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Sequence Number: 12-26-20
Notice ID(s): 3231
File Date: 12/23/2020

Notice of Rulemaking Hearing

Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, T.C.A. § 4-5-204. For questions and copies of the notice, contact the person listed below.

Agency/Board/Commission:	Tennessee Student Assistance Corporation
Division:	Higher Education
Contact Person:	Shauna Jennings, Deputy General Counsel
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Any Individuals with disabilities who wish to participate in these proceedings (to review these filings) and may require aid to facilitate such participation should contact the following at least 10 days prior to the hearing:

ADA Contact:	Shauna Jennings, Deputy General Counsel
Address:	312 Rosa Parks Avenue, 9 th Floor, Nashville, TN 37243
Phone:	615.253.7462
Email:	shauna.jennings@tn.gov

Hearing Location(s) (for additional locations, copy and paste table)

Address 1:	William R. Snodgrass, Tennessee Tower, 312 Rosa Parks Avenue		
Address 2:	Nashville Room		
City:	Nashville, TN		
Zip:	37243		
Hearing Date:	02/22/2021		
Hearing Time:	10:00 a.m.	<input checked="" type="checkbox"/> X CST/CDT	<input type="checkbox"/> EST/EDT

Additional Hearing Information:

Please read this section in its entirety.

The meeting title is "TSAC TELS Rulemaking Hearing." Attendees may enter William R. Snodgrass, Tennessee Tower from 7th Avenue North and should bring a state-issued identification card or driver's license. Attendees are encouraged to arrive early enough to allow sufficient time to go through security screening and obtain a visitor's pass. Note that building entry may require a temperature check in addition to answering pre-screening questions. Masks may be mandatory and required throughout the duration of the meeting. Adherence to all State and CDC Guidelines for COVID-19 are mandatory. In order to comply with social distancing guidelines, please notify TSAC if you plan to attend the in-person meeting. To do so, send an email to shauna.jennings@tn.gov. All emails should contain "TSAC TELS Rulemaking Hearing" in the subject line. TSAC expects no more than twenty (20) attendees. If additional attendees are expected, TSAC will request a different room or exercise our option to proceed via WebEx (see below).

TSAC reserves the right to conduct this hearing electronically using WebEx or a similar media if it determines that such is necessary as a result of the ongoing COVID-19 pandemic. In the event of an electronic hearing, members of the public may join the WebEx at the following link:

<https://tngov.webex.com/tngov/j.php?MTID=m56abd6accec1f304fc08748221307483>

The link above should take users directly to the rulemaking hearing. If prompted for a meeting number or password, use:

Meeting number (access code): 178 203 9459

Meeting password: eUaP83QPwP6

It is recommended that interested persons join the WebEx several minutes early to ensure adequate time to install any mandatory plugins in order to attend the electronic rulemaking hearing.

Written comments may be submitted at the hearing or via email to shauna.jennings@tn.gov. All emails should contain "TSAC TELS Rulemaking Comments" in the subject line. Written comments must be submitted by 4:30 p.m. CT, February 22, 2021 to be considered.

Revision Type (check all that apply):

- Amendment
 New
 Repeal

Rule(s) (ALL chapters and rules contained in filing must be listed. If needed, copy and paste additional tables to accommodate more than one chapter. Please enter only **ONE** Rule Number/Rule Title per row.)

Chapter Number	Chapter Title
1640-01-19	Tennessee Education Lottery Scholarship Program
Rule Number	Rule Title
1640-01-19-.01	Definitions
1640-01-19-.02	Scholarship Award Amounts and Classifications
1640-01-19-.03	Application Process
1640-01-19-.04	General Eligibility
1640-01-19-.05	Eligibility – Tennessee Hope Scholarship
1640-01-19-.07	Eligibility – General Assembly Merit Scholarship
1640-01-19-.08	Eligibility – Tennessee HOPE Access Grant
1640-01-19-.09	Eligibility – Tennessee HOPE Foster Child Grant
1640-01-19-.10	Eligibility – Wilder-Naifeh Technical Skills Grant
1640-01-19-.11	Eligibility – Dual Enrollment Grant
1640-01-19-.12	Retention of Awards – General Requirements
1640-01-19-.13	Retention of Awards – Tennessee HOPE Access Grant
1640-01-19-.14	Retention of Awards – Dual Enrollment Grant
1640-01-19-.19	Converting from Full-time to Part-time Enrollment
1640-01-19-.20	Personal or Medical Leave of Absence
1640-01-19-.22	Calculation of Postsecondary Cumulative Grade Point Average
1640-01-19-.23	Transfer Students
1640-01-19-.25	Denial of Initial Eligibility – Failure to Timely Enroll

