



# State of Tennessee

## PUBLIC CHAPTER NO. 183

HOUSE BILL NO. 763

By Representatives Gillespie, Hazlewood

Substituted for: Senate Bill No. 701

By Senator Powers

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 4 and Title 49, Chapter 7, relative to higher education reports.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-4-903, is amended by deleting subsections (c) and (d) and substituting:

(c) Postsecondary educational institutions that enroll students receiving scholarships or grants under this part shall provide all information required by TSAC and THEC that is necessary for administering, reviewing, and evaluating the programs. TSAC and THEC may choose to collect data from higher education institutions or through the University of Tennessee system, board of regents, the state universities, or the Tennessee Independent Colleges and Universities Association. TSAC and THEC shall maintain confidentiality of individual student records in accordance with the Family Educational Right to Privacy Act (20 U.S.C. § 1232g).

SECTION 2. Tennessee Code Annotated, Section 49-4-708(e), is amended by deleting the subsection and substituting:

TSAC and the Tennessee higher education commission shall provide assistance to the general assembly by researching and analyzing data concerning the scholarship program created under this part, including, but not limited to, student success and scholarship retention. TSAC and the Tennessee higher education commission shall publish its findings annually in the report required by § 49-4-903(b).

SECTION 3. Tennessee Code Annotated, Section 49-4-930(i)(2), is amended by deleting the subdivision.

SECTION 4. Tennessee Code Annotated, Section 49-7-112, is amended by deleting the section and substituting the following:

(a) This section is known and may be cited as the "Skills for Jobs Act."

(b) To the extent practicable within available resources and subject to the availability of data currently collected by and accessible to state agencies, the Tennessee higher education commission, in partnership with the department of labor and workforce development, the department of economic and community development, the department of education, and any other entity the commission deems appropriate, shall produce an annual report regarding state workforce need projections and credential production. The report must:

(1) Indicate the state's anticipated workforce needs and the number of degrees, certificates, and other credentials that public and private institutions of higher education, including schools authorized under the Tennessee Higher Education Authorization Act, compiled in chapter 7, part 20 of this title, have issued;

(2) To the extent provided by sources external to the commission, indicate the state's offering of career preparation and career training opportunities that high school and postsecondary career and technical education

**HB763**

programs, apprenticeship programs, and other public or private workforce training programs have provided;

(3) Identify any workforce needs that may not be met by the education, training, and apprenticeship programs; and

(4) Identify institutions, public or private, that may have the academic programs necessary to meet projected workforce needs.

(c) The department of economic and community development, in collaboration with the department of labor and workforce development, shall identify employer demand for skilled workers. The department of labor and workforce development shall align degree production to employer demand to assess gaps and oversupply. The Tennessee higher education commission and department of education shall identify connections across secondary and postsecondary training that are aligned to meet state workforce needs.

(d) The department of labor and workforce development, the department of economic and community development, and the department of education shall provide data on the state's anticipated workforce needs and other information, as requested by the Tennessee higher education commission, that is necessary to produce the report under subsection (b) by December 1, 2021, and by December 1 of each year thereafter.

(e) The commission, by March 1, 2022, and by March 1 of each year thereafter, shall provide a copy of the report to the education committee and the commerce and labor committee of the senate, the education administration committee and the commerce committee of the house of representatives, and the governor. The commission shall send the report to the commissioners of economic and community development, labor and workforce development, and education. The commission shall also send the report to the board of regents, the University of Tennessee board of trustees, each of the state universities, and the Tennessee Independent Colleges and Universities Association. The commission shall work with the department of education to provide the report to the state's public school districts and private elementary, middle, and high schools. The report may be provided electronically.

SECTION 5. Tennessee Code Annotated, Section 49-7-1209, is amended by deleting the section.

SECTION 6. Tennessee Code Annotated, Section 49-7-1203, is amended by deleting subdivision (3) and renumbering the remaining subdivisions accordingly.

SECTION 7. Tennessee Code Annotated, Section 49-7-1210, is amended by deleting the section.

SECTION 8. Tennessee Code Annotated, Section 49-7-210, is amended by deleting the section and substituting:

(a) The Tennessee higher education commission shall submit an annual report on the condition of Tennessee higher education to the governor and the general assembly.

(b) This report, which is known as the Tennessee Postsecondary Education Fact Book, must include data from the state universities, the institutions of the board of regents system, and the University of Tennessee system and their governing bodies and, to the extent possible, from the Tennessee Independent Colleges and Universities Association. The fact book must also include available regional and national information to put Tennessee's data in context.

(c) The fact book must address the topics of access, efficiency, productivity, and quality as indicated by, but not limited to, the following performance categories and illustrative indicators:

(1) Student preparation, such as freshman class profiles and learning support placement and success rates, by subject area;

**HB763**

(2) Student participation, such as college-going rates, overall enrollment, and enrollment by critical student subpopulations;

(3) Student progression, such as end-of-term enrollment counts, freshman-to-sophomore retention rates, and the number of students passing credit hour benchmarks under the higher education funding formula;

(4) Student success and completion, such as retention and graduation rates, time to degree, credentials awarded, and credentials awarded per one hundred (100) full-time equivalent enrolled students;

(5) Workforce participation, such as job placement rates and licensure passage rates;

(6) Academic trends, such as student engagement survey results, changes to the academic program inventory, low-producing academic programs, the number and percentage of accredited programs, and the percentage of lower division instructional courses taught by full-time faculty, part-time faculty and graduate assistants;

(7) Financing trends, such as state appropriation levels and net tuition revenues, state and other revenue per student, and state and other revenue per awarded credential; and

(8) Affordability trends, such as in-state and out-of-state tuition rates, aggregate debt and student default rates, and costs of attendance.

(d) The fact book:

(1) Must include the amount of any federal appropriations made to, and the amount of any matching funds received by, each federal land-grant institution of higher education in this state for each of the agricultural research, extension, education, and related programs established under:

(A) Section 1444 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. § 3221);

(B) Section 1445 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. § 3222);

(C) Sections 3(b) and (c) of the Smith-Lever Act (7 U.S.C. § 343);  
and

(D) The Hatch Act of 1887 (7 U.S.C. § 361a et seq.);

(2) Must include the amount of any state appropriations made to each federal land-grant institution of higher education in this state for agriculture education; and

(3) May include any additional information that may assist the general assembly in providing equitable funding to each of the federal land-grant institutions of higher education in this state.

(e) The fact book must be published prior to May 1 each year, or as soon as practicable upon receipt of necessary student data from the systems and other sources. The fact book must be made available in web-based and printable formats.

SECTION 9. Tennessee Code Annotated, Section 49-7-211, is amended by deleting subsection (a) and substituting:

Each public university and community college shall report to the Tennessee higher education commission, on an annual basis, an accounting of student activity fees.

SECTION 10. Tennessee Code Annotated, Section 49-7-211, is amended by deleting subsection (d).

**HB763**

SECTION 11. Tennessee Code Annotated, Section 49-7-218, is amended by deleting the section.

SECTION 12. This act takes effect July 1, 2021, the public welfare requiring it.

HOUSE BILL NO. 763

PASSED: March 29, 2021



CAMERON SEXTON, SPEAKER  
HOUSE OF REPRESENTATIVES



RANDY MCNALLY  
SPEAKER OF THE SENATE

APPROVED this 20<sup>th</sup> day of April 2021



BILL LEE, GOVERNOR