

HOUSE BILL 1294

By Hakeem

AN ACT to amend Tennessee Code Annotated, Title 4;
Title 49, Chapter 4 and Title 49, Chapter 7, relative
to students pursuing teaching as a profession.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 4, Part 7, is amended by
adding the following as a new section:

(a) As used in this section:

(1) "Student" means an individual who:

(A) Attended school in this state for the three (3) years
immediately preceding the student's graduation from high school,
completion of high school in a Tennessee home school program, or
obtaining a GED® or HiSET® credential;

(B)

(i) Graduated from a Tennessee high school;

(ii) Obtained a GED® or HiSET® credential awarded by a
state-approved institution or organization; or

(iii) Completed high school in a home school program; and

(C) Is enrolled in a public institution of higher education; and

(2) "TSAC" means the Tennessee student assistance corporation.

(b) TSAC shall administer a tuition loan program for students who are eligible to
receive the in-state tuition rate at a public institution of higher education pursuant to
subsection (c). TSAC shall annually remit to each institution an amount equal to the
difference between the in-state tuition rate the student received at the institution and the

out-of-state tuition rate the student would have been charged by the institution if the student did not qualify for the in-state tuition rate pursuant to subsection (c).

(c)

(1) A student who is not otherwise eligible to receive the in-state tuition rate at a public institution of higher education shall receive the in-state tuition rate at the institution in which the student is enrolled if the student:

(A) Is enrolled in an institution that has an educator preparation program that has been approved by the state board of education, or is enrolled in a two-year program at an institution that has a transfer agreement with an approved educator preparation program in this state;

(B) Is pursuing, and making satisfactory academic progress in, a baccalaureate degree program leading to licensure as an educator;

(C) Agrees, in writing, to serve as an educator in a public school in this state for no less than five (5) consecutive years as a condition to TSAC's forgiveness of the note obligation in subdivision (c)(1)(D);

(D) Executes a note payable to TSAC in which the student promises to repay the difference between the in-state tuition rate the student received at the institution for each academic year attended and the out-of-state tuition rate the student would have been charged by the institution for each academic year attended if the student did not receive the in-state tuition rate pursuant to this subsection (c); and

(E) Signs and submits an affidavit to TSAC stating that the student is either a citizen or a lawfully present noncitizen, or, in the case of a person without lawful immigration status, that the student will file an

application to legalize the student's immigration status as soon as the student is eligible.

(2) A student shall not receive the in-state tuition rate at an institution pursuant to this subsection (c) for more than four (4) academic years.

(d) A note payable to TSAC under subdivision (c)(1)(D):

(1) Must be executed pursuant to rules promulgated by TSAC;

(2) Bears interest at an annual rate of interest to be determined by TSAC, which begins accruing when the tuition loan enters repayment; and

(3) Enters repayment on the date on which the student:

(A) Permanently withdraws from, fails to make satisfactory academic progress in, or otherwise fails to complete the student's baccalaureate degree program in four (4) academic years; or

(B) Graduates from an institution after successfully completing the student's baccalaureate degree program, if:

(i) The student is not employed as an educator in a public school in this state within one (1) year from the date on which the student graduated from the institution; or

(ii) The student does not serve as an educator in a public school in this state for five (5) consecutive years.

(e) TSAC shall forgive a debt obligation secured by the note payable to TSAC and executed under subdivision (c)(1)(D), if the student:

(1) Graduates from a public institution of higher education after successfully completing a baccalaureate degree program;

(2) Obtains an educator license to teach in this state; and

(3) Teaches full-time at a public school in this state for no less than five (5) consecutive years, the service of which must begin no later than one (1) year from the date on which the student graduated from the institution.

(f) To receive forgiveness of a debt obligation secured by a note payable to TSAC and executed under subdivision (c)(1)(D), the student must submit an application for forgiveness and provide evidence satisfactory to TSAC to show that the student has successfully completed each of the requirements for forgiveness in subsection (e). TSAC shall forgive a student's debt obligation on the date on which TSAC confirms that the student has completed each of the requirements for forgiveness in subsection (e).

(g) Notwithstanding subsections (e) and (f), TSAC shall forgive a debt obligation secured by a note payable to TSAC and executed under subdivision (c)(1)(D) if TSAC finds that it is impossible for the student to teach in a public school in this state for five (5) consecutive years due to the student's death or permanent and total disability.

(h) The exemption from paying out-of-state tuition in this section affirmatively satisfies the express eligibility requirement of 8 U.S.C. § 1621(d).

(i) Information obtained in the implementation of this section is confidential and not a public record. The information may only be used as required to administer tuition payments, and shall not be disclosed for any other purpose without the written consent of the student, except as required by Tennessee law or pursuant to a court order. An institution that receives an affidavit pursuant to subdivision (c)(1)(E) shall treat the affidavit as an education record of the individual under the provisions of the federal Family Educational Rights and Privacy Act of 1974 (FERPA) (20 U.S.C. § 1232g).

(j) TSAC shall promulgate rules to effectuate this section, including, but not limited to, rules to determine whether a student is making satisfactory progress in the student's baccalaureate degree program for purposes of subdivision (c)(1)(B), and to

establish any application and evidentiary requirements for students seeking forgiveness of a debt obligation pursuant to this section. The rules must be promulgated according to the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 2. Tennessee Code Annotated, Section 4-58-102(7), is amended by adding the following language as a new subdivision:

(C) Does not include the exemption from paying out-of-state tuition authorized by Section 1 of this act.

SECTION 3. This act is not an appropriation of funds, and funds shall not be obligated or expended pursuant to this act unless the funds are specifically appropriated by the general appropriations act.

SECTION 4. This act takes effect July 1, 2023, the public welfare requiring it, and applies to the 2023-2024 academic year and each academic year thereafter.