Chapter 1640-01-19
Tennessee Education Lottery Scholarship Program
Amendments

Rule 1640-01-19-.01 Definitions is amended by substituting language in paragraph (3), so that as amended, the paragraph shall read:

- (3) ACT: The ACT Assessment offered by ACT, Inc., exclusive of the essay and optional subject area battery tests.

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

Rule 1640-01-19-.01 Definitions is amended by substituting language in paragraph (15), so that as amended, the paragraph shall read:

- (15) Dependent Child of a Military Parent: This term is defined in T.C.A. § 49-4-926.

Authority: T.C.A. §§ 49-4--902, 49-4-903, 49-4-924, and 49-4-926.

Rule 1640-01-19-.01 Definitions is amended by substituting language in paragraph (16), so that as amended, the paragraph shall read:

- (16) Dependent Child of a Full-time Religious Worker: This term is defined in T.C.A. § 49-4-934.

Authority: T.C.A. §§ 49-4--902, 49-4-903, 49-4-924, and 49-4-934.

Rule 1640-01-19-.01 Definitions is amended by adding the following as a new paragraph (22) and renumbering the remaining paragraphs accordingly, so that as amended, the new paragraph shall read:

- (22) Eligible Program of Study: The term is defined in T.C.A. § 49-4-902.

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

Rule 1640-01-19-.01 Definitions is amended by deleting language in new paragraph (32), so that as amended, the paragraph shall read:

- (32) High-Need Course or Program: Courses or programs annually selected by the TSAC Board using the criteria outlined in T.C.A. § 49-4-930, for which the Dual Enrollment Grant may be used.

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

Rule 1640-01-19-.01 Definitions is amended by adding the following as a new paragraph (33) and renumbering the remaining paragraphs accordingly, so that as amended, the new paragraph shall read:

- (33) High School Grade Point Average: The term is defined in T.C.A. § 49-4-902.

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

Rule 1640-01-19-.01 Definitions is amended by deleting original paragraph (65) and renumbering the remaining paragraphs accordingly.

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

Rule 1640-01-19-.01 Definitions is amended by deleting original paragraph (68) and renumbering the remaining paragraph accordingly.

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

Rule 1640-01-19-.02 Scholarship Award Amounts and Classifications is amended by revising language in paragraph (2), and by deleting subparagraphs (a)-(e), so that as amended, the paragraph shall read:

- (2) Award amounts shall be determined in accordance with T.C.A. § 4-51-111 and shall be set in Tennessee Code Annotated, Title 49, Chapter 9, and the General Appropriations Act.

Authority: T.C.A. §§ 4-51-111, 49-4-201, 49-4-204, 49-4-903, 49-4-912, 49-4-914, 49-4-915, 49-4-916, 49-4-919, 49-4-920, 49-4-921, 49-4-922, 49-4-924, 49-4-930, and 49-4-933.

Rule 1640-01-19-.02 Scholarship Award Amounts and Classifications is amended by deleting language in subparagraph (3)(a), so that as amended the subparagraph shall read:

- (a) Students who receive the award amount of maintenance fees as described in T.C.A. § 49-4-930 during their junior year of high school shall continue to receive the award amount of maintenance fees in their senior year even if the course or program is no longer determined to be a high-need course or program by the TSAC Board.

Authority: T.C.A. §§ 49-4-903, 49-4-924, and 49-4-933.

Rule 1640-01-19-.02 Scholarship Award Amounts and Classifications is amended by deleting paragraph (4) and renumbering the remaining paragraphs accordingly.

Authority: T.C.A. §§ 49-4-903, 49-4-924, and 49-4-933.

