

BUSINESS AFFAIRS SUB-COUNCIL

July 28, 2015

MINUTES

The meeting began at 9:00 a.m. in the TBR Board Room. Present were Ms. Cynthia Brooks (TSU); Dr. David Collins (ETSU); Ms. Beth Cooksey (VSCC); Mr. John Cothorn (MTSU); Ms. Mary Cross (NaSCC); Mr. Danny Gibbs (RSCC); Mr. Lowell Hoffman (DSCC); Mr. Ken Horner (CoSCC); Mr. Bob Hughes (TSU); Mr. Tim Hurst (APSU); Dr. Rosemary Jackson (WSCC); Mr. Mitch Robinson (APSU); Mr. Stanley Robinson (STCC); Ms. Jeannie Smith (UOM); Dr. Claire Stinson (TTU); Ms. Tammy Swenson (CHSCC); Mr. Alan Thomas (MTSU); Ms. Hilda Tunstill (MSCC); Mr. Greg Wilgocki (ETSU); Dr. Tommy Wright (CISCC); Mr. Jeff Young (TTU); Mr. David Zettergren (UOM); Chancellor John Morgan, Mr. Blayne Clements, Mr. Tom Danford, Ms. Angela Flynn, Ms. Deanna Hall, Ms. Pat Massey, Ms. April Preston, Mr. Wayne Pugh, Ms. Brooke Shelton, Mr. Dale Sims, Ms. Renee Stewart, and Mr. Bob Wallace (TBR).

1. Chancellor's Remarks

Chancellor Morgan discussed tuition increases for the upcoming year. He stated that the increases were much lower than they had been in the last decade. In trying to minimize increases, the Board is focusing more on efficiencies which has led to the Huron study. Huron has identified items for potential savings and better efficiencies. They identified significant efficiencies for shared services for the community colleges. One of the items that Huron pointed out was the need to move to a common platform by going to a single instance of Banner for the community colleges. The estimated cost will be between \$25 and \$28 million dollars. This report has been shared with the Board.

The Chancellor also shared that THEC has nearly completed their process of adjusting some items in with the outcome based formula. He also discussed that THEC has adopted a new master plan for higher education. Part of the master plan involves the meeting of decision makers and leaders understanding what the state needs for funding.

2. TBR Accessibility Initiative

Dr. Tristen Denley discussed the TBR Accessibility Initiative with the committee. The purpose of this initiative is to develop ways to make instructional materials and the resources of educational success more easily accessible to an increasingly wide student audience. He explained that a Task Force has been set up to develop this initiative. Each campus has an accessibility coordinator that acts as a liaison. Several items have been implemented to make more materials available to more students and more often. Several of these items are new language being implemented into contracts, the training of people at the system office and questionnaires completed by students with disabilities.

3. 15 Hour Courseload

Dr. Tristan Denley discussed students and the initiative to encourage students to move from 12 hours to 15 hours. It has been determined that students taking 15 hours are more successful because they are finishing their degree in a shorter time which increases the graduation rate. There is a concern to make up the revenue from 12 hours to 15 hours. In 2009, members of the Board supported charging an additional fee for hours above 12. This fee is heavily discounted but is still in force today. Now may be the time to consider a change.

The committee was asked to think about this issue and the impact on students and the institutions. TBR would like to be in a position at the December Board meeting to propose this and still have time for discussions on how to implement.

4. Report of the Committees

A. Human Resources

Ms. Preston highlighted the following issue from the July 8, 2015 Human Resources Officers meeting:

- Federal Change Same Sex Marriage

All institutions have received information from Tennessee Benefits Administration about same sex marriage. TBR policy refers to spouse and refers to the state definition of spouse. At this point there is no need to change TBR policy based on the Federal change. We will follow the guidelines sent out by the Tennessee Benefits Administration.

- Open Enrollment

Open enrollment is Sept 15, 2015 – October 15, 2015 and there will be significant benefit updates for 2016. Benefits Administration will send additional information regarding the updates and begin to communicate them. April highlighted a couple of changes to the plan that include: a 3.5% increase for the medical premium, a high deductible plan, and the pre-paid vendor (Assurant) will be replaced with a new vendor.

- DOL Proposed update to Fair Labor Standards Act

On June 30, 2015, the Department of Labor released a proposed change increasing the weekly salary level from the current threshold of \$455 per week to \$921 per week. The proposal is currently in the 60 day comment period. Additional information will be communicated when the proposed update is finalized. While it is still only proposed at this time, it would be proactive to identify those employees potentially affected at each respective institutions.

The Human Resource Officers minutes were approved.

B. Finance Committee

Dr. Collins highlighted the following issues from the July 7, 2015 Finance Committee meeting:

- Guideline B-070 Deferred Payment Guideline (Attachment A)

The Financial Aid Director group proposed revisions to the deferred payment plan guideline to add an option of four equal payments. The committee discussed that if there were four equal payments then the first payment would have to be made by the first day of class (August for Fall and January for Spring) with the remaining three payments in September, October and November for Fall and February, March and April for Spring. The committee agreed to this payment schedule. The universities will choose either plan and the community colleges will determine as a system which option they will offer.

- Travel Abroad

The committee discussed the issues with travel abroad payments and determined to form a group from several institutions to address a common way for the institutions to account for travel abroad payments. The group consists of B.J. King (ETSU); Jeff Young (TTU); Bradley white (TSU); and Jamie Wilmoth (RSCC).

- Guideline B-060 Fees, Charges, Refunds and Adjustments (Attachment B)

The committee agreed to revise the application fees for graduate students. The current application fee stated in the guideline is not less than \$25.00 nor more than \$35.00. The proposed revision states not less than \$25.00 nor more than \$75.00.

- Section 703.92 of NACUBO's FARM Manual and Bad Debts

The committee agreed to record bad debts as contra revenue rather than an expense. This will be effective FY2016.

- Update on Facilities Guidelines and Policies

The committee was updated by TBR Facilities on the following policies and guidelines:

Guideline B-021 Building Plaques Affixed to Buildings

TBR Facilities recommended that this guideline be eliminated because Policy 4-02-05-01 Naming Buildings also includes guidance for building plaques.

Guideline B-026 Lease Procedures and Guidelines

TBR Facilities recommended to delay this guideline until the October Finance meeting. Procedures for leases have recently been changed by the State Building Commission and TBR Facilities needs to get an understanding of the new changes before incorporating them into the guideline.

Policy 4-02-05-01 Naming Buildings (Attachment C)

The committee discussed this policy and determined to add the following language to the Building Plaque section:

Building plaques shall include the name of the Governor(s), Chancellor(s), all State Building Commission members, the names of the members of the Board, President(s) or College of Applied Technology Director(s), the architect, contractor, and state architect from the date of Building Commission approval of a specific project to the completion of the project.

- Review of Policies and Guidelines

The committee reviewed the following policies and guidelines:

Policy 4-06-00-00 Expenditure of State funds for Paid Advertising (Attachment D)

Definition Section

Language was added to expand on different types of advertising.

Section I. D 1.

Language was added to state that advertising should not represent the campus as being superior to any other public institution of higher education.

Section I. E.

Language was added to state that each campus shall evaluate paid advertising on a periodic basis to determine the effectiveness and public benefit of such advertising.

B-061 Educational Assistance (State Employees & Dependents of State Employees and Teachers) (Attachment E)

Section IV. A.

Language was added that states full-time employees of the State of Tennessee to be eligible for enrollment in one course, consisting of no more than four (4) credit hours or one hundred twenty (120) clock hours, per term at any State supported college or university or Tennessee College of Applied Technology without paying tuition charges, maintenance fees, mandatory fees, or RODP on-line course fees.

B-062 Other Educational Assistance Payments (Attachment F)

Change Age 65 or Above Program to Disabled and Elderly Persons throughout the guideline.

Section II. A.

Delete 1-4 which are detailed in Section II. B.

Section IV.

Delete “father or mother” since reference is to parent.

Section IV. C. 2.

Language was added to change the full-time student load from 15 semester hours to 12.

