

Tennessee Student Assistance Corporation

Tuesday September 27, 2016

DECISION ITEM B:

Proposed Rules, Ned McWherter Scholars Program

Staff Recommendation:

(1) That the Tennessee Assistance Student Corporation adopt the amended Rule 1640-1-09, as proposed rules.

(2) That the TSAC Board of Directors authorize the Executive Director to make any necessary technical corrections to these rules including changes suggested by the Tennessee Attorney General.

Background:

The Rule as proposed makes the following substantive changes:

- Provides the student 16 months from high school graduation to enroll in an eligible postsecondary institution.
- Clarifies postsecondary accreditation standards.
- Prohibits a participating postsecondary institution from requiring recipients from performing any form of work or service as a condition to receiving the institutional match.
- Changes the renewal postsecondary GPA from 3.2 to 3.0 and allows a regain provision.
- Revises the appeal process.
- Provides clarifying and other technical changes throughout the rules.

Supporting Document:

Rules of the Tennessee Student Assistance Corporation, Chapter 1640-1-09, Ned McWherter Scholars Program

**RULES OF
TENNESSEE STUDENT ASSISTANCE CORPORATION**

**CHAPTER 1640-01-09
NED MCWHERTER SCHOLARS**

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1640-01-09-01 SUMMARY AND PURPOSE. The State of Tennessee has created an Academic Scholars Program to be administered by the Tennessee Student Assistance Corporation (TSAC) for qualified applicants to attend postsecondary institutions in Tennessee in pursuit of an associate or baccalaureate degree. The scholarship will be awarded to assist in the cost of required tuition, fees, equipment, textbooks, supplies, and if applicable, room and board at the institution. ~~The award initially paid \$4,000 an academic year.~~ The amount of the award shall be determined by the TSAC Board of Directors based on available State funding. The amount paid by ~~the State~~TSAC from the program's endowment and appropriations must be matched on a dollar-for-dollar basis for each awardee by the respective institution the awardee attends. The scholarship is intended to provide an incentive for academically superior Tennessee students to attend a postsecondary education institution in Tennessee, and is payable for up to four academic years for recipients who continue to be qualified.

Authority: T.C.A. §§ 49-4-201 and 49-4-204. **Administrative History:** Original rule filed April 10, 1986; effective July 14, 1986. Amendment filed May 7, 1991; effective August 28, 1991.

1640-01-09-02 MINIMUM QUALIFICATIONS OF APPLICANTS.

(1) To be eligible, an applicant must:

- (a) Have earned a minimum cumulative grade point average in high school, at the end of the seventh semester, of at least 3.5 on a 4.0 scale. ~~{The seventh semester is usually the semester before the semester in which one would graduate.}~~
- (b) Have attained a composite score on the ACT or the SAT which places the student in the top ~~5%~~five percent of test-takers nationally, such minimum score to be estimated based upon previous year's data and announced annually.
- (c) Have graduated with a regular diploma ~~no more than one year prior to the time of his/her first application for an award,~~ from a high school in Tennessee ~~which that~~ is approved by the Tennessee State Department of Education, is accredited by the Southern Association of Colleges and Schools, or belongs to an agency whose accreditation process is approved by the State Board of Education. Exceptions to this requirement for graduates of a "home school" as defined in T.C.A. § 49-6-3050 may be granted by the Executive Director of ~~the Tennessee Student Assistance Corporation~~TSAC.
- (d) Be an applicant for initial admission to college after high school graduation at the time of ~~his/her~~the student's initial application for the scholarship. The applicant must enroll at an eligible postsecondary institution within 16sixteen (16) months following

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(Rule 1640-01-09-.02, continued)

~~graduation from high school. (For the first year of the program, must not have entered college prior to July 1, 1986.)~~

(e) ~~Be a resident of Tennessee and a citizen or permanent resident of the United States. The applicant's parent(s) or legal guardian must also meet the same residency and citizenship requirements for the applicant to qualify. Be a Tennessee resident, as defined by rules promulgated by the Tennessee Board of Regents.~~

(f) ~~Be a citizen, permanent resident or eligible non-citizen of the United States.~~

(fg) Make application to TSAC for the scholarship by established deadlines on TSAC-approved application forms.

