholarship or grant upon initial application, if there are extenuating circumstances.
- SB1874
HB2149 As introduced, this bill adds the University of Tennessee System and the Tennessee Board of Regents as recipients of THEC's annual report on scholarship and grant programs
- SB1885 Changes the requirement that a student shall have a minimum G.P.A. of 3.0 at the end of 72, 96, or any subsequent multiple of twenty-four hours, to a 2.75. G.P.A.
- SB2017
HB2008 This bill would allow a student who qualifies for in-state tuition under the rules of the Board of Regents or the University of Tennessee system as an unemancipated minor of divorced parents, one of whom is domiciled in Tennessee, to be eligible for the HOPE Scholarship.

Classified Listing of Bills Pending Relative to TSAC and Higher Education

ASPIRE (WORK-STUDY)

*HB0043/SB0898

*HB0044/SB0891

DUAL ENROLLMENT

*HB0794

*SB0144/HB0312

ELIGIBILITY

*HB0058/SB0892

*HB1152/SB1337

*HB2342/SB2199

*SB1541/HB1544

ELIGIBILITY (ACCESS GRANT)

*SB0513/HB1686

ELIGIBILITY (DEPENDENT CHILD OF A RELIGIOUS WORKER)

*HB2031/SB2165

ELIGIBILITY (DOCUMENTED MEDICAL DISABILITIES)

*HB0511

*SB0311/HB0474

ELIGIBILITY (MILITARY HOME-OF-RECORD)

*HB0086/SB0118

*HB1296/SB1781

*SB0048/HB0870

ELIGIBILITY (OUT-OF-STATE BOARDING SCHOOLS)

*HB0316/SB0320

*HB0379/SB0319

EXPANSION OF EXISTING PROGRAM (HELPING HEROES)

*HB0892

*SB0037/HB0839

EXPANSION OF EXISTING PROGRAM (TELS)

*SB0146/HB0313

GPA - GRADE POINT AVERAGE

*SB1137/HB1668

*SB1885

NEED-BASED

*HB0006/SB0709

NEW PROGRAM

*HB0364/SB0676

*HB0712/SB1416

*HB0835/SB1464

*HB0881/SB1778

*HB1163/SB1884

*HB1294/SB1308

*HB2130 /SB2185

*SB0103/HB0880

*SB0876/HB1630

SUNSET

*SB1037/HB1095