

15-40-1-5-.01 INTRODUCTION

These rules implement the provisions of the Tennessee Code Annotated, Title 49, Chapter 7, Part 1 in Public Chapter 1095 of the 1990 Public Acts and Title 8, Chapter 50, Part 1 in Public Chapter 939 of the 1992 Public Acts and Public Chapters 125 and 267 of the 1993 Public Acts (hereinafter called "the Act"). The Act enables children under the age of twenty-four (24) whose parent is employed as a full-time licensed teacher in any public school in Tennessee or as a full-time employee of the State of Tennessee to receive a twenty-five percent (25%) discount on tuition at any state operated institution of higher learning. Children of retired state employees or whose parent was killed on the job or in the line of duty as a full-time state employee are also eligible for a twenty-five percent (25%) discount.

15-40-1-5-.02 GENERAL

1. Definitions. As used in these regulations (Chapter 15-40-1-5):
 - a. "child . . . under the age of twenty-four" for purposes of this Act refers to dependent children of certified public school teachers or employees of the State of Tennessee, as herein defined, using the following criteria:
 - i. The teacher's or state employee's natural children or legally adopted children who are twenty-three years of age or under.
 - ii. The teacher's or state employee's stepchildren who are twenty-three years of age or under and living with the teacher or state employee in a parent/child relationship.
 - iii. Any other individuals who are twenty-three years of age or under and living in a parent/child relationship with the teacher or state employee, such as children of deceased parents who are being raised by a grandparent who is employed as a teacher or state employee.
 - b. "certified teacher in any public school in Tennessee" refers to teachers, supervisors, principals, superintendents and other personnel who are licensed by the Tennessee Department of Education and employed by any local board of education for service in public, elementary and secondary schools in Tennessee supported in whole or in part by state funds (hereinafter called "teacher").
 - c. "full-time teachers" are school employees whose position requires them to be on the job on school days throughout the school year, at least the number of hours the schools in the Local Education Agency are in session. "Full-time" supervisors, principals, superintendents and other personnel who are licensed by the Tennessee Department of Education are those whose current assignments, regardless of their classification, require his or her services each working day at least a number of hours equal to the number of hours of a regular working day.
 - d. "full-time employees of the State of Tennessee" are employees of the executive, judicial or legislative branches of Tennessee state government scheduled to work one thousand nine hundred and fifty (1,950) hours or more per year.
 - e. "retired state employee" for purposes of this Act refers to employees of the State of Tennessee who retire after a minimum of twenty-five (25) years of full-time creditable service.
 - f. "tuition" for purposes of this Act refers to undergraduate maintenance fees or area school program fees. "Maintenance fees" refers to a fee charge to students enrolled in credit courses. It is an enrollment or registration fee and is calculated based on the number of student credit hours for which the student enrolls. Tuition does not include application for admission fees, student activity fees, debt service fees, lab fees, applied music fees, the cost of books or other course materials, dormitory charge or meal plans.
 - g. "state operated institution of higher learning" means any institution operated by the University of Tennessee or the Tennessee Board of Regents which offers courses of instruction beyond the high school level (hereinafter called "institution").
2. Eligible children may enroll in any number of courses up to and including full-time study.
3. Fee discounts are only available for courses classified as undergraduate as defined by the institutions.
4. The employment status of the teacher or state employee and the age of the child on the first day of classes will be used to determine eligibility for student fee discount for that term. A change in employment status or the child's age after the first day of classes will affect eligibility for the discount only for subsequent terms.
5. Fee discounts will not be retroactive for prior terms. Fee discounts are available only by application and should be approved prior to the beginning of the term for which a discount is being sought.
6. The fee discount described herein may not be used in conjunction with any other fee waiver or discount program. No eligible child shall receive a discount greater than twenty-five percent (25%) for any one term under the provisions of the programs described herein.
7. Fee discounts described herein will be available beginning with the Fall 1990 term for children of teachers and with the Fall 1992 term as defined by the institutions for children of state employees. Fee discounts for children of retired state employees or of state employees killed on the job or in the line of duty will be available beginning with the Fall 1993 term.
8. At the time of enrollment, the student must present a completed form for children of teachers or state employees certifying eligibility to receive a tuition discount. This form must be signed by the teacher or state employee, his or her employer, and the student. Forms are available at the public higher education institutions. Children of retired state employees must have this form signed by a designated official of the State Treasury Department Division of Retirement to verify that the identified state employee has retired with a minimum of twenty-five (25) years of creditable service. For children of state employees killed on the job or in the line of duty, the form must be signed by a designated official of the state agency at which the employee was last employed.
9. The Higher Education Commission will have the authority to develop a methodology for allocating appropriations to reimburse institutions for actual fee discounts under the provisions of the Act.

15-40-1-5-.03 ELIGIBILITY

The successful applicant for a student fee discount must meet all of the following:

1. Be twenty-three years of age or under;
2. Be a child of a teacher or state employee in Tennessee as defined herein;
3. Be eligible according to the regulations as described herein; and
4. Be eligible for enrollment at the institution for which a student fee discount is sought according to the academic rules and regulations of the institution.

15-40-1-5-.04 APPEALS PROCEDURES

Appeals regarding the determination of eligibility of the applicant will be available in a manner consistent with institutional procedures now in place for admissions decision.

15-40-1-5-.05 PRECEDENCE OF THE ACT

These rules are subordinate to the Act and are intended to facilitate its implementation. Any portion of these regulations which are adjudicated as contrary to law are to be considered null and void. All other portions of these rules shall be severed therefrom and considered in full force.

Statutory Authority: T.C.A. 49-7-119 and 8-50-115