Section V. A.

Language was added to include that certain disabled and elderly students as well as state service retirees are able to enroll in course free or at a reduced rate.

Section V. B.

Language was added that for audit courses, no fee is required for persons with a permanent, total disability; persons 60 years of age or older and domiciled in Tennessee; and persons who have retired from state service with 30 or more years of service, regardless of age.

Section V. B. 2.

Language was added that for credit courses, a reduced fee is charged to persons with a permanent, total disability, and persons who will become 65 years of age or older during the academic semester in which they begin classes and who are domiciled in Tennessee.

Section V.C. 1.

Language was added to clarify which fees are to be paid by disabled and elderly persons.

Section V. E. 2.

Language was added to clarify when employees participating in this program should schedule courses.

Section V.F. 1.

Language was added that states that any fees set by statute are considered the fee rate for that group and are not considered waived.

- Guideline B-015 Cash and Gift Card Payments to Research Participants (Attachment G)

The committee discussed proposed revisions to this guideline that added that research participants receiving more than \$100 in any calendar year should provide name, SSN and home address at the time of receipt of payment.

- Foundation Policy (Attachment H)

The committee discussed the suggested revisions to the draft foundation policy. The Finance Committee recommended the following revisions.

Section I. B.

The language “and activities” was added.

Section II.B.

The language “governed by this policy” was added.

Section II.D.1.

“Substantial” was added.

Section II.E.

The following language was added back.

“It is understood that instances may occur where a donor inadvertently directs a contribution to the institution which is intended for the foundation. Procedures shall be established to clarify intent.”

Section II. F.

One thousand dollars (\$1,000) has been changed to five thousand dollars (\$5,000).

Language has been added that states ‘Salaries funded by the foundation in accordance with the institution’s salary plan and included in the institution’s personnel budget do not require further approval.’

Section III.

The language “act to conform” has been changed to “have conformed.”

Subsequent to the Finance committee meeting the following revisions were added:

Section II. D.3.b.

Language was added that states that “Such policies and procedures must include a process for determining authority for authorizing contracts on behalf of the Foundation and for authorizing expenditure of Foundation funds. Authority for these functions cannot be delegated solely to an employee of the Institution.”

Section II. D.5.

Language was added that states “Policies that identify who may release the Foundation’s records upon receipt of a request.”

Section II. F.

Language was added to clarify that foundation expenditures for compensation and other payments must be approved in advance by the institution president unless they are funded within the compensation plan and included in the personnel budget.

Language was also added that the Chancellor's advance approval shall be required if payments outside the Institution's compensation plan are made to or for the benefit of any institutional employees, including the president and if the aggregate annual value of such payments to any individual institutional employee exceeds fifteen hundred dollars (\$1,500) per year.

"Non-taxable" was added to the recognition awards.

Section II. G.

"Annual" was added to financial report along with "required note disclosures."

Section II. H.

Language was added that all annual reports, books of account and financial records of a foundation shall be available for audit by the internal auditors of the affiliated institution or TBR.

- Joint Enrollment/Dual enrollment student fees

The committee discussed the joint enrollment/dual enrollment students and student fee rate to be charged. The \$166 per hour fee was implemented for dual enrollment students but raised many questions.

The committee determined that the community colleges and universities may treat this issue different and that a letter from Dale Sims will be sent on how to handle these fees.

The Finance Committee minutes, with the policy and guideline changes, were approved.

C. Council of Buyers

Ms. Flynn highlighted the following issues from the July 10, 2015 Council of Buyers meeting:

- Accessibility

Ms. Flynn discussed the accessibility task force established by Dr. Tristan Denley. The Council of Buyers is on the procurement and contracts portion of the task force. Each campus has an accessibility coordinator which act as a liaison with the vendors and the campus community. These coordinators will be trained on testing and vetting products/services offered by the vendor community as well as communication with the vendors on the completion of the necessary forms/documentation.

- SciQuest-TSM Vendor Portal

Ms. Flynn updated the committee on TSM. An order form has been executed with Ellucian with a tentative go-live date of 4/1/2016.

- TBR/UT/CPO Collaboration-procurement cards

The committee was updated on procurement cards initiatives. The next initiative will be a collective procurement card contract. Institutions will not be asked to cancel any current contracts, but institutions will want to evaluate the resulting contract rebates to determine if it is feasible to renew any existing contracts. The timeline is to have a new agreement in place sometime in 2016.

The Council of Buyers minutes were approved.

D. Internal Audit

Mr. Clements highlighted the following issues from the July 8, 2015 Internal Auditors meeting:

- Notices of external audits and reviews

Mr. Clements reminded the committee that anytime an institution has any external audit of any kind that they should notify TBR Internal Audit. State Audit already notifies TBR Internal Audit when they go to a campus so it is not necessary to notify TBR when they perform their audit.

- Financial Aid Fraud

Mr. Clements discussed potential fraud in the Federal student aid programs at institutions that offer distance education programs. A letter was distributed to the committee from the Department of Education that outlines some of the fraud schemes that have been detected and recommends steps that institutions can take to detect and prevent fraud.

5. TSAC Presentation on State Sponsored Scholarships

David Gregory presented a power point on state sponsored scholarship programs. A TBR State Scholarship Advisory Committee has been formed by the Tennessee Student Assistance Corporation. The emphasis of the committee is to ensure that the programs are meeting goals of Drive to 55 and the Complete College Act. Institutions were encouraged to review these scholarship programs and send any comments to David Collins before the committee meets again in October.

Other Items

- Dale Sims discussed the possibility of revisiting the uses of TAF funds to unify Pool 1 and Pool 2 funds and consider the possibility of using TAF to fund a tablet device for students.
- Board has asked TBR to take a look at B-060 at maintenance and incidental fees and the level of approval required. The Board has expressed interest in delegating the approval of some fees to campus presidents.
- The system office will be moving and the space will be more expensive per square foot. The cost of the move and the first year's increase in expense will be paid with reserve funds but in the FY 2016-17 we may increase the chargeback to fund the increase in rental costs.
- A survey for the procurement cards will be distributed to all institutions.

There being no further business, the meeting was adjourned.

Formatted: Different first page header

Formatted: Right

Deferred Payment Plan: B-070

Policy/Guideline Area

Business and Finance Guidelines

Applicable Divisions

Community Colleges, Universities

Purpose

The purpose of the following guideline is to outline significant provisions for consistent administration of the deferred fee payment program at the four-year and two-year institutions governed by the Tennessee Board of Regents. The guideline is intended to serve as a reference document for institutional staff responsible for implementing and communicating deferred fee payment matters.

Policy/Guideline

I. General Provisions

- A. Each four-year and two-year institution is authorized to offer a deferred payment plan as provided in the Tennessee Board of Regents Policy on Payment of Student Fees and Enrollment of Students (No. 4:01:03:00). The deferred payment plan is available for regular academic terms, but not for summer or other short terms.

II. Eligibility

- A. All students in good financial standing and with no outstanding account balances from previous terms are eligible to participate in the deferred payment program.

Attachment A

Formatted: Underline

- B. Students who have failed to make timely payments in previous terms may be denied the right to participate in the deferred payment program in additional enrollment periods.
- C. Institutions may set minimum balances due for students to be eligible for deferred payment.

III. Payment Terms

A. All financial aid awarded by the institution, including student loans, must be applied toward payment of total fee balances before the deferred payment plan may be utilized. **Two options are available for the remaining balance after financial aid and discounts are applied. The institution Universities may elect to offer one or both of the following payment plans. Community colleges will determine as a system which of the following plans to offer.**

Formatted: Indent: Left: -0.25", Right: 0.52"

Formatted: Font: Bold, Highlight

Formatted: Strikethrough

Formatted: Font: Bold, Highlight

A. **Option 1**

Formatted: Right: 0.52", No bullets or numbering

Formatted: Font: Bold

1. At least 50% of the remaining balance after financial aid and discounts are applied must be paid at the beginning of the term.
2. The remaining balance may be paid in a minimum of two equal installments.
 - a. Due dates for these payments will be set by the institution with approximately 30 days between due dates.
 - b. All installments should be scheduled so that the entire balance due is paid by the end of the semester.

