



REVISED AGENDA
PRESIDENTS MEETING

Tuesday, May 15, 2007 – 9:00 A.M. (CT)
TBR Board Room

1. Presentation by Mr. Bruce Androphy, Executive Director of the Tennessee Ethics Commission
2. Legislative Update (Vice Chancellor Gregory)
3. Campus Security Issues (Chancellor Manning)
4. Tuition and Fees Discussion (Vice Chancellor Adams)
5. Proposed TBR Guideline on Sustainable Campus Fee (Jerry Preston) – See Attached
6. Proposed Revisions to the following TBR Policies and Guidelines under Business Affairs (Vice Chancellor Adams) - See Attachments under Business and Finance

Policy 4:02:10:00 – Purchasing Policy and Procedures

Policy 4:02:09:00 – Property Acquisition

Policy 4:02:20:00 – Disposal of Surplus Personal Property

Policy 4:03:02:00 – Motor Vehicles

Policy 4:03:03:00 – General Travel

Policy 4:03:03:50 – Athletic and Group Travel

Guideline B-043 – University Athletic Tickets

Guideline B-050 – Internal Auditing (Recommend Guideline Becomes
Policy)

Guideline B-060 – Fees, Charges and Refunds

Guideline B-061 – Educational Assistance

Guideline G-030 – Contracts and Agreements

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7. Plan for Assessment of General Education (Associate Vice Chancellor Clark) – See Attachment under Academic Affairs
8. Proposed Revision of Policy 2:03:00:00 – Admissions (Associate Vice Chancellor Clark) – See Attachment under Academic Affairs
9. Proposed Revision of Guideline A-015 – Subject: Admissions – (Associate Vice Chancellor Clark) – See Attachment under Academic Affairs
10. Proposed Revisions to TBR Policy 2:01:02:00 – Vocational Program Review and Approval (Vice Chancellor King) – See Attachment under Tennessee Technology Centers
11. Proposed Revisions to TBR Guideline TTC-060 - Guidelines on TTC Programs, Changes, and Modifications (Vice Chancellor King) – See Attachment under Tennessee Technology Centers
12. Proposed Revision to TBR Guideline P-010 – Personnel Transactions and Recommended Forms (Discussion of Intellectual Property Clause in Adjunct Contract) (Vice Chancellor Adams) - See Attachment under Human Resources
13. Compensation Schedule - Revised Pay Plan Methodology for June Board Meeting - Reminder (Vice Chancellor Adams) - See Attachment under Human Resources
14. Revision to TBR Policy 5:01:00:00 General Personnel (Moving Expenses and Immigration Expense Allowance) (Vice Chancellor Adams) – See Attachment under Human Resources
15. International Travel – Lessons Learned (President Goff)
16. Preferred Lenders/Anti-Inducement Laws (Vice Chancellor Adams/Chris Modisher)

PRESIDENTS/DIRECTORS QUARTERLY MEETING

DATE: May 7, 2007

AGENDA ITEM: Sustainable Campus Fee Program Guidelines

ACTION: Vote Approval

PRESENTER: Jerry W. Preston

BACKGROUND INFORMATION:

The Sustainable Campus Fee (SCF) Program Guidelines document that has been developed by the TBR Committee is an effort to provide a program template for the administration and implementation by campuses with a SCF.

This will be on the presidents' meeting agenda for your approval.

Sustainable Campus Fee Program

Background and Overview

Program Origin

The current sustainability efforts involving student fees are based on a couple of ideals; (1) the promotion of local generation and use of renewable (green) power – primarily through the utility purchasing practices on campus, and (2) supporting energy, environmental, and sustainable projects and practices on campus. In addition, it was understood that the implementation of a program would require identifying a funding source.

Student-led efforts included surveys of students that identified these energy related ideals and a subsequent fee amount the students would be willing to pay for such a campus program addressing these areas. This was followed by student government resolutions ultimately leading to a requested student fee of \$8/student/semester for a program to purchase green power and perform on-campus projects at MTSU and TTU. At MTSU, the resolution calls for \$5 to be applied to green power purchase and \$3 to be applied to on-campus projects/initiatives. A similar resolution at TTU does not specify a particular distribution of the fee.

Tennessee Board of Regents Actions

The \$8 student fee was approved by TBR on a one-year basis for both MTSU and TTU. TBR formed a committee to review the programs at each campus and make recommendations to the Board regarding the program in future years. The TBR committee is comprised of TBR Facilities staff along with students, faculty and staff from MTSU and TTU.

Current Campus Efforts

Both MTSU and TTU have formed campus committees with campus administrators, students, faculty members, and physical plant personnel to administer their respective programs. Each campus program includes both a green power purchase component and an on-campus sustainability initiative component. MTSU and TTU representatives also serve on the TBR committee.

Commentary on Proposed Program Guidelines

Overview

The Program Guidelines document that has been developed by the TBR Committee is an effort to provide a program template for all campuses regarding the administration and implementation of the Sustainable Campus Fee. There is a desire to create both consistency and flexibility in the program for the TBR campuses. The Program Guidelines document attempts to do both.

There are two primary components to the Sustainable Campus Fee (SCF) Program; (1) the green power purchase – currently accomplished through the TVA Green Power Switch, and (2) the on-campus sustainability initiatives. As such, the effectiveness of the SCF Program greatly depends on the success of these two components. It is critical that these two components hit the mark relative to expectations and execution.

Green Power Purchase (TVA Green Power Switch)

At present, the SCF Program allows funding for the purchase of green power through the TVA Green Power Switch. It is understood that TVA currently produces green power sold through this program through its wind farms and solar installations. TVA provides the full generation to the grid and essentially sells “surplus” green power at \$4 per block (or 150 kwh).

The primary issues with the Green Power Switch are the limit of the current green generation capacity and the uncertainty of additional generation. The estimated generation capacity is approximately 86,000,000 kwh per year. TVA forecasts the demand for green power to be approximately 70,000,000 kwh per year (81%) following the MTSU and TTU purchases. All it would take is a couple of large institutional customers to make a purchase and TVA would be at their green power limit. It appears well within the reach of the SCF program at TBR campuses to purchase enough power (for example, MTSU is 8,250,000 kwh per year) to reach or exceed TVA’s limit.

Some view this as a positive development in that TVA would need to find or build additional green generation to accommodate the future demand. The problem with this scenario is considerable uncertainty with TVA’s plans and their ability to generate a substantial amount of green power. Fuel cells and small solar installations will not generate the quantity of green power to meet the future demand. TVA’s original wind and solar project provided a good supply (86,000,000 kwh) to be sold in small demand increments (150 kwh blocks). The opposite economic picture appears to be playing out as this limit is in reach; namely the customers are larger (institutions) and the opportunity for generation is smaller.

In short, running up to TVA’s limit with expectations that they can and will immediately add additional green power is risky and difficult to plan for. TBR should not (and probably could not) purchase more green power than TVA can generate. TVA will need to provide a plan for future green power generation before additional resources are committed by TBR institutions. Likewise, the current TVA green power generation limit should be a major consideration for TBR and its institutions when evaluating both the total student fee and the portion allocated to green power purchase.

On-Campus Sustainability Initiatives

This portion of the SCF Program also needs to be of a high quality both in terms of the initiatives themselves and their execution. Sustainability is an area where there are many good ideas. However, there can be a considerable gap between a good idea and a good project. Each campus should strive to have a strong list of project, study, and research initiatives. The focus should be on projects. The quality of this local program in terms of the number and costs of the projects should be a major consideration when evaluating the student fee.

Other Comments

It is imperative that the campus programs be developed such that the fee is justified. This includes both the amount spent on green power purchase and on-campus initiatives. The \$10 initial fee should be adequate for the campuses with the distribution between green power purchase and on-campus initiatives determined at each campus. Given TVA's green power generation limits and its associated uncertainty for program expansion, it seems that the real justification for an increased fee amount would need to come from a large demand for on-campus initiatives. The on-campus component of the program is essential.

DRAFT 4/19/07

Tennessee Board of Regents
Sustainable Campus Fee
Program Guidelines
(SCF Program)

If a SCF is proposed by a campus for approval by the TBR Board, then the following Program Guidelines apply.

1. The initial fee request should not exceed \$10.00 per student per semester (Fall & Spring only).
2. The fee shall be administered by a committee at each campus using the following criteria:
 - A. Committee shall be appointed by the campus president that is comprised of an appropriate ratio of students, faculty and staff to approve and oversee the use of funds.
 - B. Under the leadership of the campus administration, the committee shall develop a decision making structure to establish on an annual basis:
 - 1) The amount of fee to be allocated to the green power purchase (taking into consideration TVA's ability to meet the green power purchase demand) and on-campus sustainability initiatives.
 - 2) Approval of on-campus sustainability initiatives
 - C. Funds for each category for on-campus sustainability initiatives should be allowed to be carried forward if needed for near-term future expenditures. Fund balances in each category should not exceed a two-year accrual without encumbrance or a carry forward justification plan.
 - D. A status report shall be published by each campus at the end of each fiscal year for all program activities. Based on this report the campus committee shall evaluate each year the validity of the fee and the appropriateness of the fee amount and make a recommendation, if necessary, for an adjustment to the fee.
3. The proceeds from the fee may be used for the following:
 - A. TVA Green Power Switch or Other Certified Green Power Purchases
 - 1) Recommended purchase amount 0 to 10% of the total KWH used by the campus. Purchases over this amount should be evaluated carefully and justified by the campus committee prior to purchase.
 - 2) Green tag or other types of certified green power purchases should be evaluated carefully and justified by the campus committee prior to purchase.

B. On-campus Sustainability Initiatives

- 1) Should be for direct demonstrable campus sustainability benefits
- 2) Proceeds should be allocated between sustainability initiatives with the primary focus on projects for energy efficiency and utility conservation
- 3) Should not be used for budgeted salaries, special events or operational expenditures not associated with the SCF Program
- 4) Shall comply with State law, State Building Commission/Tennessee Board of Regents Policy, Procedures and Guidelines where applicable, with regard to project approvals, use of designers and code compliance.

Categories

- Energy and Utilities (electric, gas, water, etc.)
- Local Generation (Renewables – solar, wind, etc.)
- Alternative Fuel (Hybrid vehicles, Bio-diesel projects, etc.)
- Other (Environmental, Recycling, etc.)

Types of Initiatives

- Projects
- Studies
- Research
- Projects should:
 - Provide or demonstrate a specific energy or environmental benefit
 - Be technically and economically feasible
 - Be cost effective to operate and maintain
 - Be consistent with campus standards and master plan
- Studies should:
 - Focus on implementable technologies or initiatives that are economically and technically feasible
 - Quantify energy or environmental benefit(s)
 - Address feasibility, operability, and maintainability of the technology or initiative
 - Not duplicate prior, similar studies
- Research should:
 - Focus on identified sustainability categories
 - Have significant level of student participation/support

PRESIDENTS/DIRECTORS QUARTERLY **MEETINGS**

DATE: May 7, 2007

AGENDA ITEM: Proposed Revisions to Policies and Guidelines under Business Affairs

ACTION: Approval

PRESENTER: Bob Adams

BACKGROUND INFORMATION: Proposed revisions to the following guidelines and policies are being presented for approval:

Policy 4:02:10:00 – Purchasing Policy and Procedures
Policy 4:02:09:00 – Property Acquisition
Policy 4:02:20:00 – Disposal of Surplus Personal Property
Policy 4:03:02:00 – Motor Vehicles
Policy 4:03:03:00 – General Travel
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Guideline B-043 – University Athletic Tickets
Guideline B-050 – Internal Auditing (recommend guideline become policy)
Guideline B-060 – Fees, Charges and Refunds
Guideline B-061 – Educational Assistance
Guideline G-030 – Contracts and Agreements

4/10/07- Proposed Changes to Purchasing Policy

bid process. It will be considered open and competitive bidding by utilizing one of the following procurement techniques:

- A. Requests for Quotation (RFQ)/Invitation to Bid (ITB) – a competitive process soliciting bids from possible suppliers for a one-time procurement of product(s) and/or service(s).

Specifications based on brand names and product numbers - reference to brand names, trade names, model numbers or other descriptions peculiar to specific brand products is made to establish a required level of quality and functional capabilities; it is not intended to exclude other products of that level. Comparable products of other manufacturers will be considered if proof of comparability is contained in the bid. Vendors are required to notify the Chief Procurement Officer whenever specifications procedures are not perceived to be fair and open. All suggestions or objections shall be made in writing and received by the Chief Procurement Officer at least three (3) working days prior to the bid opening. It shall be the responsibility of the vendors, including vendors whose product is referenced, to furnish with the bid such specifications, catalog pages, brochures or other data as will provide an adequate basis for determining the quality and functional capabilities of the product offered. Failure to provide this data may be considered valid justification for rejection of a bid;

Specifications based on standard specifications;

Specifications based on qualified products list; or

Specifications based on catalogs, price lists, or price schedules;

- B. Requests for Proposals (RFP) – a competitive process in which bids are solicited from possible suppliers, with a source or sources of supply established for a specified period of time at agreed upon unit pricing for goods and/or services.

1. Request for Proposal – Under \$25,000, sealed bid with cost and technical proposal submitted as one document (under \$25,000 does not require sealed bids; can be written, telephone or electronic as provided in Section IV.B).
2. Request for Proposal – \$25,000 and over, sealed bid with separate sealed technical and cost proposals which must be submitted at the same time. Acceptability of technical offers shall be determined by an evaluation team selected by the president or designee. Members of the evaluation team should be adequate and appropriate to the scope and nature

of the RFP. All technical offers shall be evaluated based on the criteria of the RFP and other information learned during the technical evaluation process. Any technical offer submitted which contains pricing information shall be rejected. Technical offers not deemed acceptable will not proceed to the pricing phase. Cost proposals shall not be opened if the associated technical proposal has been deemed non-responsive and is rejected by the institution. Technical and cost proposals shall not be made public until the inspection period following the evaluation of the cost proposals; or

3. Additional Procedures for Multi-step Sealed Bidding – the use of a multi-step sealed bidding process is required in the acquisition of institutional computer systems involving the purchase of hardware and the development of application software. The multi-step in the bidding process may also be used for the procurement of other products and/or services when it is not practical to prepare initially definitive specifications.

