



Legislation Affecting the Tennessee Board of Regents and Member Institutions *Public Acts of 2014*

Section/Description	Public Chapter	Page
I. ACADEMICS		
Creation of a task force to develop recommendations for the general assembly related to the accessibility of digital curricula for students with disabilities at state higher education institutions.	Public Chapter 712	4
Makes statutory changes to address findings that resulted from the 2013 higher education audit (transfer pathways and dual admissions).	Public Chapter 794	5
Requires in-service training for teachers, in collaboration with higher education institutions, related to instruction of students with dyslexia.	Public Chapter 833	6
Includes the University of Memphis and the University of Tennessee Howard H. Baker, Jr. Center for Public Policy in a study on the feasibility of the creation of a statewide comprehensive energy policy.	Public Chapter 913	6
As amended, allows for the study of cannabis oil usage in the treatment of pediatric epilepsy at Tennessee Tech University.	Public Chapter 936	6
II. APPROPRIATIONS		
Appropriations Bill for fiscal years beginning July 1, 2013 and July 1, 2014.	Public Chapter 919	7
III. BOARD OF REGENTS		
Confirms the appointment of Danni B. Varlan to the Board of Regents.	Senate Resolution 87	7
Confirms the appointment of Parker Smith to the Board of Regents.	Senate Resolution 88	7
Sunset law extending the Tennessee Board of Regents to June 30, 2018.	Public Chapter 725	7
IV. BUSINESS		
Enacts the Tennessee Veterans Education Transition Support Act, which grants in-state tuition and fees to all Post-9/11 GI Bill or Montgomery GI Bill veterans.	Public Chapter 612	8

Section/Description	Public Chapter	Page
IV. BUSINESS		
Establishes a definition of telehealth; encourages use of telehealth to reduce cost and improve access; and requires a health insurance carrier to provide coverage under a health insurance policy for healthcare services delivered through telehealth (healthcare provided by interactive audio and video to a patient) as long as other licensing and insurance requirements are met.	Public Chapter 675	9
Grants in-state tuition and fees to students that are citizens of the United States, have lived in Tennessee for at least one year immediately prior to admission to an institution of higher education, and have graduated from a Tennessee high school, regardless of their parents' domicile or citizenship status.	Public Chapter 745	9
Creates a pilot program to establish and maintain small business incubators in the Cumberland region, with Roane State Community College serving as the fiscal agent for the receipt of all state funds for this program.	Public Chapter 812	9
Enacts the Tennessee Promise Scholarship Act of 2014.	Public Chapter 900	10
Allows part-time employees of state supported community colleges or colleges of applied technology to take one course per semester at the institution which they are an employee of free of tuition or maintenance fees.	Public Chapter 951	12
Defines the one course per semester that state employees may take free of charge at public institutions of higher education as being limited to no more than 4 credit hours or 120 clock hours.	Public Chapter 959	12
Creates the Healthy Workplace Act, which requires the TN Advisory Commission on Intergovernmental Relations by March 1, 2015 to develop a model policy for employers to prevent abusive conduct in the workplace.	Public Chapter 997	12
V. COMMUNITY COLLEGES AND COLLEGES OF APPLIED TECHNOLOGY		
Allows part-time employees of state supported community colleges or colleges of applied technology to take one course per semester at the institution which they are an employee of free of tuition or maintenance fees.	Public Chapter 951	12
VI. GOVERNANCE		
Requires that any staff member at a public institution of higher education notify the Chancellor of the Board of Regents or the President of the University of Tennessee and notify the employee's institutional President or Director prior to coming before the General Assembly with a proposal or request for state funding.	Public Chapter 538	13
Sunset law extending the Tennessee Board of Regents to June 30, 2018.	Public Chapter 725	13

Section/Description	Public Chapter	Page
VII. LOTTERY SCHOLARSHIP AND NEED-BASED AID		
Matches the definition of a home school student for purposes of lottery scholarships and grants to more substantive provisions of law.	Public Chapter 592	14
Enacts the Tennessee Promise Scholarship Act of 2014.	Public Chapter 900	15
Allows a Tennessee student who has graduated from an accredited out-of-state boarding school to be eligible for the HOPE Lottery Scholarship.	Public Chapter 954	17
Allows students who previously qualified for the STEP UP scholarship in 2012-2013 to receive it for a second year in 2013-2014.	Public Chapter 965	17
VIII. SAFETY AND SECURITY		
Clarifies that an external observation of a handgun permit holder securing their firearm does not constitute a violation of the law by the permit holder.	Public Chapter 498	17
Clarifies the definition of “motor vehicle” for purposes of the type of vehicle in which a handgun permit holder may transport and store a firearm.	Public Chapter 505	18
IX. STUDENT AFFAIRS		
Creates task force to develop recommendations for the general assembly related to the accessibility of digital curricula for students with disabilities at state higher education institutions.	Public Chapter 712	18
Grants in-state tuition and fees to students that are citizens of the United States, have lived in Tennessee for at least one year immediately prior to admission to an institution of higher education, and have graduated from a Tennessee high school, regardless of their parents’ domicile or citizenship status.	Public Chapter 745	19
Prohibits the Board of Regents and University of Tennessee system from adopting policies that could burden their students’ religious freedoms.	Public Chapter 753	19
Bans sex offender from on-campus housing if campus includes or is within 1,000 feet of a public school, private or parochial school, licensed day care center, other child care facility, public park, playground, recreation center or public athletic field available for use by the general public.	Public Chapter 992	19

ACADEMICS

[Public Chapter 712](#)

Accessibility Task Force. This act directs the Tennessee Higher Education Commission to create a task force that will make recommendations for increasing and ensuring accessibility of digital assignments and curricula for students with disabilities at state higher education institutions to the General Assembly.