Option 2

b. **1. The remaining balance after financial aid and discounts will be divided into four equal payments with the first payment due before the first day of class and the remaining payments due payment date on the 30th of each subsequent month. All installments should be scheduled so that the entire balance due is paid by the end of the semester.**

Formatted: Indent: Left: -0.73", First line: 0.53", No bullets or numbering

Formatted: Font: Bold, Highlight

Formatted: Indent: Left: -0.3", No bullets or numbering

Formatted: Font: Bold, Strikethrough, Highlight

Formatted: Font: Bold, Highlight

Formatted: Font: Bold, Superscript, Highlight

Formatted: Font: Bold, Highlight

Formatted: Font: Bold, Highlight

Formatted: Font: Bold

IV. Service Charges and Fines

- A. Institutions may charge a service fee of \$10 to \$50 to help defray administrative costs associated with the deferment program.
- B. An additional late payment charge not to exceed \$25 will be assessed on each installment which is not paid on or before the due date and each 30 day period past the 2nd installment up to a maximum of \$100.
- C. Withdrawals from classes will not alter any remaining balance due except to the extent that any refund may be applied in accordance with Guideline B-060.

V. Approval of Exceptions

- A. In accordance with these guidelines, the president of an institution or designee has the authority to determine the applicability of the provisions of the deferred payment program and to approve exceptions in instances of unusual circumstances for individuals.
- B. The Chancellor or designee has the authority to permit policy-related exceptions.
- C. All such actions must be properly documented for auditing purposes.

Sources

May 14, 1996 Presidents Meeting; May 9, 2000 Presidents Meeting; November 6, 2002 Presidents Meeting; February 5, 2013 Presidents Meeting

Related Policies

- Payment of Student Fees & Enrollment
- Fees, Charges, Refunds, and Fee Adjustments

A. Uniform Rates and Policies - Institutions

1. The following fees will be uniformly charged (or, if applicable, to the extent that they remain within the set range) at all institutions both as to the amount and condition of assessment. Charges are subject to approval by the Tennessee Board of Regents.

a. Application Fee:

(1) Undergraduate - Not less than \$5.00 ~~per~~ or more than \$25.00.

(2) Graduate - Not less than ~~\$5.00~~ 25.00 ~~per~~ or more than ~~\$35.00~~ 75.00.

(3) ETSU College of Medicine and College of Pharmacy – Not less than \$50 or more than \$100.

(a) This is a non-refundable fee paid by an individual who applies for admission to the institution. A student is required to pay this fee when he/she applies for admission as a graduate student even if the student attended a TBR institution as an undergraduate student. Additionally, the student is required to pay this fee when he/she applies for admission to a doctoral-level program after receiving a masters-level degree from the institution.

b. Graduation Fee: This fee shall be assessed according to degree level as follows and shall include the cost of the diploma and rental of academic regalia:

(1) Associate Degree \$25.00

(2) Baccalaureate 30.00

(3) Master and Specialist 35.00

(4) Doctor and Juris Doctor 45.00

(a) The fee is refundable only if the institution has incurred no costs on the student's behalf. Other items may be included in the fee, as determined by the institution. Additional fees may be charged for optional graduation-related activities or services. Effective July 1, 2011, community colleges will no longer assess a graduation fee.

c. Late Exam Fee: None

Attachment C

Naming Buildings and Facilities & Building Plaques: 4:02:05:01

Policy/Guideline Area

Business and Finance Policies

Applicable Divisions

TCATs, Community Colleges, Universities

Purpose

The purpose of this policy is to establish the criteria and process for naming of buildings and facilities governed by the Tennessee Board of Regents.

Policy/Guideline

I. Naming Buildings and Facilities

A. General Statement

1. The naming of buildings, facilities, grounds, and organizational units (**collectively called facilities**) of institutions for individuals or groups who have made significant contributions to society is an honored tradition of higher education.
2. The prerogative and privilege of such naming's on the campuses of the Tennessee Board of Regents System are vested in the Board.
3. Authority to name identifiable sub-units or components of buildings and facilities, however, is delegated to the institution president or director, subject to the criteria and process set forth below.

Commented [BS1]: 1.For Item I.A.2., should "naming" be added after such? (Internal Audit)

Commented [BS2]: However, parts of the criteria below specifically only refer to buildings. It is unclear if the "building specific" criteria also apply to sub-units or components of buildings and facilities (Danny Gibbs)

4. This policy applies to all buildings facilities of the institutions governed by the Board.

Commented [BS3]: 2.Should Item I.A.4, simply replicate the items listed in I.A.1. as applicable and then eliminated items 5 and 6 following it? (Internal Audit)

5. It also applies to other facilities, grounds, and organizational units which the institution wishes to dedicate in the name of an individual or group.

6. Buildings designated by their general purpose or function are not subject to this policy.

Commented [BS4]: 3.For Item I.B.6., should it indicate, except as noted in I.B.7.? Also, what about instances when the donor allows the institution to rename a building (e.g., APSU's Hemlock building)? (Internal Audit)

B. Criteria

1. In general, individuals and groups for whom buildings facilities are named must have made a significant contribution to the field of education, government, science, or human betterment.

Commented [BS5]: The criteria in this section apply to buildings, facilities, grounds, and organizational units as well as sub-units or components of buildings. However, "building" only is specifically mentioned in several of the paragraphs. This may need to be clarified. (Danny Gibbs)

2. To preserve the integrity of all buildings facilities named in the System, this honor must be reserved for individuals of recognized accomplishment and character; no building facility may bear the name of an individual convicted of a felony.

Commented [BS6]: This specifically and only references buildings—not the other things mention in the general statement section above. (Danny Gibbs)

Commented [BS7]: Building only??? (Danny Gibbs)

Commented [BS8]: Building only??? (Danny Gibbs)

3. In general, buildings facilities should not be named for active employees of the Tennessee Board of Regents.

Commented [BS9]: In general" is vague. What does that really mean (Danny Gibbs)

Commented [BS10]: Building only???(Danny Gibbs)

4. With respect to the naming of buildings facilities on a particular campus, special consideration shall be given to:

Commented [BS11]: Buildings only??? (Danny Gibbs)

- a. The historical significance of the contribution of the individual or group to the institution;
- b. The association of the individual or group with the building to be named;
- c. Any financial contribution of the individual or group to the institution; and
- d. State, regional, national, or international recognition of the individual's or group's contributions and achievements.

5. A given surname may be assigned to only one building on a specific campus.

6. In all cases, naming rights are considered to be in effect for the duration of the effective and typical useful life of the physical building, space or object, and not in perpetuity.
7. If necessary, the Board reserves the right to remove a name associated with any physical building, space, object, or project at any time if the naming gift pledge remains unfulfilled, it is in the best interests of the institution or of the donor to do so, or to protect the reputation of the institution and/or the donor.

Commented [BS12]: This may be more than just the building (Danny Gibbs)

Commented [BS13]: Should this indicate, except as noted in I.B.7.? Also, what about instances when the donor allows the institution to rename a building? (Internal Audit)

Commented [BS14]: This is more than just the building. (Danny Gibbs)

C. Process

1. The institution president or director shall charge a committee to consider and make recommendations for the naming of a building.
2. The committee shall be comprised of student, faculty, and administrative representatives; other representatives of the campus community may serve on the committee, as deemed appropriate by the president or director.
3. The committee shall consider all suggested namings which satisfy the criteria cited above. Any individual or group associated with the institution may suggest a name for consideration by the committee.
4. The committee shall submit a report to the president or director, which includes a recommendation for the naming, documentation of all suggestions considered, and justification of its recommendation.
5. For naming's which require Board approval, the president or director shall submit his or her recommendation, along with the committee's report and any additional supporting information deemed appropriate, to the Board through the Chancellor.
6. No publicity shall be given to the recommendation for naming until it is considered by the Board.