Multi-step sealed bidding is a two-phase process consisting of a technical first phase composed of one or more steps in which proposers submit unpriced technical offers to be evaluated and a second phase in which those proposers whose technical offers are determined to be responsive during the first phase have their price proposals considered.

C. Procurement Under the Authority of Another Entity's Bid Process:

Purchase of materials or services, for which any TBR or UT institution or the State of Tennessee Department of General Services, Purchasing Division, has awarded a contract to a vendor through the competitive bidding process may be made without adherence to Section IV, Minimum Notice and Number of Bids, provided the vendor meets the bid specifications. Note: the competitive bidding process of another entity (except the State Purchasing Division) must have specified that other institutions would be permitted to purchase under the bid. This section does not preclude institutions from utilizing an SWC as a bid in accordance with the competitive bidding process outlined in Section IV, Minimum Notice and Number of Bids, if so desired. (F&A Rule 0690-3-1-.01 (5) and Section XVII of this policy.)

- (2) financial obligation of the institution does not exceed the contract pricing, and
- (3) services are in compliance with the terms and conditions of the contract.

*Service contracts shall have the same meaning as provided in Section II of this policy. Procurement of goods under this policy shall not require a monitoring plan, but shall comply with TBR and institution internal controls and audit procedures.

- F. Illegal Immigrants. No person may enter into a contract to supply goods or services to the state or other state entities without first attesting in writing that the person will not knowingly utilize the services of illegal immigrants in the performance of the contract, and will not knowingly utilizing the services of any subcontractor who will utilize the services of illegal immigrants in the performance of the contract. The procedures for implementing this Policy and the attestation form are provided in TBR Guideline G-030. Language to be included in bids/proposals is included in Attachment A, Minimum General Bid Conditions.

III. REQUESTS FOR QUOTATION AND REQUESTS FOR PROPOSAL

- A. Requests for Quotation and Requests for Proposal shall specify:

- (1) The time and place that bids will be received and opened,
- (2) Information describing the purpose of the procurement, technical requirements, bidder qualifications, and any other information considered relevant to the goods or services being acquired,
- (3) the amount or number of articles or services required,
- (4) For all RFPs and RFQs exceeding \$100,000, in estimated expenditure or revenue, a question/answer period and/or pre-bidders' conference, with all questions and responses forwarded to all prospective bidders,
- (5) the time of delivery,
- (6) the amount, if any, of any bid bond or certified checks to accompany the bid/proposal,
- (7) the amount, if any, of any performance bond which may be required if the vendor is the successful bidder,

Incorrect proposal information – If the institution determines that a proposer has provided, for consideration in a contractor selection process or in negotiations, information which the proposer knew or should have known was materially incorrect, the subject proposal may be determined non-responsive, the proposal may be rejected and the vendor may be removed from the vendor list.

A bid may not be revised after bid opening.

However, after evaluation is complete and the successful bidder/proposer selected, the institution may initiate negotiations which serve to alter the bid/proposal in a way favorable to the institution. For example, prices may be reduced, time requirements may be revised, the bid/proposal may be revised to supply omitted contract terms, etc. In no event shall negotiations increase the cost or amend the proposal such that the apparent successful proposer no longer offers the best proposal.

Any proposal that restricts the rights of the institution or otherwise qualifies or limits the proposal may be considered to be non-responsive, and the proposal may be rejected.

When it becomes necessary to reject all bids, the reason for such rejection must be set out in complete detail and made available to all bidders who submitted a bid.

Action to reject all bids shall be taken only for unreasonably high prices, errors in the RFQ/RFP, cessation of need, unavailability of funds, failure of all proposals to meet technical specifications, a determination that the goods/services can be more economically delivered pursuant to an agreement with another TBR institution or other state agency, or a determination that proceeding with the procurement would be detrimental to the best interests of the institution, the reason for which must be documented and approved by the Chancellor, President, or Director.

If another RFP is to be issued, all prior offers and/or proposals shall remain closed to inspection by the proposers and/or the public until the evaluation of the re-bid is complete.

VI. ACCEPTANCE OF BIDS / NO RIGHTS CREATED

Notwithstanding any provision contained herein or in any solicitation

2. Certain items for resale for which customers have expressed a preference, and/or promotional items procured under accepted retail merchandising practices, may be purchased without adherence to Section IV of this Policy, Minimum Notice and Number of Bids. Appropriate documentation shall be maintained which supports the action taken.

D. Purchases for Libraries, Excluding Materials and Supplies Identified for Consumption by the Library

Purchases of materials for additions to a library collection include cost of books, catalogs, periodicals, binding, audio-visual media, and other general publications. These items are capital expenditures. Each institution and technology center shall be responsible for developing procurement policies and procedures for the library. These purchases may be made without formal bids or quotations, and appropriate documentation shall be maintained on these purchases to support sole source procurement.

Purchases of electronic journals, subscriptions, and databases for libraries shall be procured through the institution's procurement or contract office in instances when a competitive process can be used. In addition, any required electronic or written agreements to license journals, subscriptions, or databases shall be routed through the institution's procurement or contracts office for review and approval prior to use. Appropriate documentation must be maintained for purchases to support sole source procurement. Additionally, these items may require the approval of the Fiscal Review Committee if the purchase exceeds the Fiscal Review Committee threshold.

E. ~~Acquisition of Computer Systems~~

~~Acquisition of computer systems involving the purchase of hardware with the development of application software shall be made in accordance with TBR Guideline B-030, Acquisition of Data Processing Equipment/Software/Services, and Guideline B-035, Procedures for Multi-Step Sealed Bidding.~~

F. Federal Guidelines

Purchases utilizing federal funding are to follow federal guidelines regarding such purchases. Purchases for goods or services shall not be made from vendors on the List of Parties Excluded From Federal Procurement and Non-procurement Programs.

employment and/or students, because of race, religion, creed, color, sex, age, disability, veteran status or national origin.

The parties also agree to take affirmative action to ensure that applicants are employed and that employees are treated during their employment without regard to their race, religion, creed, color, sex, age, disability, veteran status, or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection available to employees and applicants for employment.

10. PROHIBITIONS / CONFLICT OF INTEREST. Acceptance of gifts from vendors is prohibited. TCA 12-3-106. Bidding by state employees is prohibited. TCA 12-4-103. The bidder warrants that no part of the total contract amount shall be paid directly or indirectly to any officer or employee of the State of Tennessee.
11. NO VENDOR CONTRACT FORM – TERMS / TENNESSEE LAW. The contract documents for purchase under the RFQ/RFP request shall consist of the RFQ OR RFP, the successful bidder's quotation/proposal, the contract awarded and/or the Institution's purchase order. The terms and conditions of an order and duly authorized change orders shall be the sole terms and conditions that apply to a purchase. Any subsequent terms and conditions set forth by the vendor on invoices, or in any other manner, shall not apply unless expressly agreed to in writing by the institution. The contract shall be governed by Tennessee law.
12. AUDIT. The Contractor shall maintain documentation for all charges against the Institution and payment made by the Institution under this Contract. The books, records and documents of the Contractor, insofar as they relate to work performed or money received under this Contract, shall be maintained for a period of three (3) full years from the date of final payment. These documents shall be subject to audit at any time and upon reasonable notice, by Institution or the Comptroller of the Treasury or their duly appointed representatives. The Contractor's financial statements shall be prepared in accordance with generally accepted accounting principles.
13. Prohibition on Hiring Illegal Immigrants. Tennessee Public Chapter No. 878 of 2006, TCA 12-4-124, requires that Contractor attest in writing that Contractor will not knowingly utilize the services of illegal immigrants in the performance of this Contract and will not knowingly utilize the services of any subcontractor, if permitted under this Contract, who will utilize the services of illegal immigrants in the performance of this Contract.

If Contractor is discovered to have breached the Attestation, the Commissioner of Finance and Administration shall declare that the Contractor shall be prohibited from contracting or submitting a bid to any Tennessee Board of Regents institution or any other state entity for a period of one (1) year from the date of discovery of the breach. Contractor may appeal the one (1) year by utilizing an appeals process in the Rules of Finance and Administration, Chapter 0620.

134. PURCHASING POLICIES / BID PROTESTS. This bid request and any award made hereunder are subject to the policies and guidelines of the Tennessee Board of Regents.

POLICY 4:02:09:00

SUBJECT: Property Acquisition

Pursuant to T.C.A. § 49-8-11 and **49-8-203**, the ~~State~~ **Tennessee** Board of Regents (**Board**) has the authority to purchase and condemn land, and to receive donations of property (**Solicitation and Acceptance of Gifts, Board Policy No. 4:01:04:00**) on behalf of institutions ~~and area vocational-technical schools~~ governed by the Board, and to be vested with title to property so acquired. Any proposed acquisition of property by any manner shall be subject to the approval of the ~~Board~~ **Chancellor**.

The approval of land acquisition by purchase or condemnation shall be subject to the following procedures:

1. Each institution ~~and school~~ shall submit to the Chancellor for consideration and approval, a campus master plan **or an amended master plan** which indicates ~~long-range~~ land acquisition needs, ~~with justification for such needs~~ **or an individual acquisition request**.

~~2. Each institution shall submit to the Chancellor by July 1 of each year a list of land acquisition needs, ranked on a priority basis, for the fiscal year.~~

~~3-2. Upon approval of the campus master plan and fiscal year land acquisition needs, or amendment or an individual acquisition request, an institution may request a land acquisition request form will be submitted to the Chancellor by submitting the proper documentation for each proposed acquisition which shall contain the following information to the central office. This documentation shall include:~~

~~a. The justification of the need for the property; b. A description of and the location of the property; c. The estimated amount of funds required for the acquisition and the source of funds; d. The estimated amount of total funds required for capital and operating improvements; e. The estimated pre-acquisition costs of the property; f. d. A plat of the property; and ge. The name(s) of the present owner(s) and f. deed to property.~~

~~4. Upon preliminary approval of the proposed land acquisition, two appraisals of the property will be obtained, which will be submitted to the Chancellor. The institution or school may be required to obtain any or all of the following information or documents: (1) market data analysis, (2) a survey of the property, and (3) a title commitment.~~

~~5. Following the submission of the foregoing and any additional information which may be necessary, the institution or school may be authorized to enter into negotiations with the property owner, and to obtain an option to purchase the property.~~

3. The property acquisition request will be submitted by the central office to the Department of Finance and Administration (F&A) for submission to the State Building Commission (SBC) Executive Sub-Committee (ESC) for approval. After SBC ESC approval, F&A staff will obtain a title commitment, an appraisal, and a survey and prepare an option to purchase the property.

6. 4. If an option to purchase the property is ~~executed~~ **signed by the seller**, it will be submitted to the Chancellor ~~for approval, and~~ for final approval of the proposed acquisition. If negotiations fail, the institution ~~or school~~ may request that condemnation proceedings be commenced for acquisition of the property.

7 5. If acquisition of the property by purchase is approved, ~~the institution~~ **F&A** will be responsible for recording the warranty deed and forwarding the ~~original~~ deed and title insurance to the central office ~~for filing~~.

Source: SBR Meetings, September 24, 1976; September 30, 1983

Policy 4:02:20:00

Subject: Disposal of Surplus Personal Property

The following policies and procedures concerning the disposal of surplus personal property shall be followed by all institutions ~~and technology centers~~ governed by the State **Tennessee** Board of Regents.

1. Definition of Surplus Personal Property

"Surplus personal property" means that personal property which has been determined to be obsolete, outmoded, unusable or no longer usable by the institution ~~or school~~, or property for which future needs do not justify the cost of maintenance and/or storage. Such property must be declared "surplus personal property" by the president, **director**, or designee of the transferring institution ~~or director of the transferring school~~; provided however, property need not be declared surplus ~~where~~ **when** disposition is through the trade-in method.

2. General Rules

(a) Surplus personal property is either usable property, which shall be transferred or sold, or unusable property, which may be destroyed, as hereinafter provided:

(1) Surplus personal property which is perishable food may be destroyed without delay or notification.

(2) Surplus mattresses may be destroyed or may be otherwise disposed of only upon compliance with T.C.A. 12-2-403.

(3) Surplus personal property which is determined to be not usable by the institution ~~or school~~ and of little or no salvage or other economic value may be destroyed by an appropriate method.

(4) The institution ~~or school~~ shall follow the procedures described in Section 3(c) of this policy, prior to disposal of all other surplus personal property.

(b) Surplus personal property in which the Federal Government or other entity has a legal interest should be transferred to such entity when no longer needed.

(c) It is unlawful for any state official or employee, including System employees, to purchase from the state except by bid at public auction any surplus property during the tenure of his office or employment, or for six (6) months thereafter. A purchaser who violates this provision is guilty of a misdemeanor under T.C.A. 12-2-412.

(d) For all sales to individuals except at public auctions **including internet auction**, the transferring institution ~~or school~~ conducting the sale shall obtain from the purchaser a signed disclaimer certifying the purchaser is not a state or System employee and that the purchaser is not buying the property for or on behalf of any state or System employee.

(e) All employees of the ~~State~~ **Tennessee** Board of Regents System and their immediate families, shall be ineligible to bid for or purchase surplus personal property except by bid at public auction.

