

**RULES
OF
TENNESSEE STUDENT ASSISTANCE CORPORATION**

**CHAPTER 1640-1-16
ROBERT C. BYRD HONORS SCHOLARSHIP PROGRAM**

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1640-1-16-.01 INTRODUCTION.

These rules are adopted to implement the Robert C. Byrd Honors Scholarship Program, hereinafter called the program. The program was established under its present name in 1987 under Title IV, Part A, Subpart 6 of the Higher Education Act of 1965, as amended, 20 U.S.C. 1070 d-31 *et seq.* Mr. Byrd is a West Virginian who served ably as the Senate Majority Leader.

Starting with the 1991-92 award year, the Tennessee Student Assistance Corporation will administer the program in behalf of the Chief State School Officer who is the official grant recipient from the U.S. Department of Education.

Authority: T.C.A. §49-4-204. *Administrative History:* Original rule filed February 25, 1991; effective May 29, 1991.

1640-1-16-.02 GENERAL.

The amount of annual award will be determined by federal appropriations. The scholarship must be used to attend a higher education institution in the United States. The award must be used within 12 months of the time of the award, unless prior approval has been granted by TSAC.

Authority: T.C.A. §§49-4-204 and 49-4-203. *Administrative History:* Original rule filed February 25, 1991; effective May 29, 1991. Amendment filed February 19, 1997; effective June 28, 1997.

1640-1-16-.03 ELIGIBILITY AND APPLICATION PROCEDURES.

- (1) To be eligible to apply, one must:
 - (a) Have achieved at least a 3.5 cumulative grade point average on a 4.0 scale through seven semesters of high school or have attained a minimum GED score of 57. Those whose high school cumulative grade point average is at least 3.0 are also eligible to apply if they document they attained an ACT or SAT score in the top quartile of college-bound seniors nationally.
 - (b) Have applied for admission to a recognized public or private non-profit institution of higher education as defined in 34 CFR 654.5.
 - (c) Be a legal resident of the State of Tennessee.
 - (d) Be a U.S. citizen or national or, alternatively, meet another federally specified citizenship criteria in 34 CFR 654.40(b)(1)(2)(3).
 - (e) Be recommended by an appropriate school official pertaining to his or her promise of continued academic achievement. (For high school seniors, this would be a high school official. GED applicants should have a college official to sign.)

(Rule 1640-1-16-.03, continued)

- (f) Apply before the published deadline, which is March 1st each year.
- (2) To be considered applicants must:
 - (a) Meet the requirements specified hereinbefore.
 - (b) Submit the completed TSAC-approved application by the deadline.
 - (c) Not have applied for consideration in a prior year.
- (3) Selection Procedure
 - (a) All applications will be analyzed to ensure compliance with requirements specified hereinbefore.
 - (b) Applications will be sorted according to the grand division of Tennessee in which the applicant resides.
 - (c) The first selections for approximately one half of the awards will be from among those eligible with at least a 3.5 cumulative grade point average or 62 GED. The remainder of the selections will be from among all eligible applicants. Selections will be made on a scientific basis by a stratified random technique to provide for reasonable representation from each grand division among those selected throughout the State. Selected applicants must submit an official high school transcript containing the first semester of the senior year within three weeks after selection notification. Note: An official GED score certification may be submitted in lieu of the high school transcript. An official ACT or SAT score should also be submitted as applicable.
 - (d) Each year the selection procedures utilized will be reviewed by the Executive Director of TSAC and representatives of the State Board of Education, State Department of Education and of the Tennessee Higher Education Commission.

Authority: T.C.A. §§49-4-203 and 49-4-204. **Administrative History:** Original rule filed February 25, 1991; effective May 29, 1991. Amendment filed August 12, 1994; effective December 29, 1994. Amendment filed June 30, 2000; effective October 28, 2000. Amendment filed December 10, 2001; effective April 30, 2002.

1640-1-16-.04 AWARD PROCEDURES.

- (1) Tentative awardees and alternates will be notified of their status within 30 days after the submission deadline. Others will be notified within 60 days.
- (2) To receive the award, the selectee must:
 - (a) Have graduated from a secondary school or obtained the GED in the same secondary academic year the awards are being made.
 - (b) Be accepted for enrollment at an eligible institution of higher education.
 - (c) Have on file at the higher education institution a signed Statement of Selective Service Registration Compliance.
 - (d) Have on file at the higher education institution a Statement of Compliance with anti-drug provisions.

(Rule 1640-1-16-.04, continued)

- (3) The first actual payment will be made at the beginning of the fall term after the selectee has been certified by the respective higher education institution to be enrolled on a full-time basis and that the award amount will not create an overaward. A recipient may receive a maximum aggregate of \$6,000 over four years, if he/she continues to be eligible.
- (4) Normally the award must be utilized in the same year as the original award was made. However, if the selectee requests that the award be delayed before the fall payments have been certified by the college, the TSAC Executive Director for sufficient cause may authorize a postponement of the utilization of the award for up to one additional year.
- (5) The amount of the annual award will be determined by federal appropriations. The warrant will be made payable to the honoree but will be sent to the school for delivery. If the school participates in Automated Clearing House, the funds will be sent by direct deposit to the school and the school will be directed to deliver the funds to the honoree. The award will be paid in at least two disbursements.
- (6) Current recipients annually must submit a renewal application in a timely manner. Each term the college must certify that the student is making satisfactory progress, is enrolled full-time, and that the award will not create an overaward. Upon receipt of the college's certification, TSAC will request that a warrant be prepared for the student for the term during the academic year being attended.

Authority: T.C.A. §§49-4-203 and 49-4-204. **Administrative History:** Original rule filed February 25, 1991; effective May 29, 1991. Amendment filed August 12, 1994; effective December 29, 1994. Amendment filed February 19, 1997; effective June 28, 1997. Amendment filed August 6, 2002; effective December 27, 2002.

1640-1-16.05 APPEALS PROCEDURES.

- (1) Generally, all rulings by the program's administrator shall apply.
- (2) Those who believe that such rulings were not in accordance with published regulations and laws may appeal to the TSAC Executive Director for relief.
- (3) If the Executive Director does not rule in favor of the complainant, the complainant may request a hearing before the TSAC Appeals Committee. The ruling of the Appeals Committee shall be the last local administrative remedy.

Authority: T.C.A. §49-4-204. **Administrative History:** Original rule filed February 25, 1991; effective May 29, 1991.

1640-1-16.06 PRECEDENCE OF THE LAW AND FEDERAL REGULATIONS.

These rules are intended to implement the enabling federal law and regulations. Any part of these rules which is adjudicated as being in violation of said federal provisions shall be considered null and void, and all other sections of these rules shall be severed therefrom and remain in full effect.

Authority: T.C.A. §49-4-204. **Administrative History:** Original rule filed February 25, 1991; effective May 29, 1991.