Commented [BS15]: This this only apply to naming of a building or does it apply to everything in General Statement section above. (Danny Gibbs)

Commented [BS16]: 4.1 For Item I.C.5. and I.C.7. regarding the necessity of approval by the Board versus approval by the president/director. Is the president/director allowed to approve only those "sub-units or components of buildings and facilities" referenced in Item I.A.3. and all others ("buildings, facilities, grounds, and organizational units" per I.A.1.) must be approved by the Board? If so, are these instructions clear or does this need clarification or referencing back to items I.A.1 and I.A.3.? (Internal Audit)

7. For naming's not subject to Board approval, the president or director shall determine and make known the naming in the manner deemed most appropriate.

Commented [BS17]: 5.1 For Item I.C.5. and I.C.7. regarding the necessity of approval by the Board versus approval by the president/director. Is the president/director allowed to approve only those "sub-units or components of buildings and facilities" referenced in Item I.A.3. and all others ("buildings, facilities, grounds, and organizational units" per I.A.1.) must be approved by the Board? If so, are these instructions clear or does this need clarification or referencing back to items I.A.1 and I.A.3.? (Internal Audit)

D. Dedication Ceremony and Plaque

1. Upon approval of the naming by the Board, an appropriate dedication ceremony may be planned and conducted by the institution.
2. The institution also may erect a dedication plaque or comparable marking upon approval of the naming by the Board.
3. The plaque may be separate from the building plaque provided by State regulations.
4. In addition to the individual or group for whom the building is named, the dedication plaque should identify the institution president or director, the Chancellor, and the Chairman of the Board at the time the naming was approved.

Commented [BS18]: 6.The information regarding building plaques in Items I.D. and II of this Policy and Guideline B-021 are slightly inconsistent. Also, if the names to be included on the plaque were stated in the policy in the same way they are stated as in the guideline, there would not appear to be any need for the guideline since the same information is covered in the policy. (Internal Audit)

II. Building Plaques

A. An institution may affix a building plaque to a new, ~~or~~ newly renovated, and **renamed** building or facility.

Commented [BS19]: 7.For Item II.A., which indicates a plaque may be added to a "new or newly renovated" building or facility, should "renamed" be added to this list (See I.B.7. above)? (Internal Audit)

1. All building plaques must comply with Tennessee Board of Regents guidelines adopted pursuant to this policy and State Building Commission policy on building plaques.
Building plaques shall include the name of the Governor(s), Chancellor(s), all State Building Commission members, the names of the members of the Board, President(s) or College of Applied Technology Director(s), the architect, contractor, and state architect from the date of Building Commission approval of a specific project to the completion of the project.

B. This section shall apply to any new, ~~or~~ newly renovated **and renamed** building or facility.

Sources

TBR Meetings, April 13, 1973; September 30, 1983; June 28, 1985; March 21, 1986; September 18, 1992; March 30, 2007; June 24, 2011; June 28, 2012.

Attachment D

Formatted: Right

Expenditure of State Funds for Paid Advertising: 4:06:00:00

Formatted: Highlight

Policy/Guideline Area

Business and Finance Policies

Applicable Divisions

TCATs, Community Colleges, Universities, System Office

Purpose

The purpose of this policy is to provide parameters within which colleges, universities and colleges of applied technology shall use state funds for advertising.

Definitions

- Advertising - for the purposes of this policy, refers to expenditures to recruit students by media purchases through television, radio, newspapers, billboards, etc. for paid message placement including but not limited to commercials or promotions on television, radio, newspapers, billboards, online, social media, public transportation, and other types of media.

Policy/Guideline

I. General Statement

- This policy excludes advertising for position vacancies, costs associated with publication expenditures (see G-140), and advertising for auxiliary operations or athletic events and programs.

Commented [TGB1]: TCA below regarding advertising including higher education. Distinguishes "public funds" as state appropriations. Is intent of policy to distinguish "state funds" as state appropriations and to limit its applicability to expenditures from only those funds? If so, clarification may be needed. Should advertising expenditures from other sources of funds be addressed in policy?

9-4-609. Restriction on expending public funds for advertising or public relations.

(a) As used in this section, "public funds" means state revenues appropriated in the general appropriations act.

(b) The general assembly finds that it is the public policy of this state that public funds shall not be obligated nor expended, nor shall a contract be entered into with an advertising, government affairs, or public relations firm, to promote, achieve, establish or restore a favorable relationship with the Tennessee public solely related to the image of any department, agency or office of the legislative, judicial or executive branch of government, when such advertising or public relations material, advertisement or communication provides no useful information, service or benefit to the public, unless such expenditure is included as a specific identifiable item in the general appropriations act.

(c) The board of regents and the board of trustees shall develop policies governing the expenditure of public funds which, while promoting the respective institutions of higher education included within their systems and adequately informing the general public about the specific educational opportunities, nature and uniqueness of each institution, are not used to represent the institution as being superior to any other specific state public institution of higher education.

Formatted: Highlight

Formatted: Highlight

Commented [TGB2]: There are several other means of advertising in use now, such as through social media venues, buses & theaters. Should the definition be expanded or revised?

Formatted: Highlight

Formatted: Highlight

Formatted: Normal, Indent: Left: -0.09", Space After: 12 pt, Line spacing: At least 22.5 pt, Outline numbered + Level: 1 + Numbering Style: Bullet + Aligned at: 0.25" + Tab after: 0.5" + Indent at: 0.5"

B. Advertising for the recruitment of students shall be designed to increase enrollments in the service delivery area as the first priority for advertising of community colleges and colleges of applied technology.

1. Any advertising in regional newspapers shall be restricted to zoned editions.
2. Universities are not subject to service delivery area borders and are allowed to develop advertising campaigns that are congruent with the mission of the university.

C. Advertising expenditures should result in a citizenry which is better informed and thus more likely to support state higher education through both private giving and more effective advocacy.

1. Advertising also informs citizens of the opportunities available through the state's institutions of higher education, thus improving the state's workforce and competitive position in the global economy.
2. Universities shall advertise in a manner that is designed to increase campus enrollments by emphasizing academic program offerings.

D. Campuses are encouraged to maintain an appreciation of the efforts of all post-secondary institutions to provide educational services to students.

1. ~~In this sense, advertising for one campus should not be designed in a manner that has the impact of being detrimental with regard to the educational services provided by another campus represents the campus as being superior to any other public institution of higher education.~~

E. ~~Given the aforementioned criteria, each campus shall evaluate paid advertising on an annual a periodic basis to determine if the original estimates of probable returns on investment are realized. the effectiveness and public benefit of such advertising.~~

Commented [TGB3]: Are advertising-related costs included under this policy? Examples include marketing and branding consultants or studies and creative or production costs of advertisements.

Formatted: Highlight

Formatted: Highlight

1. A "cost to benefit" analysis of paid advertising should be a significant factor in the determination whether or not to continue the advertising campaign, along with other factors deemed appropriate by the President or Director.

Commented [cs4]: Should there be more specifics on what is to be included in the cost to benefit analysis or its desired format?

Formatted: Highlight

Formatted: Highlight

II. Exceptions

A. Any exceptions to this policy ~~may~~ must be approved by the Chancellor.

Commented [cs5]: Should this be "must" be approved instead of "may"?

Formatted: Highlight

Sources

TBR Meeting December 4, 1998; September 28, 2007.

Attachment E

Formatted: Right

Educational Assistance (State Employees & Dependents of State Employees and Teachers: B-061)

Policy/Guideline Area

Business and Finance Guidelines

Applicable Divisions

TCATs, Community Colleges, Universities

Purpose

The purpose of this guideline is to establish the process and procedures for educational assistance to state employees and their dependents and the dependents of public school teachers by institutions governed by the Tennessee Board of Regents.