The task force will be comprised of the following:

- A representative from the state-designated protection and advocacy system
- A representative from a Tennessee organization that represents the blind
- A representative from a Tennessee organization that represents those with learning disabilities
- Representatives from the Board of Regents, the University of Tennessee system, the Higher Education Commission, and non-profit independent colleges and universities
- Experts in the technology field, particularly those with specializations in accessibility

This task force will gather input from the public before finalizing recommendations to the General Assembly, and shall report its final recommendations to the speakers of the Tennessee Senate and House, as well as the chairs of both education committees, no later than December 15, 2014. Vice Chancellor Tristan Denley is representing the Board of Regents on this task force.

This legislation becomes effective upon passage.

ACADEMICS

[Public Chapter 794](#)

Transfer pathways and dual admissions. This act serves to make statutory changes to address the findings that resulted from the 2013 Tennessee higher education audits of TBR, UT, and THEC. The main provisions of these statutory changes are as follows:

- (1) The Tennessee Board of Regents, as well as the University of Tennessee system, is required to develop and regulate a transfer pathway between community colleges and universities for at least the top fifty (50) undergraduate majors, which have the highest demand among students, if feasible for the field of study.
 - The transfer pathways shall consist of sixty (60) credit hours that a student can transfer and apply towards their requirements for a bachelor's degree at a university that offers the transfer pathway, with forty-one of those hours consisting of general education courses and the remaining nineteen hours consisting of pre-major courses or electives that count towards a major.
 - If the student has earned an associate of science or associate of arts degree from a Tennessee community college, they will be have met the requirements to be able to transfer into a Tennessee public university as a junior.
 - The forty-one (41) general education and nineteen (19) credit hours of lower division AA/AS area of emphasis that are articulated to a baccalaureate major fully transferable to a public university.
- (2) Community college students who wish to ultimately earn baccalaureate degrees shall be provided with clear and effective directions that will specify their curricular paths to their desired degree. This includes a common course number system and a listing of course offerings that clearly identify courses that are not university parallel courses. Items (1) and (2) are to be implemented by fall 2015. The Tennessee Higher Education Commission shall work with the Board of Regents and the University of Tennessee system to develop and implement a common course numbering system and listings of course offerings that clearly identify courses that will not be universally transferable to a university.
- (3) Until these regulations are implemented, the Higher Education Commission shall, prior to the beginning of each semester, report to the chairs of the education committees and the finance, ways and means committees of both the House and the Senate on the progress made toward completion of these goals.
- (4) The Tennessee Higher Education Commission in consultation with the Tennessee Board of Regents and University of Tennessee system. shall develop policies under which a person who satisfies the admissions requirements of a two-year institution governed by the board of regents and a four-year institution governed by the board of regents or the University of Tennessee board of trustees may be admitted to both such institutions. The commission shall identify those institutions for which such dual admission is appropriate, based on geographic or programmatic considerations. These policies shall be adopted and implemented by the board of regents and the University of Tennessee board of trustees no later than July 1, 2015.

This legislation becomes effective upon passage.

ACADEMICS

Public Chapter 833	<p>Dyslexia training. This act addresses the need for educators to receive training in effectively instructing students with dyslexia. The department of education is to collaborate with higher education institutions to address dyslexia and other similar reading disorders. The department of education and higher education institutions are to provide K-12 educators with either web-based or in-person training on effective instruction for students with these disabilities, using scientific research and brain-based multisensory intervention methods.</p> <p>Institutions of higher education are to report how they are addressing these disorders in their teacher pre-service programs by March 1, 2015.</p> <p><i>This legislation becomes effective on July 1, 2014.</i></p>
Public Chapter 913	<p>Study on feasibility of statewide energy policy. This act calls for the Sparks Bureau of Business and Economic Research at the University of Memphis to participate with the University of Tennessee Howard H. Baker, Jr. Center for Public Policy in a study on the feasibility of the creation of a statewide comprehensive energy policy. This study will examine the state of Tennessee’s current and future energy supply and demand needs, current energy policies, and potential future energy challenges and opportunities. This study will focus on incentives and policies that Tennessee could use to promote and enhance the most cost-efficient and effective statewide comprehensive energy policy. Forty thousand dollars (\$40,000) in state funds have been made available to support this study.</p> <p><i>This legislation becomes effective upon passage.</i></p>
Public Chapter 936	<p>Use of cannabis oil in clinical study on epilepsy treatment. This act excludes cannabis oil containing the substance cannabidiol, with less than 0.9% of the substance tetrahydrocannabinol, from the definition of “marijuana” as defined in TCA 39-17-402 in subdivision (16). This allows for cannabis oil to be transferred, dispensed, possessed, or administered as a part of a clinical research study on the effects of cannabis oil as it is used in the treatment of “intractable seizures.” These clinical studies must be supervised by a physician practicing at a hospital or clinic that is affiliated with a university that has a college or school of medicine.</p> <p>The act specifically allows Tennessee Tech University to obtain the cannabis oil or plant material for use in the study. The study must be supervised by a physician practicing at a hospital or associated clinic affiliated with a university having a college or school of medicine. The physician conducting the study shall report the results to the commissioner of health and the speakers of the house and senate by January 15, 2018.</p> <p><i>This legislation becomes effective upon passage, and shall expire at the end of June 30, 2018.</i></p>

