

SENATE BILL 36

By Overbey

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 4, Part 9, relative to postsecondary financial assistance from net lottery proceeds for students with intellectual disabilities.

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

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 4, Part 9, is amended by adding the following language as a new, appropriately designated section:

49-4-9__.

(a) As used in this section, an "eligible postsecondary program" means a postsecondary program recognized by the Postsecondary Educational Alliance and offered by an eligible postsecondary institution that assists students with intellectual disabilities, as defined in § 33-1-101, who have completed high school, but who need a strong system of education supports and services to access and obtain postsecondary education. To be an eligible postsecondary program, a program shall consist of a two-year individualized program of study designed to provide meaningful postsecondary activities, including academic, career development and exploration and independent living skills, on the postsecondary campus.

(b) To be eligible for a Tennessee STEP UP scholarship, a student with a documented intellectual disability shall:

- (1) Not be ineligible for the scholarship under § 49-4-904;
- (2) Have been a Tennessee resident, as defined by regulations promulgated by the board of regents under § 49-8-104, for one (1) year

immediately preceding the date of application for a scholarship or the renewal of a scholarship;

(3) Complete high school in a Tennessee high school in accordance with the requirements of the student's individualized education program (IEP) and receive a high school diploma or certificate, a special education diploma, a transition certificate or an IEP certificate;

(4) Be admitted to and enroll in an eligible postsecondary institution in an eligible postsecondary program no later than sixteen (16) months after completing high school; and

(5) Apply for a Tennessee STEP UP scholarship.

(c)

(1) To continue to be eligible for a Tennessee STEP UP scholarship, a student shall:

(A) Maintain continual enrollment in the eligible postsecondary program as defined by the eligible postsecondary institution; and

(B) Make satisfactory academic progress in the student's program of study as determined by the eligible postsecondary institution.

(2) If a student ceases to be eligible for the Tennessee STEP UP scholarship at any time for any reason, then the student shall not be able to regain the scholarship.

(d)

(1) A student may receive a Tennessee STEP UP scholarship under this section until the first of the following events:

(A) The student receives a credential signifying completion of the eligible postsecondary program; or

(B) Two (2) years have passed from the date of the student's initial enrollment in the eligible postsecondary program.

(2) A Tennessee STEP UP scholarship student who has an approved medical or personal leave of absence from an eligible postsecondary program may continue to receive the scholarship upon resuming the student's education in the eligible postsecondary program; provided, that the student continues to meet all applicable eligibility requirements. A student who takes an approved leave of absence shall be eligible for the scholarship until the first of the following events:

(A) The student has received a credential signifying completion of the eligible postsecondary program; or

(B) The sum of the number of years that the student attended the eligible postsecondary program prior to the leave of absence and the number of years of attendance after the leave of absence equals two (2) years.

(e) Subject to the amounts appropriated by the general assembly and any law relating to a shortfall in funds available for postsecondary financial assistance from the net proceeds of the state lottery, the amount of a Tennessee STEP UP scholarship shall be the same as the amount of a Tennessee HOPE scholarship awarded under § 49-4-914(a) to students attending eligible four-year postsecondary institutions.

(f) If the sum of all financial aid, including a Tennessee STEP UP scholarship, for which a student qualifies exceeds the institutionally defined total cost of education at the eligible postsecondary institution the scholarship recipient is attending, then the student's Tennessee STEP UP scholarship shall

be reduced so that the financial aid actually received by the student does not exceed the institutionally defined total cost of education.

SECTION 2. This act shall take effect upon becoming law, the public welfare requiring it, and shall apply to students initially entering eligible postsecondary programs in the 2013-2014 academic year and academic years thereafter.