Rule 1640-01-19-.02 Scholarship Award Amounts and Classifications is amended by adding language to new paragraph (4), so that as amended, the paragraph shall read:

- (4) Recipients of any TELS award as provided by these rules, except for the Dual Enrollment Grant and the Wilder-Naifeh Technical Skills Grant, may enroll as a full-time or part-time student at any eligible postsecondary institution. The amount of the award for full-time and part-time students shall be based on the credit hours attempted in an eligible program of study. Students enrolled in six (6), seven (7), or eight (8) credit hours will receive half (1/2) of the award of full-time students. Students enrolled in nine (9), ten (10), or eleven (11) credit hours will receive three quarters (3/4) of the award of a full-time student.

Authority: T.C.A. §§ 49-4-201, 49-4-204, 49-4-903, 49-4-912, 49-4-914, 49-4-915, 49-4-916, 49-4-919, 49-4-920, 49-4-921, 49-4-922, 49-4-924, 49-4-930, and 49-4-933.

Rule 1640-01-19-.02 Scholarship Award Amounts and Classifications is amended by deleting original paragraph (7) and renumbering the remaining paragraphs accordingly.

Authority: T.C.A. §§ 49-4-903, 49-4-924, and 49-4-933.

Rule 1640-01-19-.02 Scholarship Award Amounts and Classifications is amended by adding language to new paragraph (7), so that as amended, the paragraph shall read:

- (7) The receipt of a Tennessee HOPE Scholarship, Tennessee HOPE Access Grant, Tennessee ASPIRE Award, Tennessee HOPE Foster Child Grant, General Assembly Merit Scholarship, Wilder-Naifeh Technical Skills Grant, Wilder-Naifeh Reconnect, or Dual Enrollment Grant is contingent upon admission and enrollment at an eligible postsecondary institution. Academically qualifying for any of these award programs does not guarantee admission to an eligible postsecondary institution.

Authority: T.C.A. §§ 49-4-201, 49-4-204, 49-4-903, 49-4-912, 49-4-914, 49-4-915, 49-4-916, 49-4-919, 49-4-920, 49-4-921, 49-4-922, 49-4-924, 49-4-930, and 49-4-933.

Rule 1640-01-19-.03 Application Process is amended by revising language in paragraph (2), so that as amended, the paragraph shall read:

- (2) Students applying for a TELS award to be used at an eligible postsecondary institution other than a TCAT must have a FAFSA received by the U.S. Department of Education on or before September 1 for fall enrollment and February 1 for spring and summer enrollment. Students enrolling in a TCAT shall have a FAFSA received by the U.S. Department of Education on or before July 1 for the summer trimester, November 1 for the fall trimester and March 1 for the spring trimester. It shall be the responsibility of the student to ensure that the FAFSA is timely submitted to ensure it is received by the above deadlines.

Authority: T.C.A. §§ 49-4-202, 49-4-203, 49-4-204, 49-9-902, 49-4-903, 49-9-906, 49-9-915, 49-9-920, 49-9-923, and 49-4-924.

Rule 1640-01-19-.03 Application Process is amended by adding language in paragraph (3), and by deleting subparagraph (a), so that as amended, the paragraph shall read:

- (3) Students shall apply for the Dual Enrollment Grant during their junior and senior high school years by completing the Dual Enrollment Grant Application online. The student must renew the Dual Enrollment Grant application each postsecondary academic year. The application deadlines shall be determined by TSAC.

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

Rule 1640-01-19-.03 Application Process is amended by adding the following as a new paragraph (4), so that as amended, the new paragraph shall read:

- (4) The Executive Director is authorized to suspend, waive, or modify application deadlines in these rules upon well documented extraordinary causes, where necessary to protect the public interest.

Authority: T.C.A. §§ 49-4-202, 49-4-203, 49-4-204, 49-4-902, 49-4-903, 49-4-906, 49-4-915, 49-4-920, 49-4-923, and 49-4-924.