Policy/Guideline

I. B-061 - Support for Educational Assistance

- A. The Tennessee Board of Regents is committed to the need for the continued professional growth and development of employees. Support for educational assistance of personnel and their dependents is an important vehicle for addressing that need. The programs for TBR employees and dependents are available subject to funds being budgeted and available within the institution/college of applied technology/System Office.
- B. The Office of Human Resources is responsible for the administration of the various programs with the exception of the program for dependents of veterans (B-062) and two

programs offered to general state employees and the dependents of licensed teachers and State employees (B-061).

C. Exceptions to the provisions of the programs for TBR employees can be made upon recommendation of the president/director and approval by the Chancellor.

Commented [APSU1]: DSCC-The statement explaining that the mentioned exceptions can be accessed by specific THEC forms is missing. It is listed in the current guideline on the TBR website. While it is also mentioned later in the policy, it clarifies the issue here.

Commented [RS2]: The forms for these two programs are no longer on THEC's website.

II. Types of Support for Educational Assistance

A. The guidelines for Educational Assistance (P-130, P-131, B-061, B-062) contain a total of eleven (11) programs.

- ~~1. The Programs in P-130 provide benefits to personnel at TBR institutions, Tennessee Colleges of Applied Technology and the Central Office to further their formal education.~~
- ~~2. The Program in P-131 provides benefits for spouses and dependents of TBR employees.~~
- ~~3. The programs in B-061 provide assistance to state employees and dependents of State employees and public school teachers.~~
- ~~4. The programs in B-062 provide assistance to dependents of veterans and to state employees 65 years of age and older.~~

B. The programs are:

Commented [APSU3]: Why not combine A and B.? The specific programs can be enumerated under the description in A.

1. P-130 – Educational Assistance for TBR Employees
 - a. Faculty or Administrative/Professional Staff Grant-in-Aid Program
 - b. Faculty or Administrative/Professional Staff Tuition or Maintenance Fee Reimbursement Program
 - c. Employee Audit/Non-credit Program

d. Clerical and Support Staff Maintenance Fee Payment Program

e. Fee Waiver for TBR/UT System Employees Program (PC 191)

2. P-131 – Educational Assistance for Spouse and Dependents of TBR Employees

a. Fee Discount for Spouse and/or Dependent Children Program

3. B-061 – Educational Assistance for State Employees and Dependents of State

a. Employees or Public School Teachers

(1) Public Higher Education Fee Waiver for State Employees Program

(2) Fee Discount for Dependent Children of Licensed Public School Teachers or State Employees Program

4. B-062 – Other Educational Assistance Programs

a. Veterans' Dependents' Post-Secondary Education Program

b. [State Employees](#) Age 65 or Above Program

C. Complete eligibility information is contained within each Guideline.

III. [Taxation of Educational Assistance Programs](#)

A. Undergraduate and graduate course tuition, up to \$5250 per year, paid by the Tennessee Board of Regents institutions and the University of Tennessee System for their employees is eligible for exclusion from the employees' gross annual income, in accordance with Internal Revenue code (IRC) Section 127.

IV. [Public Higher Education Fee Waiver for State Employees Program](#) - This fee waiver program is for general state employees exclusive of TBR and UT system employees.

A. These rules implement the provisions of the T.C.A. § 8-50-1. The Code enables full-time employees of the State of Tennessee to be eligible for enrollment in one course, consisting of no more than four (4) credit hours or one hundred twenty (120) clock hours, per term at any State supported college or university or Tennessee College of Applied Technology without paying tuition charges, maintenance fees, debt service fees, student activity fees, technology access fees, mandatory fees, or RODP on-line course fees, or registration fees.

Formatted: Highlight

1. Employees are responsible for all other fees, including but not limited to special course fees, books and supplies, application fees, applied music fees, lab fees, off-campus facilities fees, parking fees and traffic fines.

Commented [APSU4]: Should International Ed fees or other fees be waived? The THEC website says "all fees are waived except parking fees, lab fees , and fees over and above tuition charged for courses in a particular discipline".

Formatted: Highlight

Formatted: Highlight

Formatted: Highlight

Formatted: Highlight

Formatted: Highlight

B. Pursuant to T.C.A. § 10-5-101 et seq., employees of the State's regional library system became employees of the Department of State, effective July 1, 1999. As such, they became eligible to participate in the State's educational assistance programs.

1. In addition, effective September 8, 1999, the Tennessee Higher Education Commission determined that Human Resource Agency employees are not State employees as that term is defined in the Commission's rules governing these programs and thus are not eligible for fee waivers.

C. Course enrollment will be permitted on a "space available" first-come-first served basis.

1. State employees may register no earlier than four (4) weeks prior to the first day of classes.
2. No tuition paying student shall be denied enrollment in a course because of state employee enrollments pursuant to this section.

D. State employees must receive credit for the course in which they are enrolled.

Commented [APSU5]: The rules say that fees will not be waived for non-credit or correspondence. Could this rule mean that the funds are not available for continuing ed type "non-credit" courses rather than taking a "credit" course as audit?

1. In addition, changes may not be made from credit to audit during the course of the term.

2. Other guidelines and procedures for administration of this program are printed on the reverse side of the Request for Public Higher Education Fee Waiver for Employees of the State of Tennessee form. These forms are available from the Tennessee Higher Education Commission at <https://tn.gov/thec/articles/fee-waiver-fee-discount-faq>.

Commented [APSU6]: The online form is one page. Therefore nothing is printed on the reverse side.

V. Fee Discount for Dependents of Licensed Public School Teachers, Retired Teachers, or State Employees Program

A. These rules implement the provisions of T.C.A. § 49-7-101 et seq. and § 8-50-101 et seq.

1. The Codes enable children under the age of twenty-four (24) to receive a twenty-five percent (25%) discount on tuition at any state operated institution of higher learning if their parent:

a. Is employed as a full-time licensed teacher in any public school in Tennessee or as a full-time employee of the state of Tennessee;

b. Is a Retired-retired teacher: THEC Rule 1540-01-05-.01 defines a retired teacher as a A-certified teacher as defined in THEC Rules 1540-01-05-.01 Definitions, who retires after a minimum of thirty (30) years of full-time creditable service in Tennessee public schools or who receives disability retirement after a minimum of twenty-five (25) years of full-time creditable service in Tennessee public schools.

Formatted: Highlight

c. Is a retired employee of the state of Tennessee who retired after a minimum of twenty-five (25) years of full-time creditable service;

d. Was killed in the line of duty while a full-time employee of the state of Tennessee; or

e. Died while a full-time employee, though not "in the line of duty"; or

Commented [APSU7]: THEC rule 1540-01-05 says if a person dies while employed as a public school teacher and their child is receiving this discount at the time of their death they can continue receiving the discount. Should this be added to the guideline?

e.f. Died while employed as a public school teacher and the child is using the benefit at the time of the parent/teacher's death.

Formatted: Highlight

B. Tuition includes undergraduate maintenance fees and college of applied technology program fees; it does not include **any other fees, including but not limited to** application for admission fees, student activity fees, debt service fees, lab fees, applied music fees, books and supplies, dormitory charges or meal plans.

Formatted: Highlight

C. Other guidelines and procedures for administration of this program **are printed on the reverse side of the Request for Public Higher Education Fee Discount for Dependents of Certified Public School Teachers form. These forms** are available from the Tennessee Higher Education Commission at www.state.tn.us/gov/thecc. <https://tn.gov/thecc/article/fee-waiver-fee-discount-faq>.

Sources

Presidents Meeting, February 7, 2006; Presidents Meeting, November 6, 2006; President Meeting, May 15, 2007; Presidents Meeting November 6, 2007; August 16, 2011 presidents meeting. Revised January 17, 2014 per THEC Rule 1540-01-05 promulgated due to the passage of Public Chapter 345 which became effective July 1, 2013.

Attachment F

Formatted: Right

Other Educational Assistance Programs: B-062

Policy/Guideline Area

Business and Finance Guidelines

Applicable Divisions

TCATs, Community Colleges, Universities, System Office

Purpose

The purpose of this guideline is to establish the process and procedures for other educational assistance programs by institutions governed by the Tennessee Board of Regents.

