

Bill Analysis

Legislative Threat to Student Supports in Higher Education

[HB 1664/SB 1712](#) | Rep. Mayberry/Sen. Johnson

March 23, 2026

In 2025, the Tennessee General Assembly enacted multiple laws restricting initiatives intended to provide students and educators from diverse backgrounds and life experiences with the resources and support needed to succeed in Tennessee's public schools and higher education institutions. These laws, combined with federal actions, led to the closure of many student support programs, offerings, and offices that served historically underrepresented students, including first-generation students, students from low-income backgrounds, nontraditional and adult learners, and students of color. The closure of these offices reduces the number of places on campus students can access essential services that promote student belonging, engagement, and academic success.

For 2026, lawmakers have introduced [HB1664/SB1713](#), obligating institutional presidents to annually certify compliance with state restrictions which could further curtail efforts to support students from a range of backgrounds. Because the legislation does not clearly define what activities constitute prohibited DEI conduct, institutions may feel pressured to over-comply with state law. Overcompliance could further limit or eliminate student support services that are legally permissible and essential to student success.

HB1664 / SB1713

Requires executive head or president of each public institution of higher education or the chief executive head of any of its campuses to submit an annual attestation of compliance with Tenn. Code Ann. § 49-7-192 to the Comptroller.

- Tenn. Code Ann. § 49-7-192 states “A public institution of higher education in this state shall not use a discriminatory preference in an effort to increase diversity, equity, or inclusion or establish or maintain an office, division, or department for such purpose”
- A “discriminatory preference” refers to any policies or practices that grants or withholds benefits, opportunities, advantages [etc.] based on race, ethnicity, sex, age, or any other demographic characteristic rather than on individual merit, qualifications, or lawful eligibility criteria.

Early Institutional Impacts

Following the 2025 legislation, several institutions implemented changes to services and offices intended to support student success and campus climate, including:

- [UT Chattanooga](#): Closure of the Office of Student & Family Engagement (News Channel 9, 2025)
- [MTSU](#): Closure of the June Anderson Center for Women and Nontraditional Students (MTSU Sidelines, 2025)
- [MTSU](#): Removal of scholarships for undergraduate students that mentioned veterans, non-traditional students, disabilities, first-generation students, gender identity or expression, personal hardship, race, sexual identity or special gifts or talents (MTSU Sidelines, 2025)
- [University of Memphis](#): Closure of the Multicultural Affairs Office (News Channel 3, 2025)

The elimination of student support services may negatively impact student recruitment, retention, and completion. Research from states that passed similar legislation and eliminated student support services indicates that parents and students have grown [more concerned](#) about available supports and whether students feel they belong on campus (Latham Sikes, 2025). It is essential that institutional leaders receive clarity on the intended outcomes of HB1664/SB1713 prior to taking any action to comply.

Key Questions

- How will Tennessee distinguish between a “discriminatory preference” and lawful, neutral student support services based on student need?
- Will the Comptroller’s office provide guidance or standardized templates to avoid conflicting interpretations of compliance?
- How will lawmakers monitor and evaluate the impact of this legislation on student outcomes, including recruitment, retention, and completion? Are student support services that have demonstrated research evidence showing positive impacts on student outcomes protected from closure?
- Does the legislature intend for institutions to eliminate any program, service, or scholarship that serves a particular student demographic?
- Will these annual reports be made publicly available so students can make informed decisions on where they choose to enroll and the available support services?
- Tenn. Code Ann. § 49-7-192 allows for institutions to request an exemption if compliance with the section would result in a loss of federal funding. Would an institution be eligible to apply for a similar exemption if compliance resulted in the loss of other sources of funding?
- Would an institution be required to eliminate any support services or financial aid programs for adult learners, students from low-income backgrounds, first generation students, and/or students from rural communities before submitting an attestation of compliance?