(f) Possession of surplus personal property sold to the general public under any method prescribed under Section 3(c) of this policy shall not pass until payment is made by cash, or if payment is made by cashiers check or certified check, possession shall not pass until the check is honored by the drawee bank.

(g) Possession shall pass to System institutions ~~and schools~~, political subdivisions of the state, and other governmental entities upon receipt, by the institution ~~or school~~, of purchase vouchers of such institutions ~~or schools~~, political subdivisions, or other governmental entities. Title to motor vehicles sold as surplus property to political subdivisions and other governmental entities shall be closed as to transferee when title is passed.

3. General Disposal Procedures

(a) The president **or director** of each institution ~~and director of each school~~ or their designee shall declare personal property to be surplus personal property prior to disposition as such; provided however, property need not be declared surplus ~~where~~ **when** disposition is through use of the trade-in method.

(b) The president or director or their designee shall designate the department or individual at the institution ~~or school~~ responsible (hereinafter referred to as "responsible authority") for the disposal of surplus personal property, and the communications and procedures concerning the disposal of surplus personal property.

(c) No article of personal property may be disposed of as surplus except by one of the following methods:

(1) Trade-in, ~~where~~ **when** such is permitted due to the nature of the property or equipment and subject to the provisions of T.C.A. 12-2-403 and the rules of this policy;

(2) Transfer to other institutions ~~and schools~~ within the ~~State~~ **Tennessee** Board of Regents system;

(3) Transfer to other state agencies;

- (4) Sale to eligible political subdivisions of the state and other governmental entities;
- (5) Public auction, publicly advertised and held;
- (6) Sale under sealed bids, publicly advertised, opened and recorded;
- (7) Negotiated contract for sale, at arms length; but only in those instances in which the availability of the property is recurring or repetitive in character, such as marketable waste products;
- (8) Disposition through the Department of General Services as provided in the Department Rules and Regulations.
- (9) Donations to a public school or public school system.
- (10) Sale by Internet auction.

(d) If the president ~~or school~~ director or ~~their~~ designee declares the property to be surplus personal property, the method of disposal shall be determined by the responsible authority from the alternatives set forth in Section 3(c) of this policy. Written documentation for the selection of method of disposal shall be maintained. The trade-in method, ~~where~~ **when** property is of the nature appropriate for trade-in, and transfer to other institutions ~~or schools~~ in the **State Tennessee** Board of Regents System shall be the first and second priority methods, respectively, for disposal of surplus personal property, except for waste products which shall be disposed of as further provided in this policy. In the selection of other methods of disposal, the following criteria shall be considered:

- (1) The character, utility and functionality of the property;
- (2) The economics of disposal in light of all relevant circumstances attendant the proposed disposal, including the condition and climate of the potential market and present estimated market value of the property, transportation costs, and other cost factors associated with disposal; and
- (3) Sound fiscal and budgetary policy and practices.

(e) The method of disposal selected in the preceding section shall be implemented pursuant to the specific procedures set forth in this policy for such disposition.

(f) The responsible authority at the institution ~~or school~~ shall be responsible for the maintenance of accountability **documentation** on all items of surplus personal property, and shall ensure that adequate audit and inventory trails on all items of surplus personal property are maintained. Such authority shall make the final determination of the fair market value of surplus personal property for purposes of calculating reimbursements to

the transferring institution ~~or school~~ and to determine whether property may be destroyed pursuant to Section 2(a) (3).

(g) Nothing shall prohibit an institution ~~or school~~ from simultaneously providing notice of an intended disposition of surplus personal property to all System institutions ~~and schools~~ and all state agencies as specified in Section 5(a) and 6(a) below. In such event, if no System institution ~~or school~~ has requested the property within 30 days of the initial notice, the first state agency which had requested the property within such time shall be entitled to receive the property upon reimbursement as provided in Section 6 below.

4. Trade-In On Replacement

(a) Items that must be replaced may, subject to the requirements of this section, be traded in on replacement property.

(b) The responsible authority of the institution ~~or school~~ shall perform the following functions in connection with the trade-in method of disposal:

(1) Issue invitations to bid asking for bids with trade-in and without trade-in and receive and review bids;

(2) Make an evaluation of the condition and fair market value of the property to be disposed of;

Through comparisons of bids and the evaluation prepared, make a determination whether it is in the best interests of the institution ~~or school~~ to dispose of the property by trade-in or by one of the other methods of disposal.

5. Transfer to System Institutions ~~and Schools~~

(a) Except ~~where~~ **when** the trade-in method is utilized or ~~where~~ **when** the property is to be disposed of as a waste product, the responsible authority at the institution ~~or school~~ shall provide to the president, ~~or school~~ director, or their designee, or appropriate departments and/or individuals at all other institutions ~~and schools~~ in the System and to the offices of the **Tennessee** Board of Regents, a notice of intended disposition which shall include the name of the individual to contact for additional information, the location of the property for inspection, a description of the property, the condition of the property and the original cost and fair market value of the property as determined by the responsible authority. The initial notice of available surplus personal property may be made at periodic intervals for the purpose of consolidating notices on numerous items of such property for convenience.

(b) The first institution ~~or school~~ which makes a written request for the available surplus

personal property shall be entitled to receive such property. ~~If the fair market value of property requested by an institution or school as determined by the responsible authority at the transferring institution or school is in excess of three hundred fifty dollars (\$350.00), the requesting institution or school may issue a purchase order for such property and shall reimburse the transferring institution or school for the fair market value of the property.~~

(c) In the event that no institution ~~or school~~ requests transfer of available surplus personal property within 30 days of the date of the initial notice, the property may be disposed by means of another appropriate method of disposal.

6. Transfer to Other State Agencies

(a) ~~Where~~**When** transfer to other state agencies is the method of disposal selected, the responsible authority of the institution ~~or school~~ shall provide notice of the intended disposition to the commissioner or chief executive officer of all state agencies which shall include all information specified in the notice required by Section 5(a).

(b) The first state agency which makes a written request for the available surplus personal property shall be entitled to receive such property. ~~If the fair market value of property requested by a state agency as determined by the responsible authority at the transferring institution or school is in excess of three hundred fifty dollars (\$350.00), the property will be made available for transfer upon reimbursement for the fair market value of the property.~~

(c) In the event that no state agency requests transfer of available surplus personal property within 30 days of the date of the initial notice, the property may be disposed by means of another appropriate method of disposal.

7. Sale of Surplus Property to Governmental Entities

(a) Political subdivisions of the state and other eligible governmental entities may purchase surplus personal property by submission of sealed bids for such property to the responsible authority of the institution ~~or school~~ no later than two (2) days prior to a public auction held for disposal of such property. Such bids shall be opened two (2) days prior to such public auction and the highest bid shall be selected unless the responsible authority decides that the highest bid does not represent the fair market value. The responsible authority may reject such bids and may negotiate with the political subdivisions of the state and other entities which have submitted bids in order to obtain a fair market value. In the event negotiation does not result in a fair market value, such property shall be disposed of by public auction.

(b) Political subdivisions of the state and other governmental entities shall retain possession of surplus property purchased from System institutions ~~or schools~~ for at least

one (1) year unless disposal is approved by the Board of Standards. Any profit realized from the resale of such property shall revert to the state or the System as their interests may appear.

(c) Any sale of automobiles by a System institution ~~or school~~ to a county, municipality or other political subdivision or governmental entity shall become null and void and such property shall revert to the state, or the System as their interests may appear, in the event that such political subdivision or governmental entity does not transfer the registration of title to such automobile to its name within seven (7) days after the sale.

8. Public Auctions and Sales Under Sealed Bids

(a) Public auctions and sales under sealed bids, as provided in this policy, shall be publicly advertised and publicly held. Notice of intended disposal by public auction or sale under sealed bid shall be entered by the responsible authority of the institution ~~or school~~ in at least one (1) newspaper of general circulation in the county or counties in which the disposal is to be made reasonably describing the property and specifying the date, time, place, manner, and conditions of the disposal. The advertisement shall be entered in the public notice or equivalent section of the newspaper and shall run not less than three (3) days in the case of a daily paper and not less than twice in the case of a weekly. The disposal shall not be held sooner than seven (7) days after the last day of publication nor later than fifteen (15) days after the last day of publication of the required notice, excluding Saturdays, Sundays and holidays. Prominent notice shall also be conspicuously posted for ten (10) days prior to the date of disposal, excluding Saturdays, Sundays and holidays, in at least two (2) public places in the county or counties where the disposal is to be made. Furthermore, notice shall be sent to the county court clerks of the county in which the sale is to be made, and all contiguous counties in Tennessee, except ~~where~~ **when** the fair market value of all the property to be sold is determined in writing by the president or director or his or her designee to be less than \$500.00.

(b) A mailing list shall be developed for mailing to eligible governmental entities and potential buyers of surplus items.

(c) No person, firm or corporation shall be notified of any public auction or sale except as provided by this policy.

(d) Each institution ~~and school~~ should attempt to include as many items in each sale as is practical and feasible.

(e) All notices of sales of such property shall provide that the property is to be sold "as is" with transportation costs assumed by the purchaser. The notice shall state that the only warranty provided, expressed or implied, is the seller's right, title and interest ~~to~~ **in** the property sold.

(f) All sales by bid or auction shall be with reserve, and ~~where~~ **when** bids received are

unreasonably below the fair market value as determined by the responsible authority of the institution or school, all bids shall be rejected and the property shall be thereafter disposed of pursuant to other acceptable methods of disposal.

9. Disposal of Waste Products

(a) Marketable waste products such as paper and paper products, used lumber, bottles and glass, rags, and similar materials of nominal value classified as scrap may be sold directly to dealers at the going market rate without soliciting bids. Each institution ~~and school~~ shall keep a record of the volume and unit price of such materials sold on the scrap market.

(b) Waste products which are subject to storage and are normally accumulated until such quantities are available to make a sale economically feasible shall be sold under sealed bids as follows:

(1) Invitations to bid shall be mailed to known buyers of the particular item;

(2) Three firm bids shall be secured ~~where~~ **when** possible;

(3) Sealed bids shall be publicly opened and recorded ten (10) days, excluding Saturdays, Sundays, and holidays, after the invitations to bid are mailed;

(4) The highest bidder shall be awarded the contract and shall be notified of the date for removal of the property and the method of payment which will be acceptable;

(5) A file shall be maintained for each disposal for the purpose documenting the sale and should include all documents and information pertinent to the disposal.

(c) Anything to the contrary notwithstanding, surplus personal property which is determined to be unusable and of little or no salvage or other economic value may be destroyed by an institution or school as provided in Section 2(a) (3).

10. Sale by Internet

Notice of intended disposal by Internet auction shall be posted on the Internet. Such notice shall specify and reasonably describe the property to be disposed of, the date, time, manner and conditions of disposal, all as previously determined by the responsible authority.

11. Exceptions

Surplus personal property may be disposed of by a method other than those listed in Section 3(c) of the policy only upon request by the president or director of the transferring institution ~~or school~~ or ~~their~~ designee and approval by the Chancellor or his

or her designee.

Source: TBR Meetings, June 29, 1979; September 30, 1983; March 7, 1997; September 26, 2003.

POLICY 4:03:02:00

SUBJECT: Motor Vehicles

The purpose of this policy is to establish the minimum regulations and procedures concerning the maintenance and operation of motor vehicles by institutions ~~and technology centers~~ and employees of the institutions ~~and technology centers~~ within the Tennessee Board of Regents System.

A. Definitions

1. "State vehicle" or "motor vehicle" - any motor vehicle owned by the Board or an institution or technology center in the System, or purchased or leased from state funds.
2. "Institution" - any university, or community college, **or technology center** within the Tennessee Board of Regents System, and the offices of the Board of Regents.
- ~~3. "TTC" - any Tennessee Technology Center within the State Tennessee Board of Regents System.~~
4. **3.** "Employee" - any person employed full or part-time by an institution ~~or TTC~~, or any person serving as an 'official volunteer' at an institution ~~or TTC~~. An 'official volunteer' is defined as a person whom the institution ~~or TTC~~ has properly registered with the Tennessee Board of Claims pursuant to Tenn. Code Ann. § 8-42-101(3)(B).

B. General Provisions

1. Motor vehicles are maintained at institutions ~~and TTCs~~ in the System to facilitate the official business of the System. It is the responsibility of all employees who use state vehicles to ensure the efficient and economical utilization of such vehicles.
2. All state vehicles shall be used in accordance with the provisions of this policy.
3. All state vehicles shall be marked in accordance with the current TBR Marking Plan as contained in Attachment A.

C. Presidents, Chancellor, Vice Chancellors, Legal Counsel, and TTC Directors

The presidents of the institutions, the Chancellor, Vice Chancellors, Legal Counsel, and TTC Directors may be assigned motor vehicles for use in performing the official functions of their offices.

D. Motor Pools

1. Each institution ~~and TTC~~ is authorized to maintain a central motor pool from which vehicles may be dispatched by employees for official business.
2. When motor pool vehicles are maintained, an employee who needs to use a motor vehicle on state business shall use a pool dispatched vehicle if one is available, unless the employee elects and obtains authorization to use a personally-owned vehicle as provided in the Board's General Travel Policies and Procedures (No. 4:03:03:00).
3. Motor pool vehicles shall be available for either trip assignments or special assignments. Motor pool vehicles available for trip assignments will be centrally controlled by the institution ~~or TTC~~ and made available for specific trips and returned to the motor pool upon completion of trips and shall be used only for official business and not for personal use. Special assignment of motor pool vehicles may be made to a division or a person when necessary for use on a regular basis. Motor pool vehicles, including those used for trip assignments and special assignments, may not be used for commuting purposes unless the employee:
 - (a) is departing upon or returning from an official trip away from his or her headquarters or the employee needs the vehicle to conduct institution ~~or school~~ business after regular working hours or before his or her usual working hours on the next day; or
 - (b) has been recommended by the president or director and approved by the Chancellor to be authorized to use the vehicle for commuting purposes.