Policy/Guideline

I. B-062 - Support for Educational Assistance

- A. The Tennessee Board of Regents is committed to the need for the continued professional growth and development of employees. Support for educational assistance of personnel and their dependents is an important vehicle for addressing that need. The programs for TBR employees and dependents are available subject to funds being budgeted and available within the institution/System Office.
- B. The Office of Human Resources is responsible for the administration of the various programs with the exception of the program for dependents of veterans (B-062) and two programs offered to general state employees and the dependents of licensed teachers and State employees (B-061).

C. Exceptions to the provisions of the programs for TBR employees can be made upon recommendation of the president/director and approval by the Chancellor.

II. Types of Support for Educational Assistance

A. The guidelines for Educational Assistance (P-130, P-131, B-061, B-062) contain a total of eleven (11) programs.

1. ~~The Programs in P-130 provide benefits to personnel at TBR institutions, and the System Office to further their formal education.~~

Formatted: Highlight

2. ~~The Program in P-131 provides benefits for dependents of TBR employees.~~

3. ~~The programs in B-061 provide assistance to state employees and dependents of public school teachers.~~

4. ~~The programs in B-062 provide assistance to dependents of veterans and to state employees 65 years of age and older.~~

Commented [APSU1]: Why can't the programs be enumerated under their respective number in A, above?

B. The programs are:

1. P-130 – Educational Assistance for TBR Employees

- a. Faculty or Administrative/Professional Staff Grant-in-Aid Program
- b. Faculty or Administrative/Professional Staff Tuition or Maintenance Fee Reimbursement Program
- c. Employee Audit/Non-credit Program
- d. Clerical and Support Staff Maintenance Fee Payment Program
- e. Fee Waiver for TBR/UT System Employees Program (PC 191)

2. P-131 – Educational Assistance for Spouse and Dependents of TBR Employees

a. Fee Discount for Spouse and/or Dependent Children Program

3. B-061 – Educational Assistance for State Employees and Dependents of State

a. Employees or Public School Teachers

(1) Public Higher Education Fee Waiver for State Employees Program

(2) Fee Discount for Dependent Children of Licensed Public School Teachers or State Employees Program

4. B-062 – Other Educational Assistance Programs

a. Veterans' Dependents' Post-Secondary Education Program

b. Age 65 or Above Program Disabled and Elderly Persons

Formatted: Highlight

C. Complete eligibility information is contained within each Guideline.

III. Taxation of Educational Assistance Programs

A. Undergraduate and graduate course tuition, paid by the Tennessee Board of Regents institutions and the University of Tennessee System for their employees is eligible for exclusion from the employees' gross annual income, in accordance with Internal Revenue code (IRC) Section 127.

IV. Veterans' Dependents' Post-Secondary Education Program

A. Effective July 1, 2008, T.C.A. § 49-7-102 was amended to provide that every dependent child in this state under the age of twenty-three (23) years, whose parent (father or mother) was killed, died as a direct result of injuries received, or has been officially reported as being either a prisoner of war or missing in action while serving honorably as a member of the United State armed forces during a qualifying period of armed conflict, or was formerly a prisoner of war or missing in action under such circumstances, or the spouse of such

Formatted: Highlight

Commented [APSU2]: 49-7-102 says "under twenty-three (23) years of age". This section of the guideline is within quotes so I assume it needs to be word for word. Same for (father or mother)...is (Father or mother) really necessary...shouldn't parent cover all the bases??

Formatted: Highlight

veteran, is entitled to a waiver of tuition, maintenance fees, student activity fees, required registration or matriculation fees, and shall be admitted without cost to any institutions of higher education owned, operated and maintained by the state.

Formatted: Highlight

1. Therefore, this program is available to both TBR employees and persons outside of the Tennessee Board of Regents system.
2. TBR employees qualifying as a spouse or dependent for benefits under this program shall use this program first and shall not be simultaneously eligible for benefits under other programs in this guideline.
3. Exceptions: Grant-in-Aid and Desegregation Program recipients.

B. Eligibility

1. The office responsible for veteran's affairs issues shall be responsible for determining eligibility and providing application forms to those wishing to obtain benefits under this program.
2. To be eligible for educational assistance benefits under this program, a dependent child or spouse shall:
 - a. Present official certification from the United States Department of Veterans Affairs that the parent or spouse veteran was killed or died as a direct result of injuries as stated above; or
 - b. Present official certification from the U.S. Department of Defense that the parent or spouse service member has been officially reported as being a prisoner of war or missing in action while serving honorably during a qualifying period of armed conflict; or

c. Present Certificate of Release of Discharge from Active Duty, Department of Defense Form 214, for the veteran or service member from whom the eligibility for the benefits derives.

3. The deceased veteran, prisoner of war or missing in action service member shall have been a citizen of Tennessee at the time of the qualifying event.
4. The dependent child or spouse, prior to receiving benefits under this program, shall have or possess the necessary qualifications required for admission. To maintain eligibility, the recipient shall be in active pursuit of a specific and declared degree or certificate program.
5. No dependent child or spouse shall be entitled to receive benefits after the conclusion of any term during which the parent (father or mother) of the dependent child or spouse is officially removed from the status of being a prisoner of war or being a service member missing in action.
6. Eligibility of a veteran's spouse for benefits shall terminate ten (10) years after the death of the veteran; however, eligibility shall terminate immediately upon the spouse's remarriage within this period.

- a. The spouse's eligibility shall extend to the end of the term in which the ten (10) year period expires.
- b. A spouse who has previously earned an undergraduate degree or certificate shall not be eligible for benefits.
- c. Otherwise, the spouse shall be eligible for benefits until one of the following occurs:

(1) Prior to the expiration of benefits, the spouse earns an undergraduate degree or certificate; or

(2) The spouse has accumulated one hundred thirty-five (135) semester hours excluding required remedial or developmental hours, or the equivalent; or

(3) The spouse has attempted one hundred fifty (150) semester hours, or the equivalent, inclusive of required remedial or developmental hours.

7. A dependent child shall be matriculated as a full-time student at a state institution of higher education prior to attainment of age twenty-three (23). However, the age limitation of dependent children shall not be strictly applied. Once declared eligible, a dependent child shall remain eligible until one of the following has occurred:

- a. Prior to attaining age 23 the dependent earns an undergraduate degree or certificate; or
- b. The dependent has accumulated one hundred thirty-five (135) semester hours excluding required remedial or developmental hours, or the equivalent; or
- c. The dependent has attempted one hundred fifty (150) semester hours, or the equivalent, inclusive of required remedial or developmental hours.

8. For purposes of this program, the following definitions are provided:

- a. "Dependent Child" means a natural or adopted child of a veteran or service member who is claimed as a dependent for income tax purposes.
- b. "Parent (father or mother)" means the parent of a natural or adopted child whom such parent claims as a dependent for federal income tax purposes.
- c. "Qualifying period of armed conflict" means any hostile military operation for which U.S. military campaign medals as listed in T.C.A. § 49-7-102 are authorized.
- d. "Service member" means a Tennessee resident who is engaged in active U.S. military service.

Commented [APSU3]: A child is no longer a dependent for tax purposes in the year they turn 24. If a 25 year old is eligible (matriculated before age 23 and not met the sh limits), I'm assuming they will remain eligible even if they are not a dependent for tax purposes?

Commented [RS4]: I think the answer to APSU's question is yes. As long as the child meets the eligibility criteria when matriculated, that child maintains his/her eligibility until one of the three items enumerated in 7a-c occurs. I don't think any changes are needed here.

- e. "Served honorably" means the character of service condition as reported on Certificate of Release or Discharge from Active Duty (Department of Defense Form 214).
- f. "State institution(s) of higher education" means any post-secondary institution operated by the Board of Trustees of The University of Tennessee system or the Tennessee Board of Regents of the state university, community college and colleges of applied technology system that offers courses of instruction leading to a certificate or degree.
- g. "Veteran" means a Tennessee resident who has entered and served honorably in the U.S. armed forces.