(gh) ~~Cause Request a certified copy of the high school transcript to be sent mailed or emailed to TSAC by the high school from which graduated, or graduation, as applicable (or graduating). If the high school transcript does not contain ACT and/or SAT scores have not previously been provided to TSAC, cause ensure at least one of these scores to be areis sent to TSAC by the testing agency by the established deadline.~~

Authority: T.C.A. §§ 49-4-201 and 49-4-204. **Administrative History:** Original rule filed April 10, 1986; effective July 14, 1986. Amendment filed February 17, 1988; effective May 29, 1988.

1640-01-09-.03 QUALIFYING PROGRAMS AND INSTITUTIONS OF HIGHER EDUCATION.

(1) The institution to be attended must be located in Tennessee and be approved by the Tennessee Higher Education Commission (THEC) or accredited by ~~an accrediting agency approved by the Council on Postsecondary Accreditation~~ the Southern Association of Colleges and Schools to award academic associate or ~~higher undergraduate~~ degrees.

(2) The postsecondary educational institution that the recipient will attend must agree in writing ~~to provide~~ to TSAC ~~to provide~~ the administrative and academic information necessary to administer the program. The institution must also agree in writing to match the endowment portion of the scholarship award on a ~~dollar-for-dollar~~ basis. ~~The portion of the scholarship matched by the postsecondary institution must not include a work or service requirement.~~

(3) The program entered must lead to an associate or baccalaureate degree.

Authority: T.C.A. §§ 49-4-201 and 49-4-204. **Administrative History:** Original rule filed April 10, 1986; effective July 14, 1986.

1640-01-09-.04 SCHOLARSHIP AMOUNT, LENGTH, AND INTERVALS OF PAYMENTS.

(1) ~~The scholarship from the endowment, appropriations, and the institution attended will pay at least \$4,000 per academic year (nine months), except under the conditions cited in .04 (2) below amount of the award shall be determined by the TSAC Board of Directors and published on TSAC's website.~~

(2) If the scholarship recipient also receives federal ~~and/or state~~ educational assistance for the same award period(s), the total scholarship and ~~federal other~~ aid may not exceed ~~federally stipulated aid maximat~~ the cost of attendance.

(3) The recipient must attend on a full-time basis in courses ~~which that~~ are creditable toward

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the recipient's graduation requirements during the time for which ~~he/she~~the recipient receives the scholarship, as determined by the written policies of the institution attended. At least two semesters of attendance, or the equivalent, of attendance is required each year to remain eligible. (The cost for summer enrollment periods will not be covered by the scholarship.)

(4) Recipients must achieve at least a 3.0 cumulative grade point average (GPA) each academic year to remain eligible. ~~To remain eligible to receive awards under the program, the recipient must maintain satisfactory progress on a four point scale within the following guidelines:~~

(a) ~~After two or more semesters of attendance, all Recipients must have achieved at least a 3.2 cumulative grade point average (GPA) each academic year to remain eligible, and~~

(b) ~~freshmen must also not earn less than 2.75 for either semester.~~

(c) ~~sophomores, juniors, and seniors must generally have earned at least a 3.0 each semester above the freshman year to remain eligible. However, the Executive Director may grant a waiver for any semester the cumulative grade point average exceeds 3.2 by at least as much as the semester's grade point average failed to meet the requisite 3.0.~~

(da) ~~After two semesters, the recipient's cumulative GPA is allowed to be below 3.2 on one occasion. At such time, the recipient will be notified of a one semester probation status. The award will continue during the probation status. At the conclusion of the probation semester, the cumulative GPA must be 3.2 or above to remain eligible. If a student ceases to be eligible for the Ned McWherter Scholars award due to failure to achieve the required cumulative GPA at the end of an academic year, the student may regain the award by maintaining continuous, full-time enrollment at an eligible postsecondary institution and attaining a cumulative GPA of 3.0 or higher. Eligibility shall be reviewed at the end of each academic year following the loss of the award. The student may regain the award one time. A student who subsequently loses the award after regaining eligibility shall be permanently ineligible.~~

(5) Recipients in a baccalaureate degree program are eligible for the scholarship for up to eight semesters or twelve quarters. Recipients in an associate degree program are eligible for up to four semesters or six quarters.