E. Authorized Operators and Passengers

1. Only employees of an institution ~~or TTC~~ with proper departmental authorization may be authorized to operate a state vehicle for official business. Authorization to use a state vehicle shall be limited to official use within the scope of employment of the employee.
2. All employees must have a valid driver's license prior to being authorized to operate a state vehicle.
3. Passengers in state vehicles shall be limited to the following:
 - (a) employees of the institution ~~or TTC~~ when within the scope of employment;
 - (b) students of the institution ~~or TTC~~ engaged in institutional or school sponsored activities; and
 - (c) other persons when it is necessary for them to accompany an employee on official business or as guests of the institution ~~or TTC~~.

F. Penalties for Misuse of Vehicles

1. Employees who misuse vehicles will be subject to disciplinary sanctions, depending upon the magnitude of the misuse and the frequency with which it has occurred. Misuse includes any of the following:

- (a) Utilization of radar detection devices in state vehicles;
- (b) Violations of traffic laws; this includes exceeding posted speed limits, reckless driving, and illegal parking;
- (c) Careless operation that results in damage to the vehicle or injury to persons or property;
- (d) Use of a vehicle for personal business or unauthorized commuting purposes; or
- (e) Use of a vehicle contrary to the provisions of this policy.

2. The president of the institution, director of the TTC, or the Chancellor should determine the penalty appropriate for each violation; and in addition may require the employee to pay for damages to the vehicle caused by misuse.

G. Notice of Liability and Penalties for Misuse

A notice of liability and penalties for misuse of motor vehicles (Attachment B) shall be posted at the site where vehicles are normally checked out, and be contained in each vehicle for the benefit of drivers.

H. Exceptions

Any exception to this policy must be approved in writing by the Chancellor.

Source: TBR Meetings, June 29, 1979; June 27, 1980; September 30, 1983; June 29, 1984; June 27, 1986; June 24, 1988; September 21, 1990; March 18, 2005.

MARKING PLAN FOR STATE VEHICLES

The provisions of the marking plan are as follows:

- (1) All institutions ~~and technology centers~~ will develop and/or affix their own individual decal containing a minimum surface area of sixty square inches to all licensed vehicles.
- (2) The identifying emblem will be displayed on the passenger and driver's door unless otherwise stated. Some vans will be marked on the side at mid-panel height, and some institutions ~~or technology centers~~ will further identify the vehicle as security, maintenance, etc.
- (3) Vehicles assigned to the chancellor, vice chancellors, legal counsel, presidents, and Tennessee technology center directors will carry regular series license plates and no decal identification.

These provisions will remain in full effect until revoked or altered in writing by the Chancellor of the Tennessee Board of Regents.

Source: Memorandum dated February 28, 1986, from Chancellor Thomas J. Garland to the State Commissioners of Finance and Administration and General Services

NOTICE OF LIABILITY AND PENALTIES FOR MISUSE OF MOTOR VEHICLES

In the case of accidents involving employees of the institution ~~or school~~ operating State vehicles, claims may be made against the institution ~~or school~~ only through the ~~Tennessee Claims Commission~~. **Claims Division of Risk Management** against the State filed with the ~~Claims Commission~~ **Division of Risk Management** shall operate as a waiver of any cause of action, based on the same act or omission, which the claimant has against any State officer or employee. The waiver shall be void if the ~~Commission~~ **Division of Risk Management** determines that the act or omission was not within the scope of the officer's or employee's office or employment. State employees are absolutely immune from liability for wrongs which occur within the scope of the officer's or employee's office or employment. In the event an employee misuses a State vehicle, he or she will be subject to one or more of the following penalties: written reprimand or warning, suspension without pay, dismissal, or payment for damages to the vehicle.

SUBJECT: General Travel

The following policy applies to the travel of all employees of the institutions and Tennessee Technology Centers governed by the Tennessee Board of Regents, as well as members of the Board staff, in the performance of their official duties. Provisions of this policy also may apply to individuals other than employees who are authorized to travel at institutional, school, or Board expense. Specific provisions of the policy also address the travel of Board members, pursuant to Tennessee Code Annotated 4-3-1008. Authorization for travel will not be granted and expenses will not be reimbursed unless the travel is made and reimbursement claimed in accordance with this policy and any approved exceptions hereto. ~~Procurement cards shall not be used for travel expenses except in instances of team/group travel.~~ **Procurement cards may be used for the payment of registration fees and required advance payments for airline or hotel payments. Procurement cards may not be used for expenses incurred during actual travel time.**

This policy and specific reimbursement rates for travel expenses allowed under this policy shall be consistent with those of the Comprehensive Travel Regulations of the State of Tennessee. Exceptions which may be deemed necessary and approved by the Board shall be submitted for consideration by appropriate State officials. Current reimbursement rates shall be issued by the Chancellor as an addendum to this policy.

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II. General Provisions

1. No authorization for travel by any employee shall be granted, and no reimbursement for travel expenses shall be made, except in accordance with the provisions of these policies and procedures. Reimbursement for travel expenses shall be limited to expenses incurred upon travel authorized in advance in accordance with Section III.

2. Travel which may be authorized, and pursuant to which expenses may be reimbursed, shall be limited to the following:

- a. Travel which is necessary for the proper execution of official System business, or in justifiable pursuit of an institution's or school's educational and research objectives; or
 - b. Travel to meetings and conferences of a professional nature which will increase the attending employee's usefulness to the System.
3. Travel shall not include, and no reimbursement for expenses shall be made for, transportation in connection with an employee's official station of employment. The employee's "official station" is his or her regular area of employment activity, e.g., office headquarters, campus, or designated location of an employee established in the field.

The official station of an employee shall be designated by the appointing authority. It is normally expected that the official station is that location at which the employee spends the major portion of his **or her** working time. For an employee required to be on call (as determined by his or her job description), either overnight or on weekends, the official station of the employee while on call becomes his or her residence, or the location at which the employee receives the call. Reimbursable mileage begins at the location at which the employee receives the call.

4. The employee is considered to be on official travel status, and as such, eligible for reimbursement of travel expenses, at the time of departure from the employee's official station or residence, whichever is applicable, for the purpose of traveling on state business. Expenses for meals will be allowed when overnight travel or occasional excessive hours of work are required outside the county of the employee's official station or residence. En route lodging will be allowed for only one day each way on trips of long duration. Expenses for lodging will only be allowed in cases where the approved and most direct or expeditious mode of travel will require more than ten (10) hours of continuous travel for trips of long duration. The lodging expense will not be considered en route lodging if it does not add an additional day of lodging expense. For example: An employee has a 9:00 a.m. meeting in Atlanta, GA. Assume the employee needs to work a full day prior to the trip. It would be less expensive and more convenient to drive rather than fly. The employee leaves the night before and drives to within two hours of Atlanta. ~~They spend~~ **Then the employee** spends the night, ~~continue~~ **continues** the drive the next morning and ~~arrive~~ **arrives** for the 9:00 a.m. meeting. This will be reimbursed but is not considered en route lodging as it did not add an additional day of lodging expense to the normal travel expenses.

5. The limitations on travel expenses contained herein are maximum amounts above which reimbursement shall not be made. Employees are expected to be as conservative as possible in incurring travel expenses.
6. Reimbursement for travel expenses shall only be allowed for actual expenses incurred, subject to the maximum limitations shown on the Addendum. Receipts must accompany claims for reimbursement for all expenses exceeding the amount cited on the Addendum. The exceptions to this rule are for meals, taxi fares, tolls and ferry fees, with no receipt required. Lodging receipts are required and must itemize room charges and taxes. **No expenses shall be reimbursed until after travel has been completed.**
7. When using websites (such as Expedia.com, Travelocity.com, Hotwire.com, etc.) to make travel arrangements using package deals, documentation is required for each specific item included in the package such as airfare, hotel, and rental car. Documentation should be provided to substantiate the conformance with set rates as established in CONUS and in the general travel policy. If such documentation cannot be obtained from the website or vendors, the employee is responsible for comparing the package price to the separate coach airfare rates, hotel rates (as allowed by CONUS/conference rate) and vehicle rental rates and providing documentation to reflect that the package price is less expensive than fares allowed individually. When the website documentation is not sufficiently detailed, a signed statement by the employee (along with documentation from separate coach airfare rates, hotel rates, etc.) referencing the comparison above is to be attached to the travel claim to certify that a reasonable effort was made to procure the best price for the college or institution. The employee is responsible for abiding by rates as approved by TBR.

III. Authorization of Travel

1. Approving Authorities - The president or director or his or her designees shall have authority to approve travel by employees of the various institutions and schools. The Chancellor or his or her designees shall have authority to approve travel by employees of the Board. Authorization for travel by a student, regardless of the destination, shall be approved by the president or director of the institution or school or his or her designee.
2. In-State Travel - All employees must obtain prior authorization for in-state travel by the employee's appropriate approving authority. Written authorization may not be necessary for in-state travel where the expected expenses will not be substantial, or when there is no advance notice of the circumstances necessitating the travel, and such travel is approved orally by the appropriate approving authority. Employees whose employment requires frequent in-state travel may

obtain blanket authorization in writing for such travel.

3. Out-of-State Travel - All employees must obtain prior written authorization for out-of-state travel, which must be approved by the employee's appropriate approving authority. The authorization must show the name of the person traveling, purpose of the trip, destinations, date of departure and return, mode of transportation, estimated expenses, and availability of funds. If, in the normal course of official business, the employee must routinely travel into another state and back in the same day, such travel will be considered in-state travel and shall be subject to the in-state travel provisions. This exception applies for trips which do not exceed 50 miles into another state. Employees whose employment requires frequent out-of-state travel may obtain blanket authorization in writing for such travel.
4. Canada Travel - Authorization for travel by an employee to Canada shall be approved by the president for employees of institutions, the Vice Chancellor for ~~Vocational Education~~ **Technology Centers** for employees of the schools, and the Chancellor for employees of the Board.
5. All Other Travel - Authorization for travel by an employee to Alaska, Hawaii, and all ~~other~~ out-of-country travel shall be subject to ~~recommendation~~ **approval** by the president ~~of an institution in the case of institutional employees, or the director of the school in the case of school employees., and written advanced approval by the Chancellor.~~ **Authorization for travel to Alaska, Hawaii, and all out-of-country travel by the president shall be subject to approval by the Chancellor (or designee). Authorization for travel to Alaska, Hawaii and all out-of-country travel by an employee of a technology center shall be subject to approval by the Vice Chancellor of Technology Centers.**

IV. Transportation

1. General - All travel must be by the most direct or expeditious route possible, and any employee who travels by an indirect route must bear any extra expense occasioned thereby. When work is performed by an employee in route to or from the official station, reimbursable mileage is computed by deducting the employee's normal commuting mileage from the actual mileage driven in performing the work in route to or from the official station. For example, if an employee normally commutes 10 miles (20 miles round trip), and performs work on the way home from the official station which results in 12 miles driven, the mileage reimbursement will be for 2 miles only, as that is the amount of mileage in excess of the employee's normal commute. In no instance shall mileage claimed for reimbursement exceed actual miles traveled.

2. Mode of Transportation - Transportation for employees traveling singly should be by common carrier (air, train, or bus) whenever practical. The use of air travel is recommended when time is an important factor or when the trip is so long that other methods of travel would increase the subsistence expense. Automobile transportation may be used to save time when common carrier transportation cannot be satisfactorily scheduled, or to reduce expenses when two or more employees are making the trip. Reimbursement for personal vehicle use may be claimed at the standard mileage rate provided that the cost of such reimbursement is less than comparable cost of commercial transportation including taxi fares and/or limousine charges.
3. Common Carrier Travel - When travel is by common carrier, the fare must not exceed the regular ~~tourist~~ **coach** fare charged the general public, and advantage must be taken of round trip rates when available. The employee's copy of the ticket, or an acceptable receipt, must be submitted for reimbursement of common carrier expenses.
4. Chartered Aircraft - Generally, faculty and staff (including group travel and athletics) whose duties require travel will use commercial ground and air carriers or a university/college/technology center automobile. However, a chartered aircraft may be used if time and/or distance preclude ground travel or if a commercial air service is either unavailable or does not meet the needs of the traveler(s). The following guidelines apply:
 - a. The chief executive officer of each institution shall assign the following duties to a responsible official: (1) reviewing and approving requests for charter air services, (2) scheduling charter flights, and (3) informing those who request charter flights of the charter company's policy on canceling scheduled flights.
 - b. Charter services will be obtained only when it can be shown that the charter does not exceed the sum of all traveling costs by commercial carrier (e.g. transportation, meals, and lodging) or that circumstances necessitate travel when no other means is available.
 - c. The charter company must provide the institution with an original, itemized invoice showing the beginning and ending dates of the charter, the origin and destination of each flight, and the names of passengers on each flight.
5. Automobile Travel - When travel by automobile is appropriate, employees may use state-owned automobiles whenever available and feasible. However, state-owned vehicles should be used only on official business.
 - a. State Owned Automobiles - When transportation is by a state-owned automobile, tolls, parking, gasoline and storage expenses are allowable. When using motor pool automobiles,

employees will be furnished with courtesy cards for purchase of gasoline, oil, and other automobile services, and such expenses should not be claimed by employees as travel expenses. Emergency out-of-pocket expenses, such as towing or emergency repairs, will be reimbursed but must be accompanied by proper receipt identifying the automobile and itemizing the services. Such expenditures must be of an emergency nature ~~where~~ **when** immediate service is required and access to a state facility is not possible. Major repairs should be approved by campus officials prior to work being performed. Such expenditures are allowed but should be filed for reimbursement separately.

