

Tennessee Student Assistance Corporation

Tuesday, September 27, 2022

DECISION ITEM H Dual Enrollment Grant Program Rules

Staff Recommendation (1) Adopt Chapter 1640-01-31 as Rulemaking Hearing Rules;
(2) Authorize the Executive Director to make any necessary technical corrections to these rules including changes suggested by the Tennessee Attorney General.

Background

Rules submitted for review are new rules, taken from the Tennessee Education Lottery Scholarship Rules, and include the following provisions:

1. Since eligibility requirements, population served, and award structure are completely distinct from other TELS awards, it's more appropriate for the Dual Enrollment Grant to have its own set of rules
2. Added provisions to effectuate significant changes enacted by PC 1116 which:
 - a. Created a unified program with a uniform award amount to make it easier for high school students to complete a technical credential or a semester of college before graduation
 - b. Made DEG available for TCAT programs beginning in the freshman year of high school
 - c. Increased maximum funding per student to 1296 clock hours at a TCAT and five courses toward a community college or university degree.
 - d. Removes the current provision requiring institutions to deduct DEG funding beyond a student's fourth course from their HOPE scholarship award once they begin college
3. Removed duplicative or unnecessary language already sufficiently articulated in statute
4. Included common administrative provisions, such as application deadlines, Refund Policy, and Appeal and Exception Process, to be consistent with other TSAC programs

A public Rulemaking Hearing was held on September 16, 2022. No members of the public attended, and no comments were submitted. No modifications have been made to the draft rules since the hearing.

These rules will be implemented following approval by the Tennessee Attorney General and subsequent filing with the Secretary of State.

Supporting Document

Rules of the Tennessee Student Assistance Corporation, Chapter 1640-01-31, Dual Enrollment.

**RULES
OF
THE TENNESSEE STUDENT ASSISTANCE CORPORATION
(TSAC)**

**CHAPTER 1640-01-31
DUAL ENROLLMENT GRANT PROGRAM**

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1640-01-31-.01 DEFINITIONS.

- (1) Certificate or diploma: The term is defined in T.C.A. § 49-4-930.
- (2) Continuing education: Courses and programs that do not lead to a certificate, diploma or degree that are designed for personal development.
- (3) Course: The term is defined in T.C.A. § 49-4-930.
- (4) Credit hours attempted: The number of semester or clock hours in which a student attending a postsecondary institution is enrolled as of the institutionally defined census date shall be considered credit hours attempted, regardless of whether a grade has been assigned.
- (5) Degree: A two-year associate degree or four-year baccalaureate degree conferred on students by an eligible postsecondary institution.
- (6) Dual Enrollment Grant: The term is defined in T.C.A. § 49-4-902.
- (7) Eligible postsecondary institution: The term is defined in T.C.A. § 49-4-930.
- (8) GED: The term is defined in T.C.A. § 49-4-902.
- (9) Grade point average (GPA): The numbered grade average calculated using a 4.0 scale, calculated to the hundredth decimal.
- (10) HiSET: The term is defined in T.C.A. § 49-4-902.
- (11) Satisfactory academic progress: Progress in a course of study in accordance with the standards and practices used for Title IV programs by the eligible postsecondary institution at which the student is currently enrolled.
- (12) Semester: The term is defined in T.C.A. § 49-4-902.
- (13) Semester hour: The term is defined in T.C.A. § 49-4-902.
- (14) TCAT: Tennessee College of Applied Technology operated by the Tennessee Board of Regents.
- (15) Title IV: The term is defined in T.C.A. § 49-4-902.
- (16) TSAC: Tennessee Student Assistance Corporation.

Authority: T.C.A. §§ 49-4-201, 49-4-204, 49-4-902, 49-4-903, 49-4-924, and 49-4-930.

1640-01-31-.02 AWARD AMOUNTS AND CLASSIFICATIONS.

- (1) The Dual Enrollment Grant program is intended to provide an opportunity for Tennessee high school students to earn up to a technical certificate or diploma or a semester of college credit by high school graduation, free of tuition and fees.
- (2) The Dual Enrollment Grant award amounts shall be determined in accordance with T.C.A. § 49-4-930.
- (3) The receipt of a Dual Enrollment Grant is contingent upon admission and enrollment at an eligible postsecondary institution. Qualifying for a Dual Enrollment Grant does not guarantee admission to an eligible postsecondary institution.

Authority: T.C.A. §§ 49-4-201, 49-4-204, 49-4-903, 49-4-924, and 49-4-930.

1640-01-31-.03 APPLICATION PROCESS.