(6) Scholarship ~~payments will be made to the student at the beginning of each term recipients must use the Ned McWherter Scholars for education-related expenses. Ned McWherter Scholars A~~awards shall be first applied to tuition and fees, room and board, and the excess, if any, shall be distributed to the recipient provided the student remains eligible according to subsections (3) and (4) ~~above of this rule. If the school participates in Automated Clearing House, the~~The funds will be sent by direct deposit to the school and the school will ~~be directed to deliver~~disburse excess the funds to the ~~honoree~~ recipient. At institutions utilizing the quarter system, one-third of the annual award will be paid at the start of the fall, winter, and spring quarters. At semester institutions, one-half of the annual award will be paid at the start of the fall and spring terms.

Authority: T.C.A. §§ ~~49-4-201, 49-4-203, and 49-4-204.~~ **Administrative History:** Original rule filed April 10, 1986; effective July 14, 1986. Amendment filed May 7, 1991; effective August 28, 1991. Amendment filed January 29, 1993; effective April 30, 1993. Amendment filed April 2, 1996; effective

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(Rule 1640-01-09-.04, continued)

August 28, 1996. Amendment filed August 6, 2002; effective December 27, 2002.

1640-01-09-.05 APPLICATION AND INITIAL AWARD PROCEDURES.

(1) By February 15 each applicant shall:

(a) ~~students from qualified high schools must~~ submit an applications to TSAC, and

~~(b) and have an official ensure a~~ copy of the applicant's high school transcript ~~which contains~~ the high school grades through the seventh semester is submitted by the high school to TSAC. ~~The official ACT and/or SAT test score for the applicant must also be submitted to TSAC by February 15, also.~~

(2) Recipients for freshmen awards will be selected by the following criteria:

(a) The applicant must meet the minimum standards described in ~~R~~rule 1640-01-09-.02 ~~hereinbefore.~~

(b) The ACT and/or SAT score, including past scores of each test, the high school grades attained in each course, and the difficulty of the high school program taken will be compared to those of other applicants.

(c) Other relevant factors will be considered ~~which that~~ tend to indicate the success the applicant may have in the program and ~~his/her~~the applicant's future contributions to society. The awards will be made with due regard for broad participation by recipients from across the ~~State state~~ who are representative of various ethnic and racial characteristics and by members of each sex.

(3) Recipients will be recommended by a ~~four~~five-person committee chaired and appointed by the Executive Director of ~~THEC /~~ TSAC. The Executive Director of ~~the THEC / TSAC Tennessee Higher Education Commission~~ or ~~his~~ designee, shall serve on the committee. Other members shall include one representative each of public ~~four-year~~senior institutions, private, ~~four-year~~senior institutions, and ~~eligible institutions which offer the associate degree as the highest degree community colleges.~~ The selection of these three representatives shall provide for rotation among eligible institutions, according to procedures established by the Executive Director of ~~THEC /~~ TSAC.

(4) ~~By March 15 of each year, During the spring semester of the high school senior year,~~ TSAC will notify ~~freshmen~~ applicants of their award status. Those who ~~were are~~ notified that they ~~were are~~ tentative awardees will have two weeks from the notification date to notify TSAC in writing that they will accept the award or the award will be forfeited.

(5) The number of recipients selected for awards in any one year will be determined by the availability of funds for that year.