Rule 1640-01-19-.04 General Eligibility is amended by substituting language in subparagraph (1)(b), so that as amended, the subparagraph shall read:

- (b) Be classified as a Tennessee resident pursuant to T.C.A. § 49-8-104; and

Authority: T.C.A. §§ 49-4-201, 49-4-204, 49-4-903, 49-4-904, 49-4-905, and 49-4-924.

Rule 1640-01-19-.04 General Eligibility is amended by adding language to subparagraph (1)(d), so that as amended, the subparagraph shall read:

- (d) Be admitted to and enrolled in an eligible postsecondary institution; and

Authority: T.C.A. §§ 49-4-201, 49-4-204, 49-4-903, 49-4-904, 49-4-905, and 49-4-924.

Rule 1640-01-19-.05 Eligibility- Tennessee Hope Scholarship is amended by deleting language from paragraph (1), so that as amended, the paragraph shall read:

- (1) To be eligible for a Tennessee HOPE Scholarship as an entering freshman, a student, who graduated from an eligible high school, upon having completed curriculum requirements of the high school for graduation, shall meet the requirements of T.C.A. § 49-4-907.

Authority: T.C.A. §§ 49-4-201, 49-4-204, 49-4-902, 49-4-903, 49-4-905, 49-4-907, 49-4-908, 49-4-910, 49-4-918, 49-4-924, 49-4-926, 49-4-930, 49-4-931, 49-4-934, and 49-4-935.

Rule 1640-01-19-.05 Eligibility- Tennessee Hope Scholarship is amended by deleting language from paragraph (2), so that as amended, the paragraph shall read:

- (2) To be eligible for a Tennessee HOPE scholarship as an entering freshmen, a student who completes high school in a Tennessee home school program, who obtains a GED or HiSET, or

who graduates from a high school located in Tennessee that is not an eligible high school after, shall meet the requirements of T.C.A. § 49-4-908..

Authority: T.C.A. §§ 49-4-201, 49-4-204, 49-4-902, 49-4-903, 49-4-905, 49-4-907, 49-4-908, 49-4-910, 49-4-918, 49-4-924, 49-4-926, 49-4-930, 49-4-931, 49-4-934, and 49-4-935.

Rule 1640-01-19-.05 Eligibility- Tennessee Hope Scholarship is amended by adding language to subparagraph (4)(d), so that as amended, the subparagraph shall read:

- (d) Paragraph (4) shall only apply to:
1. Dependent children of members of the armed forces or Tennessee National Guard whose home of record, at the time of entry into military service, is Tennessee or who are classified as residents of this state at the time of application pursuant to T.C.A. § 49-8-104; and
 2. Dependent children of full-time civilian employees of the U.S. Department of Defense, who are Tennessee residents as classified pursuant to T.C.A. § 49-8-104.

Authority: T.C.A. §§ 49-4-201, 49-4-204, 49-4-902, 49-4-903, 49-4-905, 49-4-907, 49-4-908, 49-4-910, 49-4-918, 49-4-924, 49-4-926, 49-4-930, 49-4-931, 49-4-934, and 49-4-935.

Rule 1640-01-19-.05 Eligibility- Tennessee Hope Scholarship is amended by adding the following as new paragraphs (8) and (9), so that as amended, the new paragraphs shall read:

- (8) To be eligible for a Tennessee HOPE Scholarship, dependent children of a headquarters staff employee, who is a Tennessee citizen before leaving the state and working full-time in a foreign nation for more than one (1) year, shall meet the requirements of T.C.A. § 49-4-942 and enroll at an eligible postsecondary institution.
- (9) Any student who was initially eligible for a Tennessee HOPE Scholarship or HOPE Access Grant but who instead of enrolling at either an eligible 2-year or 4-year postsecondary institution enrolled at a TCAT and obtained the Wilder-Naifeh Technical Skills Grant and completed a diploma program is eligible for a HOPE Scholarship at either an eligible 2-year or 4-year postsecondary institution. The student must apply for a HOPE Scholarship within three (3) years of completing the diploma program.

Authority: T.C.A. §§ 49-4-201, 49-4-204, 49-4-902, 49-4-903, 49-4-905, 49-4-907, 49-4-908, 49-4-910, 49-4-918, 49-4-924, 49-4-926, 49-4-930, 49-4-931, 49-4-934, and 49-4-935.

