

# 106<sup>th</sup> Tennessee General Assembly

## First Session Wrap-Up Summary

---

July 7, 2009

The first session of the 106<sup>th</sup> General Assembly was a rocky one. It started out historically with the Republicans gaining control of the both chambers but the House Republicans being unable to obtain their leader of choice. Things were only complicated by the economic recession and lagging tax revenues. Had it not been for the Federal Stimulus, Tennessee would have made draconian cuts in the public higher education sector. The infusion of federal funds held off the cuts for two years but the budget discussions were still painful for the State.

In light of the State's fiscal condition, TICUA's interests were largely served. Funding for TSAA was maintained and the lottery program was not changed significantly. Contract education, unfortunately, was in the midst of the higher education cuts and the proposed Math/Science Teacher Scholarship did not survive the legislative process. Below is a quick summary of some of the key bills followed this session:

### **\$3.2 million Improvement Keeps TSAA Flat Funded**

Budget – Governor Phil Bredesen's budget item providing for a \$3.2 million improvement to the Tennessee Student Assistance Award (TSAA) survived a very tumultuous budget debate. Whereas the original request was for the improvement to be recurring, the final version provided for one-time funds. Consequently, the funds will need to be requested again next year. This addition will keep the funding level the same as 2008/2009.

### **Only Two Lottery Bills Passed**

For the first time since the Tennessee Education Lottery Scholarship was passed, only two bills were passed to make modifications to the programs. Fiscal estimates indicate that the current program requirements were beginning to outpace the lottery ticket sales revenue for the program. Consequently, although there were approximately 60 bills filed to enhance the program, only two survived.

SB 37/HB839 – Expands the eligibility of the Helping Heroes Grant to include current members of the Tennessee National Guard. Current requirements allow only former members of the Guard or Reserve to participate. The program expansion should better utilize all the available funding.

HB 1143/SB771 – This is a technical correction bill which clarifies language in the lottery scholarship program regarding summer school enrollment for provisional receipt of a HOPE scholarship. Students attending summer school do not need to attend full time in order to maintain eligibility for the HOPE scholarship at the next GPA checkpoint.

## **Transfer of Credit Bill Moved to Study Committee**

HB1222/SB1301 - The House Higher Education Subcommittee voted to move the transfer of credit bill to a summer study committee. The bill would have codified the SACS position statement on transfer of credit. Concerns have been raised by the for-profit colleges that regionally accredited institutions do not fairly evaluate transfer courses from their schools.

The results of a brief survey conducted by TICUA indicate that private colleges do adhere to the SACS position statement of not using institutional accreditation as the sole criteria for transfer of credit. The results also indicate that students have the right to appeal transfer of credit decisions and that few member institutions have been approached by non-regionally accredited institutions to develop articulation agreements.

TICUA testified multiple times against the bill by outlining the differences between national and regional accreditation and reporting the results of the TICUA survey. Some committee members feel as if unfair discrimination persists and would like to take the summer to study the issue.

## **Student Life Bills Rolled to 2010**

HB2028/SB1782 and HB2033/SB1825 - After weeks of work with Senator Roy Herron on his two student life bills he finally agreed to not move the bills any further this session. Senator Herron accepted a TICUA amendment to HB2028/SB1782 which made permissive a college's adoption of a mandated one year suspension of anyone instigating or participating in hazing. It was noted, however, that the bill may actually limit discipline to "one year." Depending on the severity of the situation, many campuses impose disciplines that extend beyond one year. Noting this possible interpretation, the Senator agreed to examine the issue more closely over the summer.

The second bill (HB2033/SB1825) which would have amended current law mandating parental notification of students transgressing any campus alcohol or drug policies was also deferred to 2010. Many TICUA presidents communicated with the Senator the need to have flexibility with parental notification depending on the circumstances of the offense. TICUA agreed to work with the Senator over the summer months to reach a mutually satisfactory position on this issue.

## **Math/Science Teacher Scholarship Delayed**

HB364/SB676 - TICUA's proposed Math/Science Teacher Scholarship has been delayed for consideration until January 2010. The fiscal condition of the State has caused legislators to be unusually cautious about any programs that might obligate the State for funding in the future. The Scholarship is designed to partner with private corporations and foundations in Tennessee by asking them to front-fund the \$1.5 million program and then have the State provide ongoing funding into the future. The program's fiscal note indicates that the State will possibly need to consider providing some funding in 2012 which caused the bill to be delayed until year.