APPROPRIATIONS

[Public Chapter 919](#)

Appropriations. Provides state funding for the 2014-2015 fiscal year.

TBR Operating Budget-\$634,402,200 is the estimated unrestricted state allocation appropriated by the Governor and the General Assembly compared to the estimated \$641.8 million in 2013. The TBR Office of Business and Finance expects final numbers in September. Included in the appropriations are the following elements:

- No funding for institutional outcomes
- No employee salary increases
- Funding for the 401 K match for employees
- No increase in insurance cost to the employer’s share of the health insurance premiums projected for the next year.
- Campus specific allocations include:
 - \$100,000 for the Forensic Center at the Quillen College of Medicine
 - \$2.0 million to support the University of Memphis’ operations at its Lambuth Campus
 - \$6.1 million for TSU Agriculture activities

TBR Capital Budget-\$75,290,000

- Volunteer State -Humanities Building-\$27,180,000
- Columbia State -Williamson Co. Relocation-\$34,650,000
- Capital maintenance -\$13,460,000.

Drive to 55 Initiative

- Workforce Alignment (Labor Education Alignment Program)- \$10 million
- Seamless Alignment and Integrated Learning Support (SAILS) Expansion- \$2.6 million
- Degree Compass: \$250,000 (non-recurring) to facilitate statewide adoption of Degree Compass
- Creation of an endowment account and special reserve account for Tennessee Promise scholarships.

This legislation becomes effective on July 1, 2014.

BOARD OF REGENTS

[Senate Resolution 87](#)

Danni Varlan board appointment. This Senate resolution confirms the appointment of Danni B. Varlan to the Board of Regents for a term that will expire on June 30, 2019.

[Senate Resolution 88](#)

Parker Smith board appointment. This Senate resolution confirms the appointment of Parker Smith to the Board of Regents for a term that will expire on June 30, 2019.

[Public Chapter 725](#)

Extends the Tennessee Board of Regents. Under previous law, the Tennessee Board of Regents was set to terminate on June 30, 2014. Under this act, Tennessee Board of Regents is extended through June 30, 2018.

This legislation becomes effective upon passage.
Note: Both the Tennessee Higher Education Commission and the University of Tennessee system were also renewed until 2018.

BUSINESS

[Public Chapter 612](#)

[Revised TBR Policy 3:05:01:00](#)

The Tennessee Veterans Education Transition Support Act (Tennessee VETS Act).

The provisions of the act are as follows:

1. All veterans that enroll in public institutions of higher education will be granted in-state tuition and fees, provided that he or she:
 - Has not been dishonorably discharged from a branch of the US armed forces or national guard;
 - Is eligible for Post-9/11 GI Bill or Montgomery GI Bill Benefits; and
 - Enrolls in a public institution of higher education within 24 months after the date of discharge as reflected on the veteran's certificate of release or discharge from active duty, form DD-214, or an equivalent document.
2. To continue to qualify for in-state tuition and fees, the veteran must:
 - Maintain continuous enrollment at the institution of higher education in which they are enrolled and
 - Register to vote in Tennessee or demonstrate by objective evidence their intent to become a resident of Tennessee within one year of enrollment.
 - In order to demonstrate objective evidence of their intent to become a Tennessee resident, the veteran must obtain two of the following: a Tennessee driver's license, a Tennessee motor vehicle registration, proof of employment in Tennessee, or other documentation evidencing domicile or residence in this state (as determined by THEC).
3. THEC may designate certain public institutions of higher education as "VETS Campuses." Any institution that wishes to become a VETS Campus may apply with a written request to the executive director of THEC outlining all services offered to veterans by that institution. In order to become and maintain status as a VETS campus, an institution of higher education shall:
 - Conduct an annual survey of students who are veterans to identify their views, needs, and suggestions
 - Provide information to faculty about military and veteran culture
 - Administer orientation programs for veteran students
 - Facilitate mentoring and support programs for veteran students
 - Develop outreach and communication strategies for nearby military bases for the purpose of assessing veterans' educational goals
 - Create/maintain a process for the assessment of prior learning that grants academic credit to veterans for transferable training and experience attained through service in the US armed forces
 - Provide information on the campus website on the availability of prior learning assessments and potential program credits for skills, training, or education obtained during military service
4. THEC shall keep a list of VETS campuses on their website, including links to the campus' website, points of contact for academic and financial advising on each campus, and veteran enrollment statistics.
5. All VETS campuses shall provide annual data to THEC on the number of veterans enrolled on their campus, their programs of study, and their degree completion credentials.

