

**RULES  
OF  
THE TENNESSEE STUDENT ASSISTANCE CORPORATION**

**CHAPTER 1640-01-14  
DEPENDENT CHILDREN SCHOLARSHIP**

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**1640-01-14-.01 INTRODUCTION.**

These rules implement the Dependent Children Scholarship Act authorized in T.C.A. § 49-4-704 (hereinafter called the Act). The Act provided for a scholarship to certain dependent children who are Tennessee residents and were living with or receiving regular support from a law enforcement officer, a fireman, or an emergency medical service technician in Tennessee at the time of the employee's death or total and permanent disability.

**Authority:** T.C.A. §§ 49-4-204 and 49-4-704. **Administrative History:** Original rule filed February 9, 1990; effective May 29, 1990. Amendments filed May 10, 2023; effective August 8, 2023.

**1640-01-14-.02 DEFINITIONS.**

- (1) Continuous enrollment: The term is defined in T.C.A. § 49-4-902.
- (2) Eligible postsecondary institution: The term is defined in T.C.A. § 49-4-902.
- (3) Eligible program of study: The term is defined in T.C.A. § 49-4-902.
- (4) Full-time: A measure of the level of enrollment or attendance of a "full-time student" as defined in T.C.A. § 49-4-902.
- (5) Satisfactory academic progress: Progress in a course of study in accordance with the standards and practices used for Title IV programs by the eligible postsecondary institution at which the student is currently enrolled.

**Authority:** T.C.A. §§ 49-4-204 and 49-4-704. **Administrative History:** Original rule filed February 9, 1990; effective May 29, 1990. Amendments filed May 10, 2023; effective August 8, 2023.

**1640-01-14-.03 GENERAL.**

- (1) The awards are available only to full-time undergraduate students who maintain continuous enrollment and are in good standing and making satisfactory academic progress at the institution in which the student is enrolled according to the institution's published standards or, if a freshman, admitted to the institution for enrollment.
- (2) Duration of the award will be determined by the guidelines established in T.C.A. § 49-4-704.
- (3) Scholarships normally will not be available for summer enrollment periods. However, the Tennessee Student Assistance Corporation (TSAC) may award such scholarships if sufficient funds are available.

(Rule 1640-01-14-.03, continued)

**Authority:** T.C.A. §§ 49-4-204 and 49-4-704. **Administrative History:** Original rule filed February 9, 1990; effective May 29, 1990. Amendment filed August 12, 1994; effective December 29, 1994. Amendment filed December 30, 2002; effective April 30, 2003. Amendments filed May 10, 2023; effective August 8, 2023.

#### **1640-01-14-.04 APPLICATION AND AWARD PROCEDURES.**

- (1) The priority deadline for applications for annual awards will be determined by the TSAC Executive Director and posted on the agency's website. If the deadline occurs on a weekend or holiday, then the application deadline will be the next business day.
- (2) The TSAC Executive Director is authorized to modify published application deadlines for well-documented extraordinary cause, if necessary to protect the public interest.
- (3) Students must submit an application to TSAC accompanied by evidence sufficient to meet the eligibility requirements of T.C.A. § 49-4-704. The applicant must complete a Free Application for Federal Student Aid each academic year that the applicant wishes to be considered for the scholarship and have the data submitted to TSAC.
- (4) The amount of a Dependent Children Scholarship award shall be based on the number of credit hours attempted in a semester that are applicable to the student's eligible program of study. After a review of an eligible applicant's financial aid need analysis and the financial aid awarded through other sources, an award will be made not to exceed the cost of attendance for coursework in the student's eligible program of study as determined by the institution. Except as provided by other educational aid, the award shall include tuition and other required fees, an allowance for books, supplies, and room and board as reflected in the cost of attendance determined by the institution for other students in the same financial aid category. The amount of the award will depend on the availability of funds. If funds are insufficient to provide scholarships to all eligible applicants, non-need-based awards will be limited to tuition and other required fees.
- (5) Payment will be made at the beginning of each academic term after certification by the institution that the student is attending full-time in an eligible program of study, has maintained continuous enrollment, and is making satisfactory academic progress as determined by the institution.
- (6) A student may attend less than full-time and receive a Dependent Children Scholarship award in the following circumstances:
  - (a) The semester of graduation, if full-time enrollment is not required to complete the student's eligible program of study;
  - (b) When the student receives an approved leave of absence from full-time enrollment;
  - (c) In any semester in which the eligible postsecondary institution does not offer at least twelve (12) semester hours of coursework applicable to the student's eligible program of study; or
  - (d) If the student's eligible program of study requires less than full-time enrollment for a semester.