- b. Personally-Owned Automobiles - Use of a personally-owned automobile must be authorized. Mileage reimbursement rates are provided on the Addendum. The authorized mileage allowance includes all operating expenses such as gas, oil, and repairs precluding any separate claim for such items. Employees may use reputable websites to determine point-to-point and/or vicinity mileage.

Commuter Mileage - Procedures for calculating mileage are based on the fact that the State is prohibited from reimbursing employees for normal commuting mileage.

1) If an employee begins or ends a trip at his/her official station, reimbursable mileage will be the mileage from the official station to the destination.

2) If work is performed by an employee in route to or from his/her official station, reimbursable mileage is computed by deducting the employee's normal commuting mileage from the actual mileage driven.

3) If an employee begins or ends his/her trip at his/her residence without stopping at his/her official station, reimbursable mileage will be the lesser of the mileage from the employee's residence to his/her destination or his/her official station to the destination. On weekends and holidays, the employee may typically be reimbursed for actual mileage from his/her residence to the destination.

4) If an employee travels between destinations without returning to his/her official station or his/her residence, reimbursable mileage is the actual mileage between those destinations.

- c. The travel claim must indicate the employee's itinerary and must show the official business mileage. Business mileage as indicated by the official state map or reputable

websites, and that published by Rand-McNally or reputable websites for out-of-state routes will be regarded as official. Vicinity mileage must be reported on a separate line and not included with point-to-point mileage. Only mileage on official business may be claimed.

- d. Necessary charges for hotel and airport parking will be allowed provided that airport parking fees do not exceed normal taxi fare to and from the airport or the cost of two round trips in the employee's personal car (see item 10 below). Receipts must be furnished on airport and hotel parking.
6. Limousine and Taxi Service - When travel is by common carrier, reasonable limousine and taxi fares will be allowed for necessary transportation. Bus or limousine service to and from airports will be used when available and practical. After arrival at destination, necessary taxi fares for traveling between hotel or lodging and meeting or conference will be allowed. No receipt is required for reimbursement of reasonable taxi fares.
7. Car Rentals at Destination - Charges for automobile rental shall be allowed whenever it is more economical than alternative methods of transportation or it is the only practical means of transportation. Charges for insurance for rented automobiles are not reimbursable. Whenever possible, employees should refuel before returning vehicles.
8. Tolls and Ferry Fees - Reasonable tolls and ferry fees will be allowed when necessary. No receipt is required for reimbursement of tolls and ferry fees.
9. Daily Parking Fees - Daily parking fees for those employees working in downtown offices will not be allowed. However, if an employee is required to leave his office on official business and later returns the same day, the actual additional charge required to park will be reimbursed up to the maximum indicated (see Addendum). Also, those employees required to utilize commercial parking facilities in the daily performance of duties, or while on travel status, will be allowed reimbursement for actual costs. Receipt is required if the fee exceeds the maximum indicated per day (see Addendum).
10. Unnecessary meals and lodging expenses which are occasioned by the use of an automobile for reasons of the employee's personal convenience, or which are due to travel by an indirect route, will not be allowed.
11. If travel is by common carrier, the employee will be reimbursed for expenses in traveling to and from the common carrier including but not limited to the reasonable cost of one of the following options, whichever is less:

- a. one round trip taxi fare,
- b. or parking of the employee's personal car at the location of the common carrier, plus mileage of one round trip,
- c. or mileage of two round trips in the employee's personal car (subject to a 200 mile maximum for two round trips).

Receipts must be furnished on airport and hotel parking exceeding maximum parking allowance in Addendum.

V. Lodging

1. In-State Lodging - Lodging expenses incurred within the state while on authorized travel will be reimbursable to the maximum shown on the Addendum.
2. Out-of-State Lodging - Lodging expenses incurred out of the state while on authorized travel will be reimbursable to the maximum shown on the Addendum. The maximum reimbursement rates for out-of-state travel are the same as those maintained by the U. S. General Services Administration for federal employees within the continental United States (CONUS). The CONUS list, available on the General Services Administration web site, contains a standard reimbursement rate for lodging and meals and incidentals, and several pages of exceptions. Most destinations for out-of-state travel fall within the list of exceptions. En route lodging will be allowed for only one day each way on trips of long duration. En route lodging will only be allowed in cases ~~where~~ **when** the approved and most direct or expeditious mode of travel will require more than ten (10) hours of continuous travel. (Refer to Section II.4. for explanation of en route lodging expenses.)
3. Additional Lodging Expenses - Sales taxes on lodging costs will be reimbursable.

Higher rates for lodging at the location of a convention or conference will be allowed, without special approval, up to the amount indicated in the convention or conference brochure **or conference website**. ~~If more than one rate is indicated, the lowest rate is the amount which will be reimbursed. However, the employee should attempt to receive a government rate for the lodging. If the lowest rate indicated in the convention or conference brochure is unavailable, approval of the higher rate must be obtained from the appropriate approving authority.~~ Additional lodging for presidents/directors will be approved on the same basis as approval is granted for other employees. Any exceptions must be approved by the Chancellor. The convention or conference brochure which indicates the lodging rates must be included with the travel claim. Otherwise, reimbursement will be limited to the applicable lodging rate as provided in these regulations.

4. Shared Lodging - In the event of double occupancy for state employees on official travel, both employees should attach an explanation to his/her travel claim detailing dates and other employees with whom the room was shared. The lodging cost may be claimed by the employee who incurred the cost, or one half the double occupancy charge may be allowable for each employee. If a room is shared with other than a state employee, actual cost subject to the maximum in the Addendum will be allowed. The receipt for the entire amount should be submitted with the expense account.

VI. Meals

1. In-State and Out-of-State Meals - Meals while on authorized travel will be reimbursed, subject to the meal allowance provided on the Addendum. The maximum per diem rates include a fixed allowance for meals and for incidental expenses (M&I). The M&I rate, or fraction thereof, is payable to the traveler without itemization of expenses or receipts. Incidentals are intended to include miscellaneous costs associated with travel such as tips for baggage handling, phone calls home, etc.

Out of Country meals are reimbursed at actual expense with receipts. If no receipts are provided, the maximum rate will be the maximum Conus rate of Out-of-State travel.

The M&I rates for out-of-state travel are the same as those for federal employees, and are available on the General Services Administration's web site. As with lodging, there is a standard rate for the continental United States (CONUS), and a list of exceptions. Reimbursement for meals and incidentals for the day of departure shall be three-fourths of the appropriate M&I rate (either the in-state rate or CONUS rate for out-of-state travel) at the rate prescribed for the lodging location. Reimbursement for M&I for the day of return shall be three-fourths of the M&I rate applicable to the preceding calendar day. To assist in this calculation, the following table lists partial per diem rates for meals and incidentals for in-state and out-of-state travel.

Per Diem Rates - Three-fourths Calculations

\$39	\$29.25
\$44	\$33.00
\$49	\$36.75
\$54	\$40.50
\$59	\$44.25
\$64	\$48.00

The following table may be used to determine reimbursement for a single meal, when appropriate. Reimbursement for meals will not be permitted when overnight travel is not involved.

In-State and Out-of State of Tennessee

Meals and Incidental - Allocated by Meal

Per diem	39	44	49	54	59	64
Breakfast	8	8	9	10	11	12
Lunch	8	12	13	15	16	18
Dinner	20	21	24	26	29	31
Incidentals	3	3	3	3	3	3

Revisions to the above two tables that are required solely by changes in CONUS rates will not be subject to Board approval.

2. Official Banquets - When the expenses for an official banquet of a meeting or conference is in excess of the meal allowance, the excess will be allowed provided a receipt or proper explanation of the charge is submitted.
3. Business Meals - See Policy 4:07:00:00 for criteria on reimbursing business meals.

VII. Miscellaneous Expenses

1. Personal Expenses - Expenses for entertainment (employee or others), laundry, valet service, tips and gratuities, etc., are personal expenses and will not be reimbursed in excess of the incidental portion of the M&I rate.
2. Telephone, Telegram and Fax Expenses - Charges for long distance telephone calls, telegrams, and/or fax on official business will be allowed provided a statement is furnished showing the date, the name and location called, and the purpose of the call. Charges for necessary local calls on official business will be allowed.
3. Registration Fees - Registration fees for approved conferences, conventions, seminars, meetings, etc., will be allowed including cost of official banquets and/or luncheons, if authorized in advance by the appropriate approving authority, and provided receipts are submitted with the travel claim.
4. Handling Fees - Fees for the handling of equipment or promotional materials will be allowed up to the maximum indicated (see Addendum).

VIII. Claims

The standard form for claims for travel expenses approved by the President, director or Chancellor shall be used for reimbursement of expenses. The form must show movement and detail of expenses on a

daily basis, be signed in ink by the employee, and be approved by the appropriate approving authority prior to reimbursement. All signatures on travel claims must be original **or electronic in accordance with TBR policy**. Receipts for appropriate expenses must be attached to the form. Expenses for books, supplies, postage, and other items that do not constitute actual traveling expenses should not be included in the claim form. Claims for reimbursement for travel expenses should be submitted no later than thirty (30) days after completion of the travel.

IX. Travel Advances

1. General - Normally, travel expenses should be paid when incurred by an employee, with reimbursement made to the employee for actual expenses upon proper submission of a claim for travel expenses. Advances to employees for anticipated travel expenses may be made under the circumstances hereinafter described as (1) permanent travel advances and (2) temporary travel advances except as provided in Section X.3. All travel advances must be approved by the president or his or her designees for employees of the institution, the director for employees of the school, and the Chancellor for employees of the Board.
2. Permanent Travel Advances - When an employee has blanket travel authorization, and is expected to travel the major portion of each month, the employee may be placed upon permanent travel status. Upon determination of the employee's estimated monthly expenses, if such expenses exceed \$100, the employee may be provided with a single advance in an amount sufficient to cover such expenses for one month, provided such amount may not exceed the semi-monthly salary of the employee. Subsequent to the initial advance, the employee shall submit appropriate claims and be reimbursed as heretofore provided, with any unused portion of the advance to be returned upon termination of the employee's permanent travel status.
3. Temporary Travel Advances - When temporary travel is authorized for an employee, the employee may receive an advance, provided a request for the advance, including estimated expenses, is submitted to the appropriate approving authority with the request for written authorization for the travel, and is approved. An amount equal to 80% of the estimated expenditures will be allowed as an advance, however, no advance less than \$100 will be made. Students traveling under individual authorizations or an employee traveling with a student or students who is responsible for disbursing all funds for the trip may be advanced 100% of the amount of the authorization.
4. Payroll Deduction Authorization - Each employee receiving a permanent or temporary travel advance for the first time must sign a payroll deduction authorization form which will allow the State to recover the advance from any salary owed the employee in

the event of termination of employment or failure to submit a travel claim. This deduction from payroll should be used as a last resort only in the event all other efforts to collect the advance have failed.

5. Expense Claim - Upon return, the employee should submit an expense claim detailing his **or her** actual expenditures. This claim should show the total expenses incurred. The advanced amount should be subtracted from this total. A voucher should then be prepared requesting the additional amount due the employee. No advance should exceed actual expenses. If this does happen, however, the excess should be returned by the employee to the business office for deposit as a credit against the original advance with proper distribution being made of the actual expenses incurred. In the latter instance, the expense account claim should be forwarded to the business office with notification to file it with the advance request.

X. Corporate Credit Cards for Travel

1. General - Individual institutions and/or the Board Office may arrange for corporate credit cards to assist with travel expenses.
2. Membership - Corporate credit cards are made available to designated employees, with the employees personally responsible to the card vendor for all amounts charged to the card.
3. Advances - Travel advances, permanent or temporary, shall not be issued to:
 - a. any employee who is issued a corporate card, or
 - b. any employee who is designated but chooses not to apply for a corporate card.
 - c. any employee who has had his/her corporate card cancelled or was refused a card based on the vendor's credit requirements.

Institutions may make individual exceptions to the above provisions when the circumstances are determined to warrant such exception.

4. Reimbursement - Reimbursement for travel expenses shall only be allowed for actual business expenses incurred, subject to the provisions of Section II, Item 6, and the maximum limitations shown on the Addendum.
5. Cancellations - The Tennessee Board of Regents and/or the card vendor may cancel an employee's corporate card at any time. In the event of cancellation of a corporate card, the Tennessee

Board of Regents or appropriate institution shall promptly notify the employee of the cancellation and use its best efforts to obtain the canceled corporate card and return it to the card vendor.

6. Termination - The Tennessee Board of Regents and its institutions shall notify the card vendor if a cardholder's employment is terminated, and the effective date of such action. Each institution shall establish procedures to collect corporate cards from terminated employees and return them to the card vendor.

