



## TENNESSEE HIGHER EDUCATION COMMISSION

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**REGULAR CALENDAR ITEM:** II.

**MEETING DATE:** January 25, 2024

**SUBJECT:** Rule Repeal: 1540-01-03 Regulations for Apportioning Funds Under the Agricultural and Home Economic Endowment Trust Fund

**ITEM TYPE:** Action

**ACTION RECOMMENDATION:** Approval

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### BACKGROUND

Tennessee Higher Education Rule 1540-01-03 Regulations for Apportioning Funds Under the Agricultural and Home Economic Endowment Trust Fund states that THEC will have the authority to determine the manner in which funds are utilized for the Agricultural and Home Economic Endowment Trust Fund. However, Tennessee Code Annotated § 49-7-701 was amended to place that authority with the State Treasurer. This rule is being recommended for repeal.

Attachment A provides a redlined version of the proposed repeal. Attachment B provides a clean version.

## Attachment A: Redlined Version of Proposed Changes

### RULES OF THE TENNESSEE HIGHER EDUCATION COMMISSION

#### CHAPTER 1540-~~01-03~~ ~~REPEALED REGULATIONS FOR APPORTIONING FUNDS UNDER~~

#### ~~THE AGRICULTURAL AND HOME ECONOMIC ENDOWMENT TRUST FUND~~

#### TABLE OF CONTENTS

<del>1540-01-03-.01</del>			
<del>through</del>			
<del>1540-01-03-.04</del>	<del>Repealed</del>		
<del>1540-1-3-.01</del>	<del>Intent</del>	<del>1540-1-3-.03</del>	<del>Application Process</del>
<del>1540-1-3-.02</del>	<del>Definitions</del>	<del>1540-1-3-.04</del>	<del>Effective Date</del>

**1540-1-3-.01** ~~**REPEALED INTENT.**~~ It is the intent that the Tennessee Higher Education Commission shall apply uniform rules, as described in these regulations and not otherwise, in determining the manner in which monies under the Agricultural and Home Economic Trust Fund (hereinafter referred to as Trust Fund) shall be apportioned to institutions of higher education, to promote leadership in agricultural and home economics programs in such institutions, and to determine the amount of funds that shall be apportioned.

*Authority:* T.C.A. § § 49-7-701 and 49-7-702. *Administrative History:* Original rule filed September 29, 1988; effective December 28, 1988.

#### **1540-1-3-.02** ~~**REPEALED DEFINITIONS.**~~

• ~~The word “institutions” shall denote public postsecondary colleges, universities, and area vocational technical schools in Tennessee.~~

• ~~The term “agricultural and home economics” shall refer to programs so designated in the U.S. Department of Education Office of Educational Research and Improvement Center for Education Statistics’ publication A Classification of Programs (hereinafter referred to as CIP); namely, CIP codes as follows:~~

• ~~Agribusiness and Agricultural Production. A summary of groups of instructional programs that prepare individuals to apply scientific knowledge and methods, and technical skills in support of agribusiness and agricultural activities concerned with the management of agricultural enterprises, production and propagation of crops and animals, supplies and services, mechanics, products processing and marketing, and horticulture.~~

● ~~———— Agricultural Sciences. A summary of groups of instructional programs that describe the production, processing, and distribution of food and fiber.~~

● ~~———— Renewable Natural Resources. A summary of groups of instructional programs that prepare individuals for activities involving the conservation and/or improvement of natural resources such as air, soil, water, land, fish, and wildlife for economic and recreation purposes.~~

~~(Rule 1540-1-3-.02, continued)~~

● ~~———— Home Economics. A summary of groups of instructional programs that describe the relationship between the physical, social, emotional, and intellectual environment in and of the home and family, and the development of individuals. Includes instruction in the natural and social sciences and humanities in the development of attitudes, knowledge, and ability pertaining to clothing and textiles, consumer education, food and nutrition, home management, housing, human development and family studies, and institutional management.~~