**Authority:** T.C.A. §§ 49-4-203, 49-4-204, 49-4-209, and 49-4-704. **Administrative History:** Original rule filed February 9, 1990; effective May 29, 1990. Amendments filed May 10, 2023; effective August 8, 2023.

**1640-01-14-.05 PERSONAL OR MEDICAL LEAVE OF ABSENCE.**

- (1) A student may be granted a medical or personal leave of absence from full-time attendance or continuous enrollment at an eligible postsecondary institution if all other applicable eligibility criteria are met. Each eligible postsecondary institution shall adopt procedures for considering student requests for leaves of absence. Allowable medical or personal reasons include, but are not limited to, illness of the student, illness or death of an immediate family member, pregnancy, extreme financial hardship of the student or student's immediate family, fulfillment of a religious commitment encouraged of members of that faith, fulfillment of required military service, a student's participation in an internship or co-op program that is required or encouraged as part of the academic program in which the student is enrolled, or other extraordinary circumstances beyond the student's control where attendance by the student creates a substantial hardship. In the event an institution denies a student's request for a medical or personal leave of absence, the student may appeal the decision in accordance with these rules.

**Authority:** T.C.A. §§ 49-4-203, 49-4-204, 49-4-209, and 49-4-704. **Administrative History:** Original rule filed February 9, 1990; effective May 29, 1990. Amendments filed May 10, 2023; effective August 8, 2023.

**1640-01-14-.06 AWARD MADE IN ERROR.**

- (1) If a student receives a Dependent Children Scholarship award and it is later determined that the award or some portion of the award was made in error, the student or the postsecondary institution may be required to repay the amount awarded in error.
- (2) If TSAC determines that the error was through no fault of the student, the student will not be required to repay the amount of the payment made in error.
- (3) Repayment from the student will be required if TSAC determines that fraud was committed by, or the error was the fault of, the student. When repayment is required, the student may not receive additional student aid from TSAC until repayment is made.
- (4) Repayment from the eligible postsecondary institution will be required if TSAC determines that the error was the fault of the institution.

**Authority:** T.C.A. §§ 49-4-203 and 49-4-704. **Administrative History:** New rule filed May 10, 2023; effective August 8, 2023.

**1640-01-14-.07 REFUND POLICY.**

- (1) If a recipient of a Dependent Children Scholarship award fails to complete a semester for any reason, the eligible postsecondary institution shall apply its refund policy to determine whether a refund may be required and whether funds must be returned to TSAC. The eligible postsecondary institution shall provide the student with a notice indicating the amount to be returned to the student and the amount to be refunded to TSAC. Additionally, the eligible postsecondary institution shall notify TSAC of the refund, which shall be noted on the student's record. The eligible postsecondary institution shall also be responsible for obtaining repayment from the student if necessary. The student shall be ineligible for student aid from TSAC until the refund is paid.

**Authority:** T.C.A. §§ 49-4-203 and 49-4-704. **Administrative History:** New rule filed May 10, 2023; effective August 8, 2023.

**1640-01-14-.08 APPEAL AND EXCEPTION PROCESS.**

- (1) TSAC staff will determine the initial eligibility of applicants according to the requirements in the Act and these rules. Applicants who believe that the initial eligibility determination was not made in accordance with the Act and these rules may appeal to the TSAC Appeals Panel described in Tenn. Comp. R. & Regs. 1640-01-19 for relief.
- (2) Except for appeals of initial eligibility determinations, each eligible postsecondary institution shall use its existing Institutional Review Panel (IRP) for purposes of reviewing and rendering decisions regarding appeals for the Dependent Children Scholarship program. The IRP shall use the same procedures and timelines as those that currently exist for the review of Tennessee Education Lottery Scholarship (TELS) appeals as outlined in Tenn. Comp. R. & Regs. 1640-01-19.
- (3) TSAC shall use the existing TSAC Appeals Panel to consider appeals and render decisions for those students who appeal a decision made by the IRP and for appeals made directly to TSAC. The same guidelines shall exist for appeals of the Dependent Children Scholarship program as those that are currently in place for TELS as outlined in Tenn. Comp. R. & Regs. 1640-01-19. A decision of the TSAC Appeals Panel made on the merits of the appeal is the final administrative remedy available to the student.

**Authority:** T.C.A. §§ 49-4-204 and 49-4-704 **Administrative History:** New rule filed May 10, 2023; effective August 8, 2023.