~~XI. Moving Expenses~~

~~1. Authorization~~

- ~~A. Payment of moving expenses must be approved in advance by the President or designee.~~
- ~~B. Approval of moving expenses may be made when considered in the interest of the institution and when such payment is a part of the employment negotiation with a new employee or the relocation of a current employee.~~
- ~~C. No moving expenses will be authorized or paid which would not qualify for a deduction under Section 217 Moving Expenses of the Internal Revenue Code.~~
- ~~D. Expenses and allowances as provided in these regulations shall not be allowed unless and until the employee agrees in writing to remain in the service of the institution for a period of twelve (12) months following the effective date of move, unless separated for reasons beyond his or her control and acceptable to the institution concerned. For faculty on an academic or modified fiscal year basis, the employment service shall be one regular academic year or two semesters or the normal work period associated with a modified fiscal year appointment. The service agreement statement should be maintained in the employee's personnel file. In case of a violation of such an agreement, including failure to effect the transfer, any funds expended by the institution for such expenses and allowances shall be recoverable from the employee concerned as a debt due the institution.~~

~~2. Expenses Subject to Payment/Reimbursement~~

- ~~A. Possible expenses subject to payment or reimbursement will be actual cost of moving household goods and personal effects, travel expenses directly associated with the movement of household goods and effects, and temporary storage of goods and effects.~~
- ~~B. The actual cost of moving goods and effects may include the cost of commercial moving companies, rental of moving vans/trucks and operating cost (gas) of these rentals, and~~

~~the cost of packing/unpacking (including labor and materials). Moving and rental companies' insurance charges may be included.~~

- ~~C. Travel expenses directly associated with a move may include mileage of all owned vehicles and en route lodging.~~

~~Lodging may be covered for the employee and all immediate family members residing in the household. En route lodging may be provided for one night if the distance of the move is 400 miles or more, plus one additional night for each additional 400 miles. Lodging for one night at the destination may be permitted.~~

~~Lodging will be consistent with the Tennessee Board of Regents travel policy rates. Mileage will be reimbursed at the current IRS rate for moving mileage. Travel expenses incurred when moving from another state to Tennessee will be reimbursed at the out of state rates.~~

~~For the purpose of these regulations, immediate family is defined as any of the following named members of the employee's household at the time he/she reports for duty at his/her new official station: spouse, children (including step children, adopted children, or foster children) unmarried and under 21 years of age or physically or mentally incapable of supporting themselves regardless of age, or dependent parents of the employee and the employee's spouse.~~

- ~~D. If two or more members of an immediate family otherwise qualify for reimbursement or allowances under these regulations as Tennessee Board of Regents employees, only one member shall be eligible for employee reimbursement or allowances; the other is eligible for reimbursement as a family member.~~

- ~~E. Storage of household goods and personal effects may be allowed for a period of 30 consecutive days.~~

~~3. Arranging for Moving and Payment~~

- ~~A. If the total moving expense authorized exceeds \$5,000 and if the institution agrees to pay all of the cost of a commercial mover, the institution must arrange for the mover through normal purchasing procedures. The vendor should be paid directly by the institution.~~

- ~~B. In all other cases, the institution may require, at its option, that arrangements be made through its purchasing department or the employee may make the arrangements and seek reimbursement.~~

- ~~C. Only arrangements made directly by the institution will be~~

~~reimbursed directly to vendors by the institution. In other cases the institution should reimburse the employee. Claims for reimbursement must be supported by an invoice.~~

~~4. Other Provisions~~

~~A. Moving expenses will be paid or reimbursed only after a contract is executed between the employee and the institution. See Attachment A.~~

~~B. All travel and travel expenses shall be accomplished as soon as possible, but in no event shall the effective date of the move to the completion of travel and transportation exceed twelve (12) months unless written extension is granted by the President/Director of the institution/school. All payments or reimbursements must be made within twelve (12) months of the date employment begins for new employees or relocation occurs for relocated employees.~~

~~C. The agreement on the amount of moving expenses to be paid, the type expenses to be paid, responsibility for arranging logistics, etc., should be clearly understood in writing between the employee and the institution.~~

~~D. The institution shall assume no liability whatsoever for personal injuries, property damages, or other losses which may be sustained in connection with any moves undertaken pursuant to these regulations.~~

~~XII. IMMIGRATION EXPENSE ALLOWANCE~~

~~1. New employees may receive reimbursement for immigration expenses when considered to be in the interest of the institution and when such payment is a part of the employment negotiation with a new employee or the relocation of a current employee from another employer or institution. Reimbursement/fee allowance for immigration fees must be approved in advance by the Director or President or his/her designee.~~

~~2. This provision applies only to candidates who are required to pay immigration fees to work and live in the U.S. No employee may receive reimbursement more than once.~~

~~3. No payment shall be made unless the employee agrees in writing to remain in the service of the institution for a period of twenty four (24) months following the effective date his/her employment agreement, unless separated for reasons beyond his/her control and acceptable to the institution. The service agreement statement should be maintained in the employee's~~

~~personnel file. In case of a violation of such an agreement, any funds expended by the institution for such allowance shall be recoverable from the employee as a debt due the institution in the same manner as educational allowance payments. (See Attachment B)~~

- ~~4. Reimbursement shall be in the maximum amount of \$4500 and shall not exceed the employee's actual, documented expenses. The allowance cannot be used to defray non-immigration related costs or any costs not associated with the individual employee's immigration expenses.~~
- ~~5. Reimbursable fees include: fees charged by a licensed immigration attorney retained in connection with the application, filing, permanent residence fee, fee for any application to enter the U.S., fee for application to remain in the U.S., and associated fees required in the application process, such as medical examinations, fingerprinting, photo identification, postal/courier fees, and costs of evaluating foreign academic credentials or translations of foreign documents.~~
- ~~6. The employee is responsible for making arrangements for representation, completion of paperwork, assistance in the immigration process, and submission of all bills and/or invoices for which reimbursement is sought. Faculty may submit a claim for reimbursement by sending a request with original receipts to the Chief Academic Officer.~~

XIII. Exceptions

General - The Chancellor shall have the authority to grant exceptions to any part or all of the provisions of this policy when deemed appropriate and necessary; however, any exception directly affecting the Chancellor must be approved by the Vice Chair of the Board. The Chancellor delegates to the presidents and directors the authority to grant exceptions to any part or all of the provisions of this policy in individual instances when deemed appropriate and necessary; however, any exception directly affecting presidents or directors must be approved by the Chancellor or Vice Chancellor for Technology Centers, respectively.. Two areas of standing exceptions to the policy are provided below.

Exception No. 1

- (a) Provisions for travel contained in this Exception Number One shall be applicable only to the Chancellor and his or her immediate staff, presidents of institutions, technology center directors, and System employees traveling in their company. This

exception corresponds with Exception Number Three of the Comprehensive Travel Regulations. All provisions of the Sections II through X of this policy shall be applicable unless superseded by the following.

(b) Transportation: First class travel on common carrier shall be allowable at the option of the above designated persons when accompanying others not employed by the State who are traveling in first class accommodations.

(c) Charges for automobile rental shall be allowed whenever it is more economical than alternative methods of transportation or whenever it is the only practical means of transportation.

~~(d) Lodging:~~

~~1. In State and Out of State Lodging Reimbursement for actual expenses for in state and out of state lodging will be allowed, subject to the maximum rate shown on the Addendum.~~

~~2. When employees share a hotel room, each employee should claim a proportionate share of the room cost, and include an explanation with his or her travel claim detailing dates and other employees with whom the room was shared.~~

~~3. If a room is shared with other than a state employee, actual cost subject to the maximum above will be allowed. The receipt for the entire amount should be submitted with the expense account.~~

~~(e) Meals:~~

~~1. In State and Out of State Meals A per day meal allowance is shown on the Addendum. For fractional days in travel status, the allowance will be prorated.~~

~~2. Expenses for group breakfasts, luncheons and dinners, occasioned by meetings of long duration or by circumstances where it is more feasible to provide such meals than to recess the meeting, may be allowed.~~

~~3. Expenses for meals for employees occasioned by meetings called by the appropriate approving authority are allowed subject to the daily meal allowances indicated (see section VI. Meals).~~

~~4. Reimbursement of actual expenses for meals and related costs shall be allowable when acting as host to guests of the institution or other official business functions provided the purpose and the event are shown on a separate reimbursable expense statement. Receipts or other satisfactory evidence of payment must be attached to the claim. The above designated persons may delegate the authority granted under this item to members of their staff~~

~~provided such delegation is in writing. All reimbursement claimed under this authority shall be clearly identified and a special report submitted with each reimbursement request.~~

Exception No. 2

(a) Members of the Tennessee Board of Regents shall be reimbursed for travel in the performance of their official duties in accordance with applicable provisions of the general policy unless superseded by the following, which corresponds with Exception Number Four of the Comprehensive Travel Regulations, provided that necessary approvals shall be made by the Chancellor rather than the Commissioner of Finance and Administration.

(b) Members of the Board shall be reimbursed by the Board office for all allowable travel expenses upon submission of a standard form for claims and appropriate receipts.

~~(c) Lodging:~~

~~1. Lodging for both in state and out of state will be allowed up to the maximum indicated (see Addendum).~~

~~2. Higher rates for lodging at the location of a convention or conference will be allowed, without special approval, up to the amount indicated in the convention or conference brochure. If more than one rate is indicated, the lowest rate is the amount which will be reimbursed. However, a Board member should attempt to receive a government rate for the lodging. If the lowest rate indicated in the convention or conference brochure is unavailable, written advance approval of the higher rate must be obtained from the Chancellor. The convention or conference brochure which indicates the lodging rates must be included with the travel claim. Otherwise, reimbursement will be limited to the applicable lodging rate as provided in these regulations.~~

~~(d) Meals:~~

~~1. A daily meal allowance will be provided for in state and out of state travel. For fractional days in travel status, the allowance will be prorated (see section VI. Meals); provided further, that a noon meal may be claimed without incurring overnight travel and without the requirements for eligibility for the evening meal.~~

~~2. Expenses for group breakfasts, luncheons and dinners, occasioned by meetings of long duration or by circumstances where it is more feasible to provide such meals than to recess the meeting, may be allowed, provided written advance approval is secured from the Chancellor, except where advance approval is not practicable.~~

Source: SBR Meetings, June 25, 1976; March 3, 1978; September 29,

1978; September 26, 1980; September 30, 1983; March 23, 1984; September 21, 1984; December 13, 1985; June 26, 1987; September 18, 1987; June 30, 1989; September 21, 1990; June 28, 1991; March 20, 1992; October 22, 1993 (Interim action), February 1, 1996 (Interim Action), June 21, 1996, March 27, 1998, August 1, 1998 (Interim Action), March 26, 1999, September 17, 1999, September 1, 2001 (Interim Action), September 26, 2003, December 5, 2003, May 1, 2004 (Interim Action), September 24, 2004; December 3, 2004; June 10, 2005; December 2, 2005; March 31, 2006; March 30, 2007.

Addendum
Tennessee Board of Regents General Travel Policy

This Addendum provides the specific expenses considerations cited in the general travel policy. The reimbursement rates listed below are consistent with the current Comprehensive Travel Regulations of the State of Tennessee, which may be revised from time to time. The following shall remain in effect from and after March 30, 2007, until revised by the Chancellor.

General Reimbursement Rates

Standard mileage rate	Rate approved by the Dept. of Finance and Administration (see http://www.state.tn.us/finance/acct/policy8.pdf)
Maximum parking fees without receipt	\$ 8.00 per day
Fees for handling of equipment or promotional materials	\$ 20.00 per hotel

Out-of-State Reimbursement Rates

Employees are to utilize the U.S. General Services Administration CONUS (Continental United States) rates provided by the federal government. The CONUS rates are located on the U.S. Government's web page at <http://www.gsa.gov/>

Use the CONUS standard rates for all locations within the continental United States not specifically shown on the web page as a listed point.

In-State Travel Reimbursement Rates

Level I Counties and Cities

<u>Day of Departure And Return</u>	<u>Maximum Lodging</u>	<u>Maximum Meals and Incidentals</u>
75% of M&I	\$99.00 + tax	\$54.00
Davidson County		

Level II Counties and Cities

<u>Day of Departure And Return</u>	<u>Maximum Lodging</u>	<u>Maximum Meals and Incidentals</u>
75% of M&I	\$83.00 + tax	\$49.00 \$39.00
Anderson County, Shelby County, Knox County, Hamilton County, Gatlinburg, Pigeon Forge, Sullivan County, Williamson County, Montgomery County, Putnam County, Rutherford County, Washington County (Includes Paris Landing, Montgomery Bell, Natchez Trace, Pickwick, Fall Creek Falls, and Henry Horton State Parks)		

Level III Counties and Cities

<u>Day of Departure And Return</u>	<u>Maximum Lodging</u>	<u>Maximum Meals and Incidentals</u>
75% of M&I	\$65.00 + tax	\$39.00
All other counties and cities not listed above.		

Standard Out-of-Country Rates

<u>Day of Departure And Return</u>	<u>Maximum Lodging</u>	<u>Maximum Meals and Incidentals</u>
Actual expense or 75% of M&I	Actual expense	Actual expense or \$64.00
(per diem amount only to be used when receipts are not available)		

Special Rates Under Exception One

This exception applies to the Tennessee Board of Regents' Chancellor and his or her immediate staff, presidents of institutions, area school directors, and System employees traveling in their company. This exception rate schedule corresponds with Exception Number Three of the Comprehensive Travel Regulations of the State of Tennessee.

Out-Of State Reimbursement Rates

Employees are to utilize the U.S. General Services Administration CONUS (Continental United States) rates provided by the federal government. The CONUS rates are located on the U.S. Government's web page at: <http://www.gsa.gov/>

Use the CONUS standard rates for all locations within the continental United States not specifically shown on the web page as a listed point.

In-State Travel Reimbursement Rate

Level I Counties and Cities

<u>Day of Departure And Return</u>	<u>Maximum Lodging</u>	<u>Maximum Meals and Incidentals</u>
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75% of M&I	\$104.00 + tax	\$54.00
Davidson County		

Level II Counties and Cities

<u>Day of Departure And Return</u>	<u>Maximum Lodging</u>	<u>Maximum Meals and Incidentals</u>
75% of M&I	\$88.00 + tax	\$49.00
Anderson County , Shelby County, Knox County, Hamilton County, Gatlinburg, Pigeon Forge, Sullivan County, Williamson County, Montgomery County, Putnam County, Rutherford County, Washington County. (Includes Paris Landing, Montgomery Bell, Natchez Trace, Pickwick, Fall Creek Falls, and Henry Horton State Parks)		

Level III Counties and Cities

<u>Day of Departure And Return</u>	<u>Maximum Lodging</u>	<u>Maximum Meals and Incidentals</u>
75% of M&I	\$70.00 + tax	\$39.00
All other counties and cities not listed above.		