The sections highlighted above become effective on July 1, 2014, and apply to veterans enrolled in public institutions of higher education beginning with the fall semester of the 2014-2015 academic year. All other remaining sections of this act become effective upon passage. The TBR revised policy 3:05:01:00 approved at the June 2015 TBR board meeting is attached with the relevant changes highlighted.

BUSINESS

[Public Chapter 675](#)

Telehealth. This act defines telehealth as the use of real-time, interactive audio, video telecommunications or electronic technology or store-and-forward telemedicine services by a healthcare services provider to deliver healthcare services to a patient within the scope of practice of the healthcare services provider when:

1. The provider is at a qualified site other than the site where the patient is located and
 2. The patient is at a qualified site or at a school clinic staffed by a healthcare services provider and equipped to engage in telecommunications.
- Telehealth does not include an audio-only conversation, electronic mail message, or facsimile transmission.
 - The health insurance entity shall provide coverage under a health insurance policy or contract during a telehealth encounter in a manner consistent with what the health insurance policy or contract provides for in-person encounters for the same service.

ETSU and the University of Memphis are following the rulemaking related to this act, because it may allow clinical faculty to provide telehealth services.

The act becomes effective on January 1, 2015 and applies to all policies, contracts, and health benefit plans issued, delivered, or renewed on or after January 1, 2015.

[Public Chapter 745](#)

[Revised TBR Policy 3:05:01:00](#)

Domicile for in-state tuition. This act allows for all students who are citizens of the United States and have lived in Tennessee for at least 1 year immediately prior to admission to receive in-state tuition and fee rates at a Board of Regents institution, provided that students adhere to the following criteria:

1. Graduated from a Tennessee public secondary school
2. Graduated from a private secondary school located in Tennessee; or
3. Earned a Tennessee high school equivalency diploma.

Students that follow these guidelines will be eligible to receive in-state tuition at a Board of Regents public institution of higher education, regardless of the citizenship or residential status of their parents.

This legislation becomes effective on July 1, 2014, and shall apply to academic year 2014-2015 and all years thereafter. Attached is the revised TBR policy 3:05:01:00 reflecting the change resulting from this act with the relevant portion highlighted. The rules associated with this policy change must be approved by the Tennessee Attorney General and filed with the Secretary of State.

[Public Chapter 812](#)

Small business pilot program for Cumberland Regional Business and Agribusiness Marketing Authority. This act allows for the creation of a pilot program to further growth and economy by planning, constructing, equipping, financing, and maintaining support for small business incubators in the region, as well as providing support for existing small business incubators there. The chief financial officer within the office of finance at Roane State Community College is to serve as fiscal agent for the receipt of all state-appropriated funds for this program. The board of directors of the authority must submit an annual report to the House and Senate Finance, Ways and Means Committees.

This legislation becomes effective upon passage.

BUSINESS

[Public Chapter 900](#)

[Emergency Rules
for TN Promise](#)

Tennessee Promise Scholarship Act of 2014. This legislation enacts the Tennessee Promise Scholarship Act for recent high school graduates beginning in 2015 seeking an associate's degree, certificate, or diploma from a Tennessee community college or college of applied technology. The Tennessee Promise is a last-dollar scholarship program with the following provisions:

1. Eligibility

- The student shall be admitted to and enrolled full-time in a Tennessee community college or college of applied technology in the fall semester immediately following graduation from a Tennessee high school, completion of high school as a Tennessee home school student, or obtaining a GED or HiSET diploma prior to reaching 19 years of age.
- Students must apply for the scholarship for their initial year of enrollment, but must complete the FAFSA for each academic year in which they seek to receive the scholarship.
- To continue to receive the scholarship, the student shall maintain a minimum grade point average of 2.0.
- Scholarship recipients must participate in mentoring and community service programs under the rules promulgated by TSAC.
- Students are eligible to receive this scholarship until either the student has earned a diploma or associate's degree or the sum of the number of years the student has attended a postsecondary institution amounts to 2.5 years from the date of their initial enrollment.
- Students who receive the scholarship and have an approved medical or personal leave of absence from their postsecondary institution are eligible to continue to receive the scholarship upon their return, as long as they meet all other eligibility requirements and the leave of absence does not exceed 6 months.

2. Scholarship amount

- The Tennessee Promise scholarship shall fund the cost of tuition and mandatory fees at the community college or college of applied technology at which the student is enrolled, less all other gift aid.
- Gift aid is to be credited first towards tuition and mandatory fees before the Tennessee Promise scholarship is applied.

3. Tennessee Promise endowment fund

- This act creates the scholarship endowment fund, which is an irrevocable trust that shall be administered by the state treasurer. The attorney general and reporter shall approve the terms of the trust.
- The trust consists of the Tennessee Promise endowment account and the Tennessee Promise special reserve account.

4. Oversight

- TSAC and THEC shall research and analyze data for the general assembly concerning the scholarship program, including student success and scholarship retention rates.
- The comptroller of the treasury shall review and study the scholarship program in order to determine its effectiveness.
- The TSAC board of directors shall appoint a special advisory committee consisting of representatives from college access programs in the state in order to increase access to scholarships and hold mentoring organizations to high standards.