- (1) Students shall apply for the Dual Enrollment Grant by completing the Dual Enrollment Grant Application using a procedure determined by TSAC staff. Application deadlines shall be determined by the TSAC Executive Director and published on TSAC's website. If the deadline for the application occurs on a weekend or holiday, then the deadline will be the next business day. It is the responsibility of the student to submit the application in a timely manner to ensure it is received by the published deadlines.
- (2) The TSAC Executive Director is authorized to modify published application deadlines for well-documented extraordinary cause, if necessary to protect the public interest.

Authority: T.C.A. §§ 49-4-201, 49-4-204, 49-4-903, 49-4-924, and 49-4-930.

1640-01-31-.04 ELIGIBILITY.

- (1) To be eligible for a Dual Enrollment Grant a student shall meet the requirements of T.C.A. § 49-4-930.
- (2) The student must not have already received a high school diploma, GED, or HiSET diploma.
- (3) An otherwise eligible student may continue to receive a Dual Enrollment Grant until the total Dual Enrollment Grant awards received by the student reach the maximum levels specified in T.C.A. §49-4-930.
- (4) The grant is available for the fall, spring, and summer semesters prior to graduation from high school.

Authority: T.C.A. §§ 49-4-201, 49-4-204, 49-4-902, 49-4-903, 49-4-924, and 49-4-930.

1640-01-31-.05 EXCLUSIONS.

- (1) The Dual Enrollment Grant will not pay for:
 - (a) Credit hours earned by examination;
 - (b) Courses audited by a student for which no college credit will be received;

- (c) Upper-division courses (typically numbered 300-400 or 3000-4000);
- (d) Continuing education courses; and
- (e) Pass/Fail courses.

Authority: T.C.A. §§ 49-4-201, 49-4-204, 49-4-902, 49-4-903, 49-4-924, and 49-4-930.

1640-01-31-.06 RETENTION OF AWARDS.

- (1) To remain eligible for a Dual Enrollment Grant the student must continue to meet the minimum requirements pursuant to T.C.A. § 49-4-930.
- (2) The cumulative GPA used to determine eligibility for a renewal of a Dual Enrollment Grant must be calculated by the institution the student is attending, utilizing its institutional grading policy on an A through F scale, and must be based on all dual enrollment credit hours attempted under a Dual Enrollment Grant. For students enrolled at a TCAT, satisfactory academic progress satisfies the cumulative GPA requirement in T.C.A. § 49-4-930.

Authority: T.C.A. §§ 49-4-201, 49-4-204, 49-4-924, and 49-4-930.

1640-01-31-.07 AWARD MADE IN ERROR.

- (1) If a student receives a Dual Enrollment Grant award and it is later determined that the award or some portion of the award was made in error, the student or the postsecondary institution may be required to repay the amount awarded in error.
- (2) If TSAC determines that the error was through no fault of the student, the student will not be required to repay the amount of the payment made in error.
- (3) Repayment from the student will be required if TSAC determines that fraud was committed by, or the error was the fault of, the student. When repayment is required, the student may not receive additional student aid from TSAC until repayment is made.
- (4) Repayment from the eligible postsecondary institution will be required if TSAC determines that the error was the fault of the institution.

Authority: T.C.A. §§ 49-4-201, 49-4-204, and 49-4-924.

1640-01-31-.08 REFUND POLICY.

- (1) If a recipient of a Dual Enrollment Grant fails to complete a semester for any reason, the eligible postsecondary institution shall apply its refund policy to determine whether a refund may be required and whether funds must be returned to TSAC. The eligible postsecondary institution shall provide the student with a notice indicating the amount to be returned to the student and the amount to be refunded to TSAC. Additionally, the eligible postsecondary institution shall notify TSAC of the refund, which shall be noted on the student's record. The eligible postsecondary institution shall also be responsible for obtaining repayment from the student if necessary. The student shall be ineligible for student aid from TSAC until the refund is paid.

Authority: T.C.A. §§ 49-4-201, 49-4-204, and 49-4-924.

1640-01-31-.09 APPEAL AND EXCEPTION PROCESS.

- (1) Each eligible postsecondary institution shall use its existing Institutional Review Panel (IRP) for purposes of reviewing and rendering decisions regarding appeals for the Dual Enrollment Grant program. The IRP shall use the same procedures and timelines as those that currently exist for the review of Tennessee Education Lottery Scholarship (TELS) appeals as outlined in Tenn. Comp. R. & Regs. 1640-01-19.
- (2) TSAC shall use the existing TSAC Appeals Panel to consider appeals and render decisions for those students who appeal a decision made by the IRP and for appeals made directly to TSAC. The same guidelines shall exist for appeals of the Dual Enrollment Grant program as those that are currently in place for TELS as outlined in Tenn. Comp. R. & Regs. 1640-01-19. A decision of the TSAC Appeals Panel made on the merits of the appeal is the final administrative remedy available to the student.

Authority: *T.C.A. §§ 49-4-201, 49-4-204, and 49-4-924.*