Special Rates Under Exception Two

This exception applies to Board Members of the Tennessee Board of Regents who are reimbursed for travel in the performance of their official duties. This exception rate schedule corresponds with Exception Number Four of the Comprehensive Travel Regulations of the State of Tennessee.

Out-of State Reimbursement Rates

Employees are to utilize the U.S. General Services Administration CONUS (Continental United States) rates provided by the federal government. The CONUS rates are located on the U.S. Government's web page at <http://www.gsa.gov/>

Use the CONUS standard rates for all locations within the Continental United States not specifically shown on the web page as a listed point.

In-State Travel Reimbursement Rates

Level I Counties and Cities

<u>Day of Departure And Return</u>	<u>Maximum Lodging</u>	<u>Maximum Meals and Incidentals</u>
------------------------------------	------------------------	--------------------------------------

75% of M&I	\$119.00 + tax	\$54.00
Davidson County		

Level II Counties and Cities

<u>Day of Departure And Return</u>	<u>Maximum Lodging</u>	<u>Maximum Meals and Incidentals</u>
75% of M&I	\$103.00 + tax	\$49.00
Anderson County , Shelby County, Knox County, Hamilton County, Gatlinburg, Pigeon Forge, Sullivan County, Williamson County, Montgomery County, Putnam County, Rutherford County, Washington County. (Includes Paris Landing, Montgomery Bell, Natchez Trace, Pickwick, Fall Creek Falls, and Henry Horton State Parks)		

Level III Counties and Cities

<u>Day of Departure And Return</u>	<u>Maximum Lodging</u>	<u>Maximum Meals and Incidentals</u>
75% of M&I	\$90.00 + tax	\$39.00
All other counties and cities not listed above.		

A

TENNESSEE BOARD OF REGENTS

MOVING EXPENSE AGREEMENT

Agreement _____ made _____ on _____ (Date _____ between
_____(Institution/School)_____ (referred to as the Institution),
and _____(Employee's Full Name)_____ (referred to as the
Employee),

WITNESS:

WHEREAS, the Employee, with employment date effective
(Employment Date)_____ desires to move and relocate his/her
residence from _____(City and State)_____ to _____(City and
State)_____ and the Institution desires to reimburse or pay on
behalf of the Employee the cost of the moving expense, the
parties therefore, agree as follows:

1. The Institution agrees to reimburse or pay on behalf of
the Employee an amount not to exceed \$ _____ for
moving expenses incurred for the relocation. Of this
amount, not more than \$ _____ can be reimbursed
directly to the individual. All reimbursement claims must
comply with the State Comptroller's rules and regulations
in effect when this agreement is signed. Also, the
Employee agrees to provide original receipts for all
reimbursement claims.
2. In consideration for the Institution either reimbursing or
paying the costs of moving, the employee agrees to remain
employed by the Institution for a period of at least one
year. For faculty appointed on an academic basis, one
year is defined as one regular academic session (Fall and
Spring semesters, nine months). For all other annual
faculty and employees, one year is defined as twelve
months. Should the employee leave employ prior to
completion of that year, the Employee will be liable to
the Institution for all moving expenses which the
Institution has paid (to or on behalf of the Employee),
together with reimbursements and all payroll taxes
withheld by the Institution in connection with such
expenses.
3. The Employee hereby gives the Institution an express lien
on all salaries, wages, and other sums payable to him/her
by the Institution, for the purpose of securing all
amounts due under Section 2 above in the event the
Employee leaves prior to one year's employment at the

~~Institution. The Employee authorizes the Institution to withhold all amounts due under this Agreement from any sum payable to the Employee by the Institution.~~

- ~~4. If the Employee fails to remain employed as indicated in Section 2 above for reasons beyond his/her control considered sufficient by the Institution, all or part of the liability under Section 2 may be waived by the Institution. Any such waiver must be approved in writing by the Employee's department head or dean and the President/Director. (The dean/department head, whose account paid for the Employee's move, must notify Accounting Operations if the Employee does not remain employed at the Institution for at least one year.)~~

~~_____
Employee (Signature) President/Director (Signature)~~

~~_____
Employee (Print or Type) President/Director

(Print or Type)~~

~~_____
Employee's Social Security No.~~

~~_____
Assistant Comptroller for Department Name
Accounting Operations~~

~~_____
Account Number Department Contact & Phone
to be Charged Number~~

TENNESSEE BOARD OF REGENTS

IMMIGRATION EXPENSE ALLOWANCE AGREEMENT

_____ This Agreement is made on _____ (Date) _____ between _____ (Institution) _____ (referred to herein as "Institution"), and _____ (Employee's Full Name) _____ (referred to herein as "Employee"),

WITNESS:

_____ Employee, whose effective employment date is (Employment Date) _____, desires to become employed at Institution and to have institution reimburse Employee for employment related immigration expenses, and Institution desires to reimburse Employee for employment related immigration expenses up to _____ (\$ _____ .00) dollars. The parties therefore agree as follows:

1. _____ Institution agrees to reimburse Employee an amount up to _____ .00. Employee's reimbursement shall not exceed employee's actual costs. All reimbursement claims must comply with the guidelines and policies of the Tennessee Board of Regents system and the Tennessee Comptroller's rules and regulations.
2. _____ Employee must to provide Institution with original receipts for all expenses in order to receive reimbursement.
3. _____ Only employees who are required to pay immigration fees to work and live in the U.S. are eligible for reimbursement. The allowance cannot be used to defray non immigration related costs or any cost(s) not associated with the individual employee's immigration expenses.
4. _____ Reimbursement shall not exceed Employee's actual, documented expenses. No employee may receive reimbursement more than once.
5. _____ Reimbursable fees include: fees charged by a licensed immigration attorney retained in connection with the application, filing, permanent residence fee, fee for and application to enter the U.S., fee for application to remain in the U.S., and associated fees required in the application process, such as medical examinations, fingerprinting, photo identification, postal/courier fees, and costs of evaluating foreign academic credentials or translations of foreign documents.
6. _____ In consideration for the Institution reimbursing Employee for immigration expenses, the Employee agrees in writing to remain employed by the Institution for a period of twenty four (24) months following the effective date of his/her employment agreement, unless separated for reasons beyond his/her control and acceptable to the institution. The service agreement statement should be maintained in the employee's personnel file. In case of a violation of such an agreement, any funds expended by the institution for such allowance shall be recoverable from the employee as a debt due the institution in the same manner as educational allowance payments.
7. _____ Employee hereby gives the Institution an express lien on all salaries, wages, and _____ other sums payable to him/her by the Institution, for the purpose of securing all amounts due under Section 5 above if Employee leaves prior to the expiration of two year's employment at the Institution. In the event that Employee voluntarily leaves institution prior to the expiration of two years, **Employee hereby expressly authorizes Institution to withhold all amounts due under this Agreement from any sum payable to Employee, the including Employee's final paychecks and, if sufficient funds are not available from Employee's final paychecks, from Employee's retirement.**

8. ~~If Employee fails to remain employed as indicated in Section 5 above for reasons beyond his/her control considered sufficient by the Institution, all or part of the liability under Section 5 may be waived by the Institution. Any such waiver must be approved in writing by the Employee's department head or dean and the President. (The dean/department head, whose account paid for the Employee's immigration expense, must notify Human Resources if the Employee does not remain employed at the Institution for at least two years.)~~

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Employee Signature Date President's Signature Date

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Employee Name (Print or Type) President's Name (Print or Type)

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Employee's Social Security No.

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INSTRUCTIONS:

~~Submit this form in duplicate to the Purchasing and Business Services Department (all information must be complete and all signatures must be affixed, except that of the President, which will be obtained by Purchasing and Business Services). Attach the employment contract signed by the President that reflect immigration expenses have been approved (do not attach an Appointment Recommendation Form).~~

~~When this agreement has been fully executed, a copy will be returned to the Department by Purchasing and Business Services to process/attach a travel requisition. A copy will be also be forwarded to the Human Resources Department to be placed in the Employee's personnel file. The Employee may submit a travel claim after the immigration expense has been encumbered. All travel must be in compliance with TBR policy 4-03-03-00, http://www.tbr.state.tn.us/policies_guidelines/business_policies/4-03-03-00.htm.~~

POLICY 4:03:03:50

SUBJECT: Athletic and Other Group Travel

This policy is established by the Tennessee Board of Regents in recognition of the unique characteristics associated with travel by athletic personnel and teams and other groups at the institutions governed by the Board. The purpose of the policy is to address practical considerations for travel related specifically to the performance of intercollegiate athletic recruiting, athletic team travel, and other group travel. The policy shall apply only to these functions; travel for other purposes by athletic personnel and other groups shall be subject to Tennessee Board of Regents General Travel Policies and Procedures (No. 4:03:03:00) and institutional policies and guidelines. All travel will be reimbursed subject to TBR Policy No. 4:03:03:00 unless a specific exception is provided below. In addition, each institution shall comply with all pertinent regulations of the National Collegiate Athletic Association or the National Junior College Athletic Association and the athletic conference of which the institution is a member.

Each institution shall develop and enforce guidelines for athletic and other group travel consistent with the provisions of this policy. Institutional guidelines should include working procedures and be presented in such detail as to ensure thorough understanding of the provisions by all affected personnel.

I. Athletic Recruiting

A. Travel Advances

Travel advances should be made consistent with the Tennessee Board of Regents General Travel Policies and Procedures. In addition, temporary or permanent travel advances may be made to staff members engaged in recruiting when such advances are approved by the president or designee.

B. Reimbursement Rates - Courtesy Vehicle

If a staff member has a "courtesy vehicle" ~~on account of~~ **due to** his or her association with the institution, the maximum rate allowed will be the rate allowed under the Tennessee Board of Regents General Travel Policies and Procedures, less seven cents per mile.

C. Approval for Travel

The following are subject to prior approval by the president or designee:

1. Blanket travel authorization for scouting or recruiting; and
2. The travel of visitors and guests at institutional expense for any occasion related to recruiting.

D. Guest Meals

The actual cost of guest meals may be claimed when incurred by a staff member for recruiting purposes. Such claims must be submitted in appropriate detail. Receipts are required.

E. Student Recruits

1. Staff members are responsible for compliance with pertinent NCAA, NJCAA, and conference rules regarding student recruits.
2. Lodging in campus facilities should be arranged if space is available. If campus space is not available, ~~arrangements~~ **arrangements** may be made for lodging in local motels/hotels, and, with the approval of the athletic director or designee may be charged to the athletic department.
3. If available, the use of campus dining services should be arranged and costs may be charged to the athletic department. If necessary, staff members will be reimbursed at cost for off-campus meals, with reasonable and customary gratuities allowed. Receipts must accompany claims.
4. Transportation may be arranged through a local travel service and charged to the athletic department with the approval of the athletic director or designee. Automobile mileage may be reimbursed to a student recruit at the maximum rate allowed under the Board of Regents General Travel Policies and Procedures for the use of a personal vehicle.
5. Entertainment expenses may be reimbursed at cost within NCAA, NJCAA, and conference rules.

II. Travel

- A. Institution officials and guests of the institution that accompany the team or student groups on trips must be approved in advance by the president or designee.
- B. In all cases, team and group transportation will be arranged through established institutional procedures, and travel itineraries are to be arranged in advance. Documentation must be maintained in the athletic or other appropriate departments or offices indicating that various cost alternatives have been explored before making all arrangements and reservations. However, if such arrangements are made by the institution's purchasing office, that office should maintain the appropriate documentation.
- C. A roster of all individuals on a particular trip must be included with the itinerary documentation for proper accounting and auditing purposes and filed with the travel claim.

D. A travel advance in the amount of 100% of the estimated trip expenses may be allowed. One person from the athletic department or other appropriate department or office who is familiar with the travel regulations will be responsible for the advance and all bills connected with team or group travel.

E. Receipts are required for all team or group travel expenses consistent with TBR Policy No. 4:03:03:00.

F. Actual lodging expenses will be reimbursed. Documentation must be maintained in the athletic department or other appropriate department or office indicating that various cost alternatives have been explored before making all arrangements and reservations. However, if such arrangements are made by the institution's purchasing office, that office should maintain the appropriate documentation.

G. Miscellaneous expenses, such as movies while on trips, must be supported by receipts. Telephone calls by staff members for business purposes may be claimed with documentation consistent with TBR Policy No. 4:03:03:00.

H. Individual meals associated with team or group travel will follow the Board of Regents General Travel Policies and Procedures.

I. All team or group meals and snacks will be reimbursed at actual cost. Gratuities not to exceed reasonable and customary rates are allowed. Appropriate documentation and receipts are required.

J. All travel claims and requisitions for team or group travel must be approved in writing by the appropriate approving authority.

III. Other Group Travel

Travel by student groups or other groups of participants in programs or activities of the institution may be reimbursed under the same provisions as included in Section II above. Travel by student groups or other groups of participants in programs or activities of the institution should be addressed by specific institutional guidelines which describe the approval process, discussion of possible liability issues and requirement of waivers/releases of liability by the student if appropriate. Sample waivers/releases and a discussion of liability issues have been provided by the Office of the General Counsel and should be on file in the offices of student and academic affairs. **A waiver/release is not appropriate for travel that is required as part of an academic program.**

IV. Exceptions

The Chancellor or his or her designee may approve exceptions to the requirements of this policy in appropriate cases.