C. Fees Paid/Type Courses Paid/Number of Hours

- 1. The participant is entitled to a waiver of tuition and/or maintenance fees, and/or student activity fees, and/or required registration or matriculation fees, and shall be admitted without cost to any TBR institution.
- 2. A full-time student load (~~15~~ 12 semester hours or equivalent) is required.

Commented [APSU5]: 12 sh is a full time load for federal financial aid purposes. Does the law specify 15 hours as full time?
Formatted: Highlight

D. Payback Provisions

- 1. None

E. When the Participant May Attend

- 1. Students may apply for benefits during the next registration or enrollment period for the next complete term after July 1, 2000.

F. Accounting/Budgeting

1. Any fees waived by statute that are calculated and credited to revenue for administration purposes should be written off against a contra revenue account.
2. No expenditures should be charged to scholarships and fellowships.

G. Where the Participant May Attend

1. Any public institution of higher education in Tennessee

V. ~~Disabled and Elderly Persons~~ ~~Employees 65 Years and Above Program~~

- A. In accordance with T.C.A. § 49-7-113 and TBR Guideline B-060, ~~regular and temporary employees who are or will be age 65 during a quarter or semester and who also reside in Tennessee are eligible to certain disabled and elderly students, as well as state service retirees, are able to enroll in courses free or at a reduced rate.~~

B. Eligibility

1. ~~Active and retired state employees who are or will be age 65 during the academic term in which they begin classes and who reside in Tennessee are eligible. For audit courses, no fee is required for persons with a permanent, total disability; persons 60 years of age or older and domiciled in Tennessee; and persons who have retired from state service with 30 or more years of service, regardless of age.~~
- 1.2 ~~For credit courses, a reduced fee is charged to persons with a permanent, total disability, and persons who will become 65 years of age or older during the academic semester in which they begin classes and who are domiciled in Tennessee.~~

C. Fees Paid/Type Courses Paid/Number of Hours

1. A fee of \$70 per semester or \$60 per trimester may be assessed for credit courses. (This fee includes maintenance fees, ~~student activity fees, technology access fees, and registration fees and all mandatory fees; it does not preclude include any nonmandatory~~

Commented [APSU6]: This TCA also addresses the ability to audit without payment of fees. Should this be included here also?

Formatted: Highlight

Commented [APSU7]: This TCA is for all citizens who are age 65 and older who register for courses for credit. How does this program work with the other programs available to employees/ Why does this section specify "employees"?

Formatted: Highlight

Formatted: Highlight

Commented [APSU8]: Include?

Formatted: Highlight

Formatted: Highlight

fees, including but not limited to course-specific fees, materials fees, online course fees, an application fees, late fee, change-of-course fee, parking fees, etc.)

2. Employees Disabled/elderly program students shall enroll in credit courses on a space-available basis.
3. There is no limit on the number of courses that may be taken during a semester.
4. The institution where the employee/retiree disabled/elderly program student is attending classes will provide forms for processing fees waived or assessed.

Formatted: Highlight

D. Payback Provisions

1. None

E. When the Participant May Attend

1. Employees participating in this program, in counsel with their immediate supervisors, should limit the number of courses so as to maintain an optimum level of job performance.
2. ~~Except for retirees, courses should be scheduled~~ Employees participating in this program should schedule courses at times other than during regularly scheduled work hours unless annual leave or flex time, based on the institution's needs, have been approved.

Formatted: Highlight

Commented [APSU9]: Necessary? If they are retirees they won't have regularly scheduled work hours. Why not say "Employees should schedule courses at times other..."

Formatted: Highlight

Formatted: Highlight

Formatted: Highlight

F. Accounting/Budgeting

1. Any fees waived set by statute that are calculated and credited to revenue for administration purposes should be written off against a contra revenue account are considered the fee rate for that group. The fees are not considered waived.
2. No expenditures should be charged to scholarships and fellowships.

Formatted: Highlight

G. Where the Participant May Attend

1. Employees may enroll at any public Tennessee institution.

Sources

Presidents Meeting February 7, 2006; Presidents Meeting November 8, 2006; Presidents meeting August 21, 2007; Presidents Meeting November 6, 2007; Presidents Meeting November 5, 2008.

Revisions approved at Presidents Meeting February 4, 2014.

Attachment G

Formatted: Right

Cash and Gift Card Payments to Research ~~Participants~~: Participants: B-015

Printed on May 15, 2015, 12:20 pm Revised June 11, 2015

Topics

- [Topics](#) (active tab)
- [Topics A-Z](#)

Topics

- Purpose
- General
- Prohibition from use of cash or gift cards in research studies
- Procedures for safeguarding and accounting for cash and gift cards in research studies
- Distribution of cash or gift cards to research participants

Topics A-Z

- Distribution of cash or gift cards to research participants
- Exhibits
- General
- Procedures for safeguarding and accounting for cash and gift cards in research studies
- Prohibition from use of cash or gift cards in research studies
- Purpose

Guideline Area

Business and Finance Guidelines
Applicable Divisions

TCATs, Community Colleges, Universities

Formatted: None, Space After: 0 pt, Line spacing: At least 22.5 pt, Don't keep with next

Purpose

The purpose of this guideline is to establish the process for low dollar payments to research participants through cash or gift card at the institutions governed by the Tennessee Board of Regents.

Guideline

1. General

1. Payments to research participants, regardless of delivery method (check, direct deposit, cash, traditional gift card or electronic gift card) for participation in studies should be made through the Institution's accounts payable system via check or direct deposit. The payment is are considered compensation by the Internal Revenue Service, and a name, SSN and home address must be provided for each payment. Research participants receiving more than \$100 in any calendar year for one study must provide name, SSN and home address at the time of the receipt of payments. Personally identifiable information should be gathered in a manner which prevents disclosure of personal information to other research participants. Signatures must be obtained from research participants indicating receipt of the cash or traditional gift card payment.

1-2. Payments of greater than \$100 to research participants for participation in studies should be made through the Institution's accounts payable system via check or direct deposit.

2-3. Some research studies use low dollar payments to compensate participants for time, inconvenience, or as an incentive to increase participation. When such payments are no more than \$50100 per payment per participant, and individual participant payments aggregate to less than \$600 per study, it may be appropriate to make payments utilizing ~~cash~~ cash, traditional gift cards or electronic gift cards as long as the following procedures are followed.

2. Prohibition from use of cash or gift cards in research studies

1. No payment from cash or gift cards may be made to an institution employee or non-resident alien.
2. Cash may not be used to purchase gift cards.

3. Procedures for safeguarding and accounting for cash and gift cards in research studies
 1. Cash or gift cards for research studies must be assigned to a custodian, e.g. a member of the research study staff responsible, responsible for safeguarding the cash or gift cards.
 2. Cash or gift cards for research studies must be maintained under lock and key by the custodian of the funds.
 3. Access to the cash or gift cards for research studies must be controlled by the custodian of the funds.
 4. The balance of cash gift cards on hand plus participant receipts must equal the cash and gift cards authorized and obtained. If a shortage of cash or gift cards on hand is determined, the shortage must be reported to the institution's Bursar's Office immediately.
 5. Cash or gift cards must be used for research participant payment only and may not be used for departmental or other research expenses.
 6. Cash and gift cards for research participants are subject to audit at any time by the institution, State Audit, or funding agency.
 7. Cash and gift cards for research participants are required to be closed out at the end of the research study and any excess cash or cards must be returned to the Bursar's Office.
4. Distribution of cash or gift cards to research participants
 1. Cash or traditional gift cards must be hand delivered to research participants. These funds cannot be sent to participants through the mail. If participant payments must be mailed, cash or gift cards cannot be used and the payments need to be in the form of a check or direct deposit processed through the Institution's Accounts Payable department.
 2. The method of tracking gift cards should record the following information:
 - i. Recipient name or, in the case of anonymous or confidential human subject participants, the participant ID number
 - ii. Date of distribution
 - iii. Signature of PI authorizing disbursement to recipients
 - iv. Purpose of payment
 - v. Serial number of the gift card
 - vi. Amount of gift card
 - vii. Signature or initials of study participant or recipient, if available
 - b. Alternate method of record keeping for anonymous and confidential surveys – for anonymous surveys and confidential research participants, the PI must maintain a

Commented [SW1]: This is the language from UT's policy.