This act enacts changes to the HOPE scholarship program as well. Under these provisions, a student who first receives a Tennessee HOPE scholarship in the fall semester of 2009 or later may continue to receive the scholarship until the first of the following events occurs:

- The student earns a baccalaureate degree.
- 5 years have passed from the student's initial date of enrollment in a postsecondary institution; or
- The student has attempted 120 semester hours or has received the HOPE scholarship for 8 full-time semesters, whichever occurs later.

*If a student's degree program requires more than 120 semester hours total, the student may receive the HOPE scholarship until: (1) he/she has earned a baccalaureate degree, (2) 5 years have passed since their initial date of enrollment, (3) or the student has attempted the number of semester hours required for their degree or 136 hours (whichever is less) or (4) has completed 8 full-time semesters, whichever comes later.

This act creates changes in the dollar amount that HOPE scholarship recipients will receive. Those provisions are as follows:

1. At four-year institutions, HOPE scholarship recipients will receive \$1,750 per semester for their freshman and sophomore years.
2. At four-year institutions, HOPE scholarship recipients will receive \$2,250 per semester for their junior and senior years.
3. At two-year institutions, HOPE scholarship recipients will receive \$1,500 per semester for both years.

This act creates the Wilder-Naifeh Reconnect grant for independent students attending a college of applied technology. Its provisions are as follows:

1. Eligibility
 - Students shall meet the requirements of TCA 49-4-904 and 49-4-905(a) (allows a student who previously received HOPE or Wilder-Naifeh to receive the reconnect if student failed to complete a diploma or degree);
 - Students must be admitted to a postsecondary institution in a program of study leading to a certificate or diploma;
 - Students must complete and file the FAFSA each year in which they intend to receive the grant;
 - Students must be independent as defined by the FAFSA; and
 - Students must be enrolled full-time and maintain satisfactory academic progress.
2. Amount
 - The Wilder-Naifeh technical reconnect grant shall fund the cost of tuition and mandatory fees at the college of applied technology, less all other gift aid.

For the purposes of promulgation of rules and for fund transfers made pursuant to section 1, this legislation becomes effective upon passes. For all other purposes, this legislation becomes effective on July 1, 2015. Attached are the emergency rules for the implementation of the Tennessee Promise that were approved by the Tennessee Student Assistance Corporation Board at their June 24, 2014 meeting. The rules must be approved by the Tennessee Attorney General and filed with the Secretary of State.

BUSINESS	
<p>Public Chapter 951</p> <p>May 28, 2014 Memo to Human Resource Officers</p>	<p>The Brian Byrge Act. This act allows for temporary and regular part-time employees of Tennessee community colleges or colleges of applied technology to enroll in one course (no more than 4 credit hours or 120 clock hours) per term free of tuition charges or maintenance fees. These employees must enroll in the course at the community college or college of applied technology at which they are employed. These privileges may be denied by the community college or college of applied technology if there is no space available, and the employee may not take away a seat in a course from a tuition paying student.</p> <p><i>This legislation becomes effective on July 1, 2014. Attached is the May 28, 2014, memo from Assistant Vice Chancellor for Human Resources, April Preston, to campus Human Resource Officers on this act. TBR guideline B-061 is in the process of revision to accommodate this change and is expected to be on the August 2014 Presidents' meeting agenda.</i></p>
<p>Public Chapter 959</p> <p>May 28, 2014 Memo to Human Resource Officers</p>	<p>Limitation on free class benefit for state employees. This act amends existing law relative to state employees being allowed to enroll in one course per semester at public institutions of higher education free of tuition and fees. This act adds language to clarify that this one free course per semester must be limited to no more than 4 credit hours or 120 clock hours at the institution of higher education at which the person is enrolled.</p> <p>This legislation arose from the discovery that courses on some campuses could count for up to 15 hours of credit. There was previously no language in the <i>Tennessee Code</i> clarifying a limit on the number of credit hours a course could have in order to be utilized as a free course for state employees.</p> <p><i>This legislation becomes effective on July 1, 2014, and shall apply to state employees enrolled in public institutions of higher learning beginning with the fall 2014 semester. Attached is the May 28, 2014, memo from Assistant Vice Chancellor for Human Resources, April Preston, to campus Human Resource Officers on this act. TBR guideline P-130 is in the process of revision to accommodate this change and is expected to be on the August 2014 Presidents' meeting agenda.</i></p>
<p>Public Chapter 997</p>	<p>Healthy Workplace Act. This act requires the TN Advisory Commission on Intergovernmental Relations (TACIR) by March 1, 2015 to develop a model policy for employers to prevent abusive conduct in the workplace. If an employer adopts the model policy created by TACIR or adopts a policy that conforms to the requirements set out in subsection (b) of the act, then the employer shall be immune from suit for any employee's abusive conduct that results in negligent or intentional infliction of mental anguish. Nothing in this section shall be construed to limit the personal liability of an employee for any abusive conduct in the workplace.</p> <p>Jackie Gilbert, Professor of Management at MTSU is working with TACIR on the development of the model policy. <i>This legislation becomes effective upon passage.</i></p>
COMMUNITY COLLEGES AND COLLEGES OF APPLIED TECHNOLOGY	
<p>Public Chapter 951</p> <p>May 28, 2014 Memo to Human Resource Officers</p>	<p>The Brian Byrge Act. This act allows for temporary and regular part-time employees of Tennessee community colleges or colleges of applied technology to be eligible to enroll in one course (no more than 4 credit hours or 120 clock hours) per term free of tuition charges or maintenance fees. These employees must enroll in the course at the community college or college of applied technology at which they are employed. These privileges may be denied by the community college or college of applied technology if there is no space available, and the employee may not take away a seat in a course from</p>