(6) ~~The award warrants will be made payable to the recipient, but will be sent to the educational institution for delivery. Before the institution presents the warrant to the recipient, The institution shall ensure that the recipient is enrolled full-time for the period for which the award is given and, after the initial term of enrollment, that the recipient has maintained satisfactory progress in accordance with standards described hereinbefore in R~~rule 1640-01-09-.04(4) for the immediately preceding academic term attended by the recipient prior to releasing scholarship funds to the recipient. The electronic certification of these facts shall be forwarded completed by the school institution to the TSAC each term of the award year.

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(Rule 1640-01-09-.05, continued)

(7) If the deadline under this section occurs on a weekend or holiday, the deadline will be the next business day.

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Authority: T.C.A. §§ 49-4-201 and 49-4-204. **Administrative History:** Original rule filed April 10, 1986; effective July 14, 1986. Amendment filed February 17, 1988; effective May 29, 1988. Amendment filed January 29, 1993; effective April 30, 1993.

1640-01-09-.06 RENEWAL SCHOLARSHIPS.

- (1) Scholarship awards are made to recipients for one year at a time. After the initial application, renewal applications must be submitted each year ~~in order~~ to continue in the program.
- (2) Renewal recipients shall receive first priority for scholarship awards, assuming sufficient funding.
- (3) Scholarships will be continued for recipients who continue to meet ~~R~~rule 1640-01-09-.02 standards and maintain satisfactory progress in accordance with the standards described ~~hereinbefore~~ in ~~R~~rule 1640-01-09-.04(4). Upon proper and timely application, such prior recipients will be eligible for a renewal scholarship each year while enrolled in the program until ~~he/she~~the recipient has received a maximum total of twelve quarters or eight semesters in a baccalaureate degree program or a maximum of six quarters or four semesters in an associate degree program in awards.
- (4) Students participating in the program may transfer to another eligible institution ~~at the end of the academic year~~. This transfer must be noted on the ~~renewal~~ application. A transfer student retains ~~his or her~~their eligibility provided all other conditions are met. Recipients completing an associate degree may transfer to a ~~senior four year~~ institution to pursue a baccalaureate degree.
- (5) Renewal applications, as approved by TSAC, must be submitted by ~~March 1~~ February 15 ~~that which~~ immediately precedes the year for which the scholarship is sought. ~~Within thirty days thereafter, recipients will be notified in writing of their tentative awards or loss of eligibility. If the deadline occurs on a weekend or holiday, the application deadline will be the next business day.~~
- (6) All renewal awards are tentative until ~~written~~ confirmation is received by TSAC from the educational institution being attended that the student continues to meet the stipulations in subparagraph (3) ~~above of this Rule~~ after the spring term.

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Authority: T.C.A. §§ 49-4-201 and 49-4-204. **Administrative History:** Original rule filed April 10, 1986; effective July 14, 1986. Amendment filed May 7, 1991; effective August 28, 1991. Amendment filed January 29, 1993; effective April 30, 1993.

1640-01-09-.07 APPEALS PROCEDURES.

- ~~(1) Generally, all rulings of the TSAC's administrator shall apply.~~
- ~~(2) Those who believe that his/her rulings were not according to the published regulations and statutes may appeal to the TSAC Associate Executive Director for relief.~~
- ~~(3) All student appeals must be submitted to the TSAC TELS appeals panel. Except where~~

(Rule 1640-01-09-.07, continued)

~~exigent circumstances exist, the TELS appeals panel shall render a decision no later than fourteen (14) calendar days after receipt of the appeal. If the TSAC Associate Executive Director does not rule in the favor of the complainant the complainant may request a hearing before the TSAC Appeals Committee. The ruling of the Appeals TELS appeals Committee panel shall be the last administrative remedy.~~

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(2) The TELS appeals panel shall have no authority to make an exception to the high school or collegiate GPA requirements.

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Authority: T.C.A. §§ 49-4-201 and 49-4-204. **Administrative History:** Original rule filed April 10, 1986; effective July 14, 1986.

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