● ~~———— Vocational Home Economics. A summary of groups of instructional programs that emphasize the acquisition of competencies (including skills and job attitudes) needed for securing and holding paid employment at the entry and advanced levels, and/or preparing for advancement in occupations utilizing home economics education knowledge and skills. Vocational home economics education instructional programs are developed from home economics education subject matter areas to meet the unique requirements of the specific vocations. Programs that prepare individuals for paid employment include: (1) services to individuals/families; (2) assistance to professional home economics and professionals in fields related to home economics in industry, business, and public and private agencies; and (3) other services and/or assistance directly related to one or more of the home economics subject matter areas, offered in formal and/or informal settings combined with supervised laboratory and work experiences.~~

● ~~———— The term “promotion of leadership” shall mean, borrowing from the language of Public Chapter 184 creating this Endowment Fund, to engage in activities which will “encourage...young people, by means of scholarship incentives, to enter one of many agriculture (and home economics) related fields.”~~

*Authority:* T.C.A. § § 49-7-701 and 49-7-702. *Administrative History:* Original rule filed September 29, 1988; effective December 28, 1988.

#### **1540-1-3-.03      REPEALED APPLICATION PROCESS.**

● ~~———— When sufficient funds are available in the Trust Fund, the Executive Director of the Tennessee Higher Education Commission (hereinafter referred to as Commission) shall provide written notice to the University of Tennessee system, to the State Board of Regents, and the chief executive officer of each Tennessee public higher education institution. Such notice shall provide that interested institutions have a minimum of 90 days to respond to the Commission’s Request for Proposals (hereinafter referred to as RFP). The RFP will indicate the criteria for proposed projects, the timeframe for the application process, and the place(s) for submission.~~

- ~~Institutions will be expected to match all monies received from the Trust Fund and should include their plans to achieve the match from external sources in their responses to the RFP.~~

- ~~The responses to the RFP will be reviewed by a seven member Committee composed of at least one representative each from the Commission, the State Board of Regents, and the University of Tennessee, two representatives from different higher education institutions, and two representatives from the fields of agriculture and home economics, not related to and/or employed by any eligible institution. The individuals who will serve on the Committee will be appointed by the Executive Committee of the Commission~~

- ~~The decision of the Committee is final.~~

**Authority:** T.C.A. § § 49-7-701 and 49-7-702. **Administrative History:** Original rule filed September 29, 1988; effective December 28, 1988.

**1540-1-3-.04    REPEALED ~~EFFECTIVE DATE.~~** ~~The proposed rules set out herein were properly filed in the Department of State and pursuant to the instructions set out above, and in the absence of the filing of an appropriate petition calling for a rulemaking hearing, will be come effective December 28, 1998.~~

**Authority:** T.C.A. § 49-7-702. **Administrative History:** Original rule filed September 29, 1988; effective December 28, 1988.

## Attachment B: Clean Version of Proposed Changes

### RULES OF THE TENNESSEE HIGHER EDUCATION COMMISSION

#### CHAPTER 1540-01-03 REPEALED

#### TABLE OF CONTENTS

1540-01-03-.01  
through  
1540-01-03-.04      Repealed

#### 1540-1-3-.01 REPEALED

*Authority:* T.C.A. § § 49-7-701 and 49-7-702. *Administrative History:* Original rule filed September 29, 1988; effective December 28, 1988.

#### 1540-1-3-.02 REPEALED

*Authority:* T.C.A. § § 49-7-701 and 49-7-702. *Administrative History:* Original rule filed September 29, 1988; effective December 28, 1988.

#### 1540-1-3-.03 REPEALED

*Authority:* T.C.A. § § 49-7-701 and 49-7-702. *Administrative History:* Original rule filed September 29, 1988; effective December 28, 1988.

#### 1540-1-3-.04 REPEALED

*Authority:* T.C.A. § 49-7-702. *Administrative History:* Original rule filed September 29, 1988; effective December 28, 1988.