	<p>a tuition paying student.</p> <p><i>This legislation becomes effective on July 1, 2014. Attached is the May 28, 2014, memo from Assistant Vice Chancellor for Human Resources, April Preston, to campus Human Resource Officers on this act. TBR guideline B-061 is in the process of revision to accommodate this change and is expected to be on the August 2014 Presidents' meeting agenda.</i></p>
--	---

GOVERNANCE

<p>Public Chapter 538</p>	<p>Employee notification of legislative requests. This act serves the purpose of maintaining integrity and prioritization within planning processes that are used to attain and use state funds for public higher education. It helps to ensure that the receipt of these state funds is being used towards the greatest need and is helping to promote good fiscal policy.</p> <p>Under this legislation:</p> <ul style="list-style-type: none"> • Any legislative proposals or requests for state funding towards public higher education projects, programs, activities, etc. must first go through established processes and procedures for review before going to the General Assembly. If consideration through these processes is not feasible, then the proposal or request must be made with the knowledge of the Chancellor of the Board of Regents or the President of the University of Tennessee system, as well as the chief executive officer at the institution from which the proposal or request is being made. • No employee from a Board of Regents or University of Tennessee member institution may make a legislative funding request at any time without the knowledge of the Chancellor or President of their respective system. • The Chancellor of the Board of Regents and President of the University of Tennessee system are expected to advance the established procedures through which these proposals shall be evaluated through. These procedures shall entail methods that the Chancellor and President deem reasonable and appropriate to enforce the purpose of this legislation. • These provisions shall be made formal parts of the policies and procedures of both the Board of Regents and the University of Tennessee system. <p><i>This legislation becomes effective upon passage. The TBR central office is working on the notification process for employees to follow to accompany this act.</i></p>
---	--

<p>Public Chapter 725</p>	<p>Extends the Tennessee Board of Regents. Under previous law, the Tennessee Board of Regents was set to terminate on June 30, 2014. Under this act, Tennessee Board of Regents is extended through June 30, 2018.</p> <p><i>This legislation becomes effective upon passage. Note: Both the Tennessee Higher Education Commission and the University of Tennessee system were also renewed until 2018.</i></p>
---	--

LOTTERY SCHOLARSHIP AND NEED-BASED AID

[Public Chapter 592](#)

Simplification of home school eligibility for lottery scholarship. This act clarifies the definition of a home school student in reference to lottery scholarship to simplify the code.

Under previous law:

- “Home school student” meant a student who completed high school in a Tennessee home school program meeting the requirements of *TCA 49-6-3050*. For 1 year immediately preceding their completion of high school as a home school student, the student should have been in a home school associated with a church-related school and registered with the Tennessee local school district that the student would have otherwise attended.

Under this legislation:

- “Home school student” means a student who completed high school in a Tennessee home school program meeting the requirements of *TCA 49-6-3050(a)(2)* or (3) or *49-6-3050(b)*. For 1 year immediately preceding completion of high school as a home school student, the student shall have been a student in a home school.

This legislation becomes effective upon passage.

LOTTERY SCHOLARSHIP AND NEED-BASED AID

[Public Chapter 900](#)

[Emergency Rules for
TN Promise](#)

Tennessee Promise Scholarship Act of 2014. This legislation enacts the Tennessee Promise Scholarship Act for recent high school graduates beginning in 2015 seeking an associate's degree, certificate, or diploma from a Tennessee community college or college of applied technology. The Tennessee Promise is a last-dollar scholarship program with the following provisions:

5. Eligibility

- The student shall be admitted to and enrolled full-time in a Tennessee community college or college of applied technology in the fall semester immediately following graduation from a Tennessee high school, completion of high school as a Tennessee home school student, or obtaining a GED or HiSET diploma prior to reaching 19 years of age.
- Students must apply for the scholarship for their initial year of enrollment, but must complete the FAFSA for each academic year in which they seek to receive the scholarship.
- To continue to receive the scholarship, the student shall maintain a minimum grade point average of 2.0.
- Scholarship recipients must participate in mentoring and community service programs under the rules promulgated by TSAC.
- Students are eligible to receive this scholarship until either the student has earned a diploma or associate's degree or the sum of the number of years the student has attended a postsecondary institution amounts to 2.5 years from the date of their initial enrollment.
- Students who receive the scholarship and have an approved medical or personal leave of absence from their postsecondary institution are eligible to continue to receive the scholarship upon their return, as long as they meet all other eligibility requirements and the leave of absence does not exceed 6 months.