Rule 1640-01-19-.07 Eligibility- General Assembly Merit Scholarship is amended by adding language to paragraph (2), so that as amended, the paragraph shall read:

- (2) Students eligible for both the ASPIRE award and the General Assembly Merit Scholarship shall be awarded the ASPIRE award or the General Assembly Merit Scholarship but shall not simultaneously be awarded both.

Authority: T.C.A. §§ 49-4-201, 49-4-204, 49-4-916, 49-4-917, 49-4-924, and 49-4-935.

Rule 1640-01-19.08 Eligibility- Tennessee Hope Access Grant is amended by revising language, so that as amended, the rule shall read:

- (1) To be eligible for a Tennessee HOPE Access Grant, a student must:
 - (a) submit an initial application no later than September 1, 2021, or a renewal application for each year thereafter;
 - (b) meet the general eligibility requirements in Rule 1640-01-19-.04; and
 - (c) meet the requirements of T.C.A § 49-4-920.

Authority: T.C.A. §§ 49-4-201, 49-4-204, 49-4-920, and 49-4-924.

Rule 1640-01-19-.09 Eligibility- Tennessee Hope Foster Child Grant is amended by deleting paragraph (2).

Authority: T.C.A. §§ 49-4-201, 49-4-204, 49-4-924, and 49-4-933.

Rule 1640-01-19.10 Eligibility- Wilder-Naifeh Technical Skills Grant is amended by substituting language from paragraph (1), so that as amended, the rule shall read:

- (1) In addition to the general eligibility requirements in Rule 1640-01-19-.04, to be eligible for a Wilder-Naifeh Technical Skills Grant a student shall meet the requirement of T.C.A. § 49-4-921.

Authority: T.C.A. §§ 49-4-201, 49-4-204, 49-4-921, and 49-4-924.

Rule 1640-01-19.11 Eligibility- Dual Enrollment Grant is amended by deleting language from paragraph (4), so that as amended, the paragraph shall read:

- (4) A student's participation in the Dual Enrollment Grant program is limited to the remaining amount of time normally required to complete the high school diploma, from the time of initial participation in the program. The grant is available for the regular fall and spring semester, and for 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.

Rule 1640-01-19.11 Eligibility- Dual Enrollment Grant is amended by revising language in paragraph (5), so that as amended, the paragraph shall read:

- (5) Related to the dual enrollment grant award for high-need courses outlined in the GIVE Act as codified in T.C.A. § 49-4-930:
 - (a) The TSAC Board of Directors shall annually determine the high-need courses within certificate or diploma programs for the subsequent academic year based on a recommendation by TSAC staff using available information as outlined in T.C.A. § 49-4-930;
 - (b) TSAC staff shall disseminate the list of courses within certificate or diploma programs to eligible postsecondary institutions as soon as practicable upon approval by the TSAC Board; and
 - (c) An eligible postsecondary institution shall be paid the maintenance fee on behalf of a student for high-need courses taken using the Dual Enrollment Grant. A general education course is not considered a high-need course for the purposes of the GIVE Act Dual Enrollment Grant even if the course is required for completion of a certificate or diploma program.

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

Rule 1640-01-19.12 Retention of Awards- General Requirements is amended by deleting paragraph (3) and renumbering the remaining paragraphs accordingly.

Authority: T.C.A. §§ 49-4-201, 49-4-204, 49-4-911, 49-4-912, 49-4-913, 49-4-920, 49-4-921, 49-4-924, and 49-4-931.

Rule 1640-01-19.12 Retention of Awards- General Requirements is amended by adding language to new paragraph (6), so that as amended, the paragraph shall read:

- (6) No retroactive awards shall be made for credit hours attempted in order to regain the scholarship.

Authority: T.C.A. §§ 49-4-201, 49-4-204, 49-4-911, 49-4-912, 49-4-913, 49-4-920, 49-4-921, 49-4-924, and 49-4-931.