Formatted: Highlight

Formatted: Highlight

Formatted: Highlight

reconciliation of the number of cards given equaling the number of surveys or participants. This reconciliation must be approved by the supervisor of the person disbursing the cards.

c. Alternate method of record keeping for mailed and electronic gift cards – For electronic gift cards, the department must maintain a reconciliation of the number of cards given equaling the number of surveys or participants. This reconciliation must be approved by the supervisor of the person disbursing the cards.

4.-

2. Payments to research participants, regardless of delivery method (check, direct deposit, cash, or gift card) are considered compensation by the Internal Revenue Service. Research participants must provide name, SSN, and address at the time of the receipt of cash or gift card payments. Personally identifiable information should be gathered in a manner which prevents disclosure of personal information to other research participants. Signatures must be obtained from research participants indicating receipt of the cash or gift card payment.

3. Payments to individual research participants are limited to \$50 per payment and aggregate to less than \$600 per participant for the study.

4.3. Payments aggregate to \$600 or more per participant are required to be reported as income to the Internal Revenue Service.

Commented [a2]: The total amount of compensation must be determined by the IRB. Many studies involving the evaluation of new drugs and therapies provide compensation greater than \$600 over the entire length of the study, which may be a period longer than 2-3 years.

Sources

[NEW Guideline approved at Presidents Meeting, Feb. 4, 2014.](#)

Contact

[Mickey Sheen](#)

[615-366-4437](tel:615-366-4437)

mickey.sheen@tbr.edu

Foundations: 4:01:07:02

Policy Area

Business and Finance Policies

Applicable Divisions

Universities, Community Colleges, TCATs, System Office

Purpose

The purpose of this policy is to assure that, with regard to any foundation established to support any TBR institution or its programs, the relationship of the foundation to the institution is clearly defined and is set forth in a formal, written manner that (1) defines the legal authority and operating control of the institution with respect to the foundation; (2) describes the relationship of the foundation to the Institution and the extent of any liability arising out of that relationship; and (3) demonstrates that the fund-raising activities of the foundation further the mission of the institution

Definitions

Foundation: For purposes of this policy, a foundation is defined as a tax-exempt, not-for-profit corporation, chartered within the State of Tennessee for the sole purpose of supporting and advancing the mission of an institution or its programs. This policy does not apply to foundations established solely to support an institution's research activities.

Policy

I. The Foundation's Relationship to the Institution

- A. A foundation is not an operational function of an institution; it is a separate legal entity. A foundation's identity must be maintained separate from the institution.
- B. The foundation's relationship to the institution is based upon a shared interest in the institution's development and the success of the institution's mission. Therefore, institutional participation in and support of foundation operations **and activities** are, therefore appropriate and desirable.
- C. The accountability of a foundation and of the institution as it relates to the foundation is a concern common to the foundation, the institution and the Board. Institutions should not promote, encourage or agree to use of a

foundation in ways that are, or appear to be, abusive, inappropriate, or do not follow sound business practices.

II. General Requirements

- A. The governance structure of a foundation must be determined by the foundation. To ensure an appropriate level of institutional participation in foundation governance, the institution's president or the president's designee should hold a voting membership on the foundation's governing body. In order to assure that the foundation acts as a separate entity, a quorum of its governing body may not consist of a majority of members who are employed by the institution.
- B. Each institution shall enter into a written agreement with **any foundation(s) governed by this policy** that documents their understanding of their relationship and describes their respective responsibilities. Institutions must use the standard agreement that is attached to this policy or another agreement approved by the Chancellor. Every agreement must contain, at a minimum, the provisions of the standard agreement.
- C. The foundation shall adopt an annual budget. In order to assure that the foundation's objectives are aligned with those of the institution, the institution shall advise the foundation of its needs and priorities for the fiscal year in question.
- D. The foundation shall develop policies and procedures concerning its operations, including, but not limited to, the following:
 - 1. Policies that address the solicitation and acceptance of contributions to the foundation. The policies must incorporate sound business principles and safeguard compliance with donor intent and conditions. Such policies shall provide that, prior to acceptance of any gift to the foundation that will require **substantial** institutional support such as staff, financial assistance, storage, on-going maintenance, etc., approval must be obtained from the president of the institution and, if applicable, from the Chancellor.
 - 2. Policies and procedures that address the management and investment of contributions to the foundation, subject to the requirements of the Uniform Prudent Management of Institutional Funds Act, T.C.A. Title 35, Chapter 10, Part 2.

3. Policies and procedures that address the foundation's procurement and contracting activities.
 - a. Such policies and procedures shall implement sound business practices and prudent use of foundation funds, including encouragement of the use of competitive procurement of goods and services, when practicable.
 - b. Such policies and procedures must include a process for determining authority for authorizing contracts on behalf of the Foundation and for authorizing expenditure of Foundation funds. Authority for these functions cannot be delegated solely to an employee of the Institution.
 4. Policies that, in accordance with T. C. A. § 49-7-107(c), establish and adopt a code of ethics that apply to and govern the conduct of all members of the foundation's governing body. Such policies shall require that members review and acknowledge the code of ethics annually.
 5. Policies that identify who may release the Foundation's records upon receipt of a request.
- E. No institutional funds, including contributions to the institution, may be transferred directly or indirectly to the foundation; provided, however, this shall not prohibit the institution from providing in-kind services to the foundation, such as office space and the use of support staff. It is understood that instances may occur where a donor inadvertently directs a contribution to the institution which is intended for the foundation. Procedures shall be established to clarify donor intent.
- F. Foundations must respect Board and institutional authority over personnel administration. Foundation expenditures for compensation and other payments to or for the benefit of institutional personnel and reportable as income to the recipient, such as salary, expense accounts, automobiles, club or other organization memberships and dues, etc., must be approved in advance, annually, by the institution president, unless the salaries funded by the Foundation are in accordance with Institution's compensation plan and included in the Institution's personnel budget. Advance approval of the chancellor shall be required if payments outside the Institution's compensation plan are made to or for the benefit of any institutional employee, including the president, and if the aggregate value of such payments to any individual institutional employee exceeds fifteen hundred

dollars (\$1,500) per fiscal year. This provision does not apply to reimbursement of business expenses incurred by institutional employees or to non-taxable recognition awards given to institutional employees.

- G. The foundation's governing body shall issue reports, at least annually, on the activities of the foundation, which shall be submitted to the president of the institution. An annual financial report shall be issued, prepared in accordance with generally accepted accounting principles, including all required note disclosures.
- H. In accordance with T.C.A. § 49-7-107(b), all annual reports, books of account and financial records of a foundation shall be subject to audit by the Comptroller of the Treasury of the State of Tennessee. Records and accounts maintained by the foundation shall be audited on the same cycle as the institutional audit performed by the Comptroller, or, with the prior approval of the Comptroller, an independent public accountant may perform such an audit. The contract between the independent public accountant and the foundation shall be approved in advance by the Board of Regents and the Comptroller and shall be on forms prescribed by the Comptroller. All annual reports, books of account and financial records of a foundation shall be available for audit by the internal auditors of the affiliated institution or the Tennessee Board of Regents.
- I. Copies of the initial and amended foundation charters and bylaws filed with the Secretary of State shall be submitted by the president of the institution to the Board of Regents' Office of General Counsel
- J. The Chancellor shall have the authority to grant exceptions to this policy when deemed appropriate and necessary. An exception must be requested and granted in writing.

III. Implementation

- a. No later than twelve (12) months after adoption of this policy, all institutions shall have conformed any existing agreement with foundations to the requirement of this policy.

Sources

TBR Meeting, August 17, 1973; TBR Meeting, September 20, 1985; September 21, 1990; June 28, 1991; December 3, 2004; TBR Meeting March 30, 2007.

Related Policies

- Solicitation and Acceptance of Gifts