6. Scholarship amount

- The Tennessee Promise scholarship shall fund the cost of tuition and mandatory fees at the community college or college of applied technology at which the student is enrolled, less all other gift aid.
- Gift aid is to be credited first towards tuition and mandatory fees before the Tennessee Promise scholarship is applied.

7. Tennessee Promise endowment fund

- This act creates the scholarship endowment fund, which is an irrevocable trust that shall be administered by the state treasurer. The attorney general and reporter shall approve the terms of the trust.
- The trust consists of the Tennessee Promise endowment account and the Tennessee Promise special reserve account.

8. Oversight

- TSAC and THEC shall research and analyze data for the general assembly concerning the scholarship program, including student success and scholarship retention rates.
- The comptroller of the treasury shall review and study the scholarship program in order to determine its effectiveness.
- The TSAC board of directors shall appoint a special advisory committee consisting of representatives from college access programs in the state in order to increase access to scholarships and hold mentoring organizations to high standards.

This act enacts changes to the HOPE scholarship program as well. Under these

provisions, a student who first receives a Tennessee HOPE scholarship in the fall semester of 2009 or later may continue to receive the scholarship until the first of the following events occurs:

- The student earns a baccalaureate degree.
- 5 years have passed from the student's initial date of enrollment in a postsecondary institution; or
- The student has attempted 120 semester hours or has received the HOPE scholarship for 8 full-time semesters, whichever occurs later.

*If a student's degree program requires more than 120 semester hours total, the student may receive the HOPE scholarship until: (1) he/she has earned a baccalaureate degree, (2) 5 years have passed since their initial date of enrollment, (3) or the student has attempted the number of semester hours required for their degree or 136 hours (whichever is less) or (4) has completed 8 full-time semesters, whichever comes later.

This act creates changes in the dollar amount that HOPE scholarship recipients will receive. Those provisions are as follows:

4. At four-year institutions, HOPE scholarship recipients will receive \$1,750 per semester for their freshman and sophomore years.
5. At four-year institutions, HOPE scholarship recipients will receive \$2,250 per semester for their junior and senior years.
6. At two-year institutions, HOPE scholarship recipients will receive \$1,500 per semester for both years.

This act creates the Wilder-Naifeh Reconnect grant for independent students attending a college of applied technology. Its provisions are as follows:

3. Eligibility

- Students shall meet the requirements of TCA 49-4-904 and 49-4-905(a) (allows a student who previously received HOPE or Wilder-Naifeh to receive the reconnect if student failed to complete a diploma or degree);
- Students must be admitted to a postsecondary institution in a program of study leading to a certificate or diploma;
- Students must complete and file the FAFSA each year in which they intend to receive the grant;
- Students must be independent as defined by the FAFSA; and
- Students must be enrolled full-time and maintain satisfactory academic progress.

4. Amount

- The Wilder-Naifeh technical reconnect grant shall fund the cost of tuition and mandatory fees at the college of applied technology, less all other gift aid.

For the purposes of promulgation of rules and for fund transfers made pursuant to section 1, this legislation becomes effective upon passes. For all other purposes, this legislation becomes effective on July 1, 2015. Attached are the emergency rules for the implementation of the Tennessee Promise that were approved by the Tennessee Student Assistance Corporation Board at their June 24, 2014 meeting. The rules must be approved by the Tennessee Attorney General and filed with the Secretary of State.

LOTTERY SCHOLARSHIP AND NEED-BASED AID

Public Chapter 954	<p>Expands HOPE Scholarship eligibility to out-of-state boarding school students. This act allows students who are Tennessee residents, but attended out-of-state boarding secondary schools, to be eligible to receive the HOPE scholarship, provided that the student meets the other scholarship requirements and that the boarding school attended:</p> <ol style="list-style-type: none">1. is accredited by a regional accrediting association; or2. is a member of the National Association of Independent Schools Commission on Accreditation. <p>This act is expected to serve a small number of students.</p> <p><i>This legislation becomes effective on upon passage, and shall apply to students seeking postsecondary financial assistance from net lottery proceeds for the 2014-2015 academic year and academic years thereafter.</i></p>
Public Chapter 965	<p>STEP UP Scholarship for second year students. This act is relative to the STEP UP scholarship program, which was originally created and enacted through the 2013 legislative session of the 108th General Assembly. This act allows students who previously received the STEP UP scholarship in 2012-2013 to receive it for a second year, provided that the student continues to meet the requirements for the receipt of the scholarship.</p> <p>TSAC will require that students who are eligible to receive the STEP UP scholarship for a second year must apply within a designated time frame (to be determined by TSAC). TSAC will notify all postsecondary institutions that are operating programs pursuant to this act of deadlines at least 60 calendar days before the application deadline is set to occur. These postsecondary institutions shall notify eligible students within 5 business days of TSAC's notification of deadlines. TSAC will award the STEP UP scholarship to qualifying students as soon as possible after the effective date of this act.</p> <p>The University of Memphis has a program eligible for the STEP UP scholarship.</p> <p><i>This legislation becomes effective upon passage.</i></p>