Rule 1640-01-19.12 Retention of Awards- General Requirements is amended by deleting language from new paragraph (7), so that as amended, the paragraph shall read:

- (7) A student can utilize the option outlined in paragraph (5) of this rule only one time. A student who, after regaining the award or awards pursuant to paragraph (5) of this rule, subsequently fails to retain any TELS award due to failure to achieve the cumulative grade point average at a regular credit hour checkpoint shall not be eligible to regain the TELS award.

Authority: T.C.A. §§ 49-4-201, 49-4-204, 49-4-911, 49-4-912, 49-4-913, 49-4-920, 49-4-921, 49-4-924, and 49-4-931.

Rule 1640-01-19.13 Retention of Awards- Tennessee Hope Access Grant is amended by revising language, so that as amended, the rule shall read:

- (1) In addition to the general requirements for retention of award in Rule 1640-01-19-.12:
 - (a) A Tennessee HOPE Access Grant shall be awarded to an eligible student only until the end of the semester in which the student has attempted a total of twenty-four (24) credit hours. A student who is eligible for a Tennessee HOPE Scholarship shall be ineligible for a Tennessee HOPE Access Grant.
 - (b) If a student receiving a Tennessee HOPE Access Grant has achieved a cumulative grade point average of at least 2.75 at the end of the semester in which the student has attempted twenty-four (24) credit hours, the student shall be eligible for a Tennessee HOPE Scholarship. The student will also receive the ASPIRE award referenced in Rule 1640-01-19-.06, if the adjusted gross income attributable to the student at the time of review does not exceed the amount described in T.C.A. § 49-4-915(a)(2).
 - (c) If a student ceases to be eligible due to failure to achieve the cumulative grade point average required at the end of the semester in which the student has attempted twenty-four (24) credit hours, the student may be eligible to regain the HOPE Scholarship by following the procedure outlined in Rule 1640-01-19-.12(5).
 - (d) A student may receive a Tennessee HOPE Scholarship after having received a Tennessee HOPE Access Grant until a terminating event as described in T.C.A. § 49-4-913 occurs.

Authority: T.C.A. §§ 49-4-201, 49-4-204, 49-4-913, 49-4-915, 49-4-920, and 49-4-924.

Rule 1640-01-19.14 Retention of Awards- Dual Enrollment Grant is amended by deleting paragraph (6) and renumbering the remaining paragraph accordingly.

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

Rule 1640-01-19.19 Converting from Full-Time to Part-Time Enrollment is amended by deleting language from paragraph (4), so that as amended, the paragraph shall read:

- (4) If the decision to deny the change of status is upheld through the appeals process, the student shall be ineligible to regain the TELS award.

Authority: T.C.A. §§ 49-4-911, 49-4-201, 49-4-204, 49-4-902, 49-4-903, 49-4-911, 49-4-912, and 49-4-924.

Rule 1640-01-19.19 Converting from Full-Time to Part-Time Enrollment is amended by deleting paragraphs (6) and (7).

Authority: T.C.A. §§ 49-4-911, 49-4-201, 49-4-204, 49-4-902, 49-4-903, 49-4-911, 49-4-912, and 49-4-924.

Rule 1640-01-19.20 Personal or Medical Leave of Absence is amended by adding language to paragraph (1), so that as amended, the paragraph shall read:

- (1) A student may be granted medical or personal leaves of absence from attendance at an eligible postsecondary institution and resume receiving an award(s) upon resumption of the student's attendance at an eligible postsecondary institution so long as all other applicable eligibility criteria are met. Each eligible postsecondary institution shall adopt procedures for considering student requests for leaves of absence. An eligible postsecondary institution may grant leaves of absence only for documented medical or personal reasons. Allowable medical or personal reasons shall include, but not be limited to, illness of the student, illness or death of an immediate family member, extreme financial hardship of the student or student's immediate family, to fulfill a religious commitment encouraged of students of that faith, or other extraordinary circumstances beyond the student's control where continued attendance by the student creates a substantial hardship. Acceptable reasons shall also include a student's participation in an internship or co-op program that is required or encouraged as part the academic program in which the student is enrolled. In the event an institution denies a student's request for a medical or personal leave of absence, the student may appeal the decision in accordance with Rule 1640-01-19-.28.