SAFETY AND SECURITY

Public Chapter 498	<p>Makes clear that a handgun carry permit holder who securing a gun in car does not violate law. This act relates to the "guns in trunks" legislation that was passed during the 2013 session of the 108th General Assembly. Under that legislation, a handgun carry permit holder may keep a firearm secured and out of sight in the trunk of their locked motor vehicle. This legislation clarifies that if an external observation is made of a handgun carry permit holder moving their firearm to the trunk of their vehicle to secure it, this does not violate the law. The handgun carry permit holder is not in violation of Tennessee law if they are seen moving their handgun to the trunk of their vehicle in order to secure it, even if the firearm is visible while they are moving it. <u>As a reminder, only non-student, non-employee handgun carry permit holders are allowed to have guns secured in trunks in campus parking facilities.</u></p> <p><i>This legislation becomes effective on May 1, 2014.</i></p>
------------------------------------	--

SAFETY AND SECURITY

[Public Chapter 505](#)

Clarifies definition of motor vehicle related to guns in trunks bill of 2013. This act clarifies language in Tennessee law with respect to the term “motor vehicle” as it is used in relation to the transportation of firearms and ammunition. This act makes the following substitutions with in TCA 39-17-1313:

1. Substitutes “privately owned motor vehicle” with “motor vehicle”
2. Substitutes “permit holder’s vehicle” with “permit holder’s motor vehicle”
3. Substitutes “or stored in the vehicle” with “or stored in the motor vehicle”

A new subdivision within TCA 39-17-1313 is added as subsection (c), which defines “motor vehicle” as any motor vehicle that is in the lawful possession of the permit holder, but does not include any motor vehicle which is owned or leased by a government or business entity that is provided to an employee for their use during their employment. In short, the guns in trunk law, as amended by this act, permits a handgun carry permit holder to store the gun in a secure and out-of-sight location in an owned, leased, or legally borrowed motor vehicle. As a reminder, only non-student, non-employee handgun carry permit holders are allowed to have guns secured in trunks in campus parking facilities.

This legislation becomes effective on May 1, 2014.

STUDENT AFFAIRS

[Public Chapter 712](#)

Accessibility Task Force. This act directs the Tennessee Higher Education Commission to create a task force that will make recommendations for increasing and ensuring accessibility of digital assignments and curricula for students with disabilities at state higher education institutions to the General Assembly.

The task force will be comprised of the following:

- A representative from the state-designated protection and advocacy system
- A representative from a Tennessee organization that represents the blind
- A representative from a Tennessee organization that represents those with learning disabilities
- Representatives from the Board of Regents, the University of Tennessee system, the Higher Education Commission, and non-profit independent colleges and universities
- Experts in the technology field, particularly those with specializations in accessibility

This task force will gather input from the public before finalizing recommendations to the General Assembly, and shall report its final recommendations to the speakers of the Tennessee Senate and House, as well as the chairs of both education committees, no later than December 15, 2014. Vice Chancellor Tristan Denley is representing the Board of Regents on this task force.

This legislation becomes effective upon passage.

STUDENT AFFAIRS

<p>Public Chapter 745 Revised TBR Policy 3:05:01:00</p>	<p>Domicile for in-state tuition. This act allows for all students who are citizens of the United States and have lived in Tennessee for at least 1 year immediately prior to admission to receive in-state tuition and fee rates at a Board of Regents institution, provided that students adhere to the following criteria:</p> <ol style="list-style-type: none">1. graduated from a Tennessee public secondary school2. graduated from a private secondary school located in Tennessee; or3. earned a Tennessee high school equivalency diploma. <p>Students that follow these guidelines will be eligible to receive in-state tuition at a Board of Regents public institution of higher education, regardless of the citizenship or residential status of their parents.</p> <p><i>This legislation becomes effective on July 1, 2014, and shall apply to academic year 2014-2015 and all years thereafter. Attached is the revised TBR policy 3:05:01:00 reflecting the change resulting from this act with the relevant portion highlighted. The rules associated with this policy change must be approved by the Tennessee Attorney General and filed with the Secretary of State.</i></p>
<p>Public Chapter 753</p>	<p>Prohibits policies that burden students' free exercise of religion. Under this act, it is ensured that students will be able to fully exercise their first amendment right to freedom of religion under the United States Constitution. This clarifies that no substantial burdens shall be placed upon these rights by any public institution of higher education. It also requires higher education to comply with TCA 4-1-407, related to state government not violating one's free exercise of religion.</p> <p><i>This legislation becomes effective upon passage.</i></p>
<p>Public Chapter 992 Revised TBR Policy 3:03:01:00</p>	<p>Disallows sex offenders from on-campus housing. This act prohibits a sex offender from on-campus housing if campus includes or is within 1,000 feet of a public school, private or parochial school, licensed day care center, other child care facility, public park, playground, recreation center or public athletic field available for use by the general public. The previous act banned sex offenders who had perpetrated a crime against a <u>minor only</u>.</p> <p><i>This legislation becomes effective on July 1, 2014. Attached is the revised TBR policy 3:03:01:00 as approved by the TBR board in June 2014 with change highlighted to reflect this act.</i></p>