Authority: T.C.A. §§ 49-4-201, 49-4-204, 49-4-902, 49-4-903, 49-4-913, 49-4-919, and 49-4-924.

Rule 1640-01-19.22 Calculation of Postsecondary Cumulative Grade Point Average is amended by revising language in subparagraph (2)(a), so that as amended, the subparagraph shall read:

- (a) A student shall have a one-time option to repeat one course and utilize only the higher of the two grades in the calculation of their postsecondary grade point average for purposes of determining continued eligibility for a TELS award. The credit hours for both attempted courses, however, will be included in the overall number of credit hours attempted for determining HOPE Scholarship eligibility.

Authority: T.C.A. §§ 49-4-201, 49-4-204, 49-4-902, 49-4-903, 49-4-911, 49-4-913, 49-4-919, 49-4-924, and 49-4-931.

Rule 1640-01-19.22 Calculation of Postsecondary Cumulative Grade Point Average is amended by adding language to paragraph (6), so that as amended, the paragraph shall read:

- (6) Remedial and developmental studies and independent studies courses are eligible for payment with TELS awards and shall be included in the calculation of the postsecondary cumulative grade point average and in the attempted hours in an eligible program of study for determining HOPE Scholarship eligibility.

Authority: T.C.A. §§ 49-4-201, 49-4-204, 49-4-902, 49-4-903, 49-4-911, 49-4-913, 49-4-919, 49-4-924, and 49-4-931.

Rule 1640-01-19.22 Calculation of Postsecondary Cumulative Grade Point Average is amended by adding language to paragraphs (10), (11), and (12) so that as amended, the paragraphs shall read:

- (10) A student enrolled in a matriculating status at an eligible postsecondary institution shall qualify for TELS award payment for distance education courses in an eligible program of study if all other eligibility requirements are met. Students may take courses through more than one eligible postsecondary institution during the same semester. Payment for the distance education courses shall be made in the same manner as transient students as provided in Rule 1640-01-19-.24.
- (11) A student enrolled in a matriculating status at an eligible postsecondary institution may qualify for TELS award payment while participating in an internship or co-op program as part of an eligible program of study if the student receives college credit from the internship or co-op experience and pays tuition and fees for the credit. The credit hours shall be included in the postsecondary cumulative grade point average.

- (12) A student enrolled in a matriculating status at an eligible postsecondary institution may qualify for TELS award payment while participating in an alternative study or study abroad program if all other eligibility requirements are met. The eligible postsecondary institution which is the student's home institution must approve the alternative study or study abroad program for credit toward the student's degree and the number of hours in an eligible program of study that will be applied toward the degree prior to the student's departure.

Authority: T.C.A. §§ 49-4-201, 49-4-204, 49-4-902, 49-4-903, 49-4-911, 49-4-913, 49-4-919, 49-4-924, and 49-4-931.

Rule 1640-01-19-.23 Transfer Students is amended by substituting language in paragraph (2), so that as amended, the paragraph shall read:

- (1) To be eligible for a Tennessee HOPE Scholarship as a transfer student between eligible postsecondary institutions, a student shall meet the requirements of T.C.A. § 49-4-910.

Authority: T.C.A. §§ 49-4-201, 49-4-204, 49-4-902, 49-4-903, 49-4-910, 49-4-911, 49-4-924, 49-4-929, and 49-4-937.

Rule 1640-01-19-.25 Denial of Initial Eligibility- Failure to Timely Enroll is amended by adding language, so that as amended, the rule shall read:

- (1) A student who fails to timely enroll in an eligible postsecondary institution as required by Rule 1640-01-19-.05 may be granted an exception if the student failed to meet the requirement for any reason provided for in this rule. An exception shall be granted only for documented medical or personal reasons, in accordance with Rule 1640-01-19-.20. In the event a student's request for an exemption for failing to timely enroll is denied, the student may appeal the decision pursuant to Rule 1640-01-19-.28.

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

I certify that the information included in this filing is an accurate and complete representation of the intent and scope of rulemaking proposed by the agency.

Date: 12/23/2020

Signature: 
Emily House (Dec 23, 2020 14:41 CST)

Name of Officer: Dr. Emily House

Title of Officer: Interim Executive Director

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