Source: SBR Meeting March 23, 1984; TBR Meeting June 29, 1990

Guideline No. B-043

SUBJECT: University Athletic Tickets

I. General Statement

Gate receipts from athletic events are an important source of revenue for university intercollegiate athletic programs. Admission charges are a recognized form of user-fees, necessary to generate funds for program operations, which state appropriations and student fees ~~can~~ ~~not~~ **cannot** and should not totally support. To ensure proper management of ticket sales, it is essential that each university implement procedures for effective control of ticket distribution and accounting for gate receipts.

The following guideline establishes basic provisions regarding the ~~distribution of an~~ accountability for tickets for athletic events, pursuant to which each university shall develop detailed operating procedures.

II. General Ticket Procedures

A. The price of tickets for athletic events should be recommended by the athletic director and approved by the president or designee prior to the printing of the tickets.

1. A ticket should be assigned to each seat available for occupancy, except in designated student areas, if applicable.

2. The price of tickets should take into account conference requirements, if applicable.

B. Procedures for securing and distributing tickets should follow sound business practices, with proper documentation, reconciliation, and control measures.

~~1. At the time tickets or ticket stock are received from the printer, a full accounting should be made of the number received by a designated university official.~~

~~2. The verification process should be followed by transferring the tickets or ticket stock received to another designated university official responsible for distribution of the tickets.~~

~~3. A distribution plan should be developed and approved by the president, or designee, which specifies authorized points of sale and procedures for the collection/receipt of sales.~~

C. The appropriate athletic revenue account must receive credit for the value of tickets issued.

D. All persons admitted to an athletic event for which there is an admissions charge must present a valid ticket, unless otherwise provided for below. A detailed plan should be developed and approved by the president, or his or her designee, for enforcing admissions control, seat assignment, and security.

III. Complimentary Tickets

A. Each president may authorize complimentary ~~ticket~~ tickets. A listing of complimentary tickets should be prepared, approved by the president or designee prior to each event, and filed for audit purposes. The listing should contain the name of the individual who will receive the ticket or the specified group of individuals being approved (such as "high school recruits"), the account to which the cost of the ticket will be charged, the cost, and the purpose of issuing the ticket.

B. The individual authorized to receive complimentary tickets must acknowledge receipt of the ticket(s) by signing for them. Complimentary tickets may be mailed to the receiving party without securing a written acknowledgement only when mailing is the reasonable and practical distribution method; adequate file documentation and notations shall be maintained on all complimentary tickets mailed.

C. Complimentary tickets designated for use by student athletes may be distributed as provided by NCAA and conference policy and provisions.

D. All complimentary tickets issued will be charged to the account indicated on the listing required by III-A above.

IV. Student Tickets

A. Procedures should be established for admitting students to athletic events.

1. Tickets may be issued to students, or an area may be designated for students only, which is accessed by a designated student entrance, and a student identification is required for admission.

2. If tickets are issued to students, a complete accounting of the seat assignments for each event should be documented for audit purposes.

V. Group Tickets

Each university may develop group promotional packages for admission to athletic events, subject to approval of the president or his or her designee prior to implementation.

VI. Special Passes

A. Special passes issued by the university for concession workers, game officials, the press, security officials assigned to the event, participating team coaches, and other workers assigned to the event must be controlled. Each institution should establish reasonable procedures appropriate to the event.

B. Where facilities for athletic events are contracted, the assignment of special passes to facility workers should be controlled through specific contract provisions.

VII. Other

A. Admission to the president's box may be handled through either complimentary tickets or special passes at the discretion of the president, subject to procedures set-forth above.

B. Ticket arrangements for student athletes from visiting teams should be controlled through specific contract provisions.

VIII. Exceptions

Exceptions to these guidelines are subject to prior approval by the Chancellor based upon written justification by the president.

Source: June 26, 1981 TBR meeting; May 15, 1990 Presidents Meeting; August 9, 1994 Presidents Meeting.

POLICY: 4:01:05:00

SUBJECT: Internal Audit

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General Statement

The internal audit function contributes to the effectiveness of controls that management is responsible for establishing and maintaining. While particular responsibilities and activities vary among institutions, the fundamental purpose of internal auditing is to provide an independent, objective assurance and consulting activity designed to add value and improve the institution's operations. Each internal audit function shall adhere to The Institute of Internal Auditors' *International Standards for the Professional Practice of Internal Auditing* and *Code of Ethics*. This policy addresses staffing, responsibilities of the internal audit function, and audit planning and reporting on internal audit activities. In addition to this policy, the Office of System-wide Internal Audit maintains an audit manual. The purpose of the audit manual is to provide for consistency, continuity, and standards of acceptable performance.

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Internal Audit Personnel

1. Each university shall employ at least two individuals with full-time responsibility as internal auditors. Additional internal audit staff shall depend upon institutional size and structure. Two-year institutions ~~will employ a~~ **shall employ at least one** full-time internal auditor or have an approved agreement with a university or other two-year institution to provide required audit services. Titles of internal audit staff shall be consistent within the overall institutional structure.
2. Internal audit staff shall possess professional credentials and experience requisite to position responsibilities. The campus Internal Audit Director and the Director of System-wide Internal Audit must be licensed as a Certified Public Accountant or a Certified Internal Auditor, maintain an active license and annually complete sufficient, relevant continuing professional education to satisfy the requirements for the professional certification held. Other system auditors should annually complete sufficient, relevant continuing professional education to satisfy the requirements for their related professional certification or, at a minimum, forty hours of relevant continuing professional education.
3. The appointment or change of status of campus Internal Audit Directors as recommended by the President is subject to approval by the Chancellor or designee and the Director of System-wide Internal Audit. Compensation of the Director of System-wide Internal Audit and the campus internal auditors is subject to review and approval by the Audit Committee of the Board of Regents.
4. The termination of campus internal auditors requires the prior approval of the Chancellor and the Audit Committee of the Board.

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Internal Audit Role and Scope

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1. In accordance with T.C.A. § 49-14-102, the Director of System-wide Internal Audit reports directly to the Audit Committee and the [Tennessee](#) Board of Regents. Campus internal auditors report to the respective campus President with audit reporting responsibility to the Audit Committee and the Board through the Director of System-wide Internal Audit. TBR hosts periodic meetings and communicates with the audit directors on matters of mutual interests. The [Office of System-wide Internal Audit](#) maintains an internal audit manual to guide the internal audit activity in a consistent and professional manner at each institution. This reporting structure assures the independence of the internal audit function.

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2. The internal auditors' responsibilities include:

- a. Working with management to assess institutional risks and developing an audit plan that considers the results of the risk assessment.
- b. Evaluating institutional controls to determine their effectiveness and efficiency.
- c. Coordinating work with external auditors, program reviewers, and consultants.
- d. Determining the level of compliance with internal policies and procedures, state and federal laws, and government regulations.
- e. Testing the timeliness, reliability, and usefulness of institutional records and reports.
- f. Recommending improvements to controls, operations, and risk mitigation resolutions.
- g. Assisting the institution with its strategic planning process to include a complete cycle of review of goals and values.
- h. Evaluating program performance.
- i. Performing management advisory services and special requests as directed by the Audit Committee, [the Chancellor](#), or the institution's President.

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3. The scope of internal auditing extends to all aspects of institutional operations and beyond fiscal boundaries. The internal auditor shall have access to all records, personnel, and physical properties relative to the performance of duties and responsibilities.

4. The scope of a particular internal audit activity may be as broad or as restricted as required to meet management needs.

5. Objectivity is essential to the internal audit function. Therefore, internal audit personnel should not be involved in the development and installation of systems and procedures, preparation of records, or any other activities that the internal audit staff may review or appraise. However, internal audit personnel may be

consulted on the adequacy of controls incorporated into new systems and procedures or on revisions to existing systems.

6. Management is responsible for identifying, evaluating, and responding to potential risks that may impact the achievement of the institution's objectives. The auditors continually evaluate the risk management processes and internal control structures. Internal Audit will receive copies of external audit reviews, program reviews, fiscally related consulting reports, notices of cash shortages, physical property losses, and employee misconduct. These will be considered in the evaluation of risks.

Audit Plans

1. Internal Audit shall develop an annual audit plan using an approved risk assessment methodology.
2. Audit areas and respective audit programs are available in the TBR Audit Manual for guidance in these areas.
3. At the beginning of each fiscal year, [after consultation with the Chancellor or President and other institution management](#), the Internal Audit Director will prepare an annual plan listing proposed areas to be audited. The audit work plan must be flexible to respond to immediate requests. The status of the past year's plan will also be prepared in an annual activity report that may include other significant audit services. The [Internal Audit Director](#) will submit two copies of the institution's Audit Plan for review by the Director of System-wide Internal Audit. The Director of System-wide Internal Audit will forward one copy to the State Comptroller's Office. Deleted: campus Deleted: President Deleted: ing Deleted: ing
4. The Director of System-wide Internal Audit will prepare an annual system-wide internal audit plan for approval by the Audit Committee. Deleted: ing

Audit Reports

1. Each routine internal audit should result in a written report that documents the objectives, scope, and conclusion of the audit. Management will include corrective action for each reported finding. Reports on special studies, consulting services, and other non-routine items should be prepared as appropriate, given the nature of the assignment.
2. The [Chancellor or](#) institution's [President](#) will be notified at the conclusion of a follow-up audit if management has not corrected the reported finding. Deleted: p
3. All internal audit reports will be signed by the [institution's](#) Internal Audit Director and transmitted directly to the [Chancellor, President, or TTC Director and the Director of System-wide Internal Audit](#) in a timely manner. Deleted: campus

4. The Director of System-wide Internal Audit will forward one copy of each report to the State Comptroller's Office.

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5. The Director of System-wide Internal Audit will provide monthly summaries to the Audit Committee and present results of internal audit reports to the Audit Committee quarterly.

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Exceptions

Any exceptions to the policy established herein shall be subject to the approval of the Director of System-wide Internal Audit and the Audit Committee.

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Source: June 3, 1981 TBR Presidents' Meeting; July 1, 1984; May 20, 1986; February 14, 1989; November 14, 1989; August 13, 2002; February 10, 2004; November 18, 2004.

GUIDELINE B-060

SUBJECT: Fees, Charges and Refunds

The purpose of the following guideline is to outline significant provisions for consistent administration of fees, charges, and refunds at the institutions ~~and technology centers~~ governed by the Tennessee Board of Regents. These guidelines largely represent a consolidation of existing statements and practices. They are intended to serve as a reference document for institutional ~~and technology center~~ staff responsible for implementing and communicating fee-related matters. The guideline contents include general and specific provisions for: maintenance fees; out-of-state tuition; debt service fees; student activity; miscellaneous and incidental fees; deposits; residence hall fees; and refunds.

These guidelines supersede all previous fee and refund guidelines, and may be revised by action of the Tennessee Board of Regents or the Chancellor. Exceptions to the guidelines may be made by the Chancellor upon written request by the president, or technology center director through the Vice Chancellor for ~~Vocational-Technical Education~~. **Technology Centers**

I. General Provisions

A. Establishment of Fees and Charges

1. The Tennessee Board of Regents must establish or approve all institutional and technology center fees and charges unless specific exceptions are provided. The Board has adopted a practice of approving changes in fees and charges one time per year at the Board meeting when the annual operating budgets are considered. This is usually the regular June meeting of the Board. ~~Fees and charges which require Board approval should be submitted one month prior to the submission of the proposed budget.~~
2. The institution president or technology center director is responsible for the enforcement and collection of all fees and charges. Fees and charges which specifically do not require Board approval must receive formal approval by the president or **designee**, in the case of the technology centers, the Vice Chancellor for ~~Vocational-Technical Education~~. **Technology Centers**
3. Institutions ~~and technology centers~~ should attempt to follow a general format in publishing information on fees and charges, including but not limited to the following:
 - a. All statements which include the fee amount should be complete and specific enough to prevent misunderstanding by readers.

- b. ~~Where~~ **When** a fee is quoted, the ~~refundable—status—refund~~ **procedures** should be clearly stated. If there are qualifying conditions for refunds, those conditions also should be stated. If there is no refund, it should be labeled as non-refundable.
- c. ~~Wherever~~ **Whenever** possible, specific dates related to the payment of fees and the ~~refundable—status~~ **refund procedures** should be stated.
- d. It should be made clear that all fee levels and conditions are subject to change at any time.

B. Approval of Exceptions

In accordance with these guidelines, the president of an institution or designee has the authority to determine the applicability of certain fees, fines, charges, and refunds, and to approve exceptions in instances of unusual circumstances or for special groups. The Vice Chancellor for ~~Vocational Technical Education~~ **Technology Centers** shall have this authority for the technology centers. All such actions should be properly documented for auditing purposes.

C. Appeals Process

An appeals process should be established by each institution and technology center, and communicated to students, faculty, and staff. The process should provide for final appeal to the president or director. Separate appeals processes may exist for different types of fees, charges, and refunds.

D. Payment of Student Fees

- 1. As provided in the Tennessee Board of Regents Policy on Payment of Student Fees and Enrollment of Students (No. 4:01:03:00):

An applicant for admission to an institution ~~or technology center~~ will be considered and counted as a student when all assessed fees have been paid in cash, when the initial minimum payment due under the deferred payment plan has been paid, or when an acceptable commitment from an agency or organization approved by the institution ~~or technology center~~ has been received by the institution ~~or technology center~~. An applicant shall possess an acceptable commitment when he/she has timely submitted an application(s) for financial aid with the reasonable probability of receiving such.

Pursuant to the above condition, institutions with ~~an advanced~~ **advance or pre-registration** a **continuous registration** process must require payment of all applicable fees or payment of the initial minimum payment due under the deferred payment plan prior to the regular registration period as defined by each institution. Students who do not prepay all fees or have an acceptable approved financial aid deferment will forfeit pre-registration privileges and must enroll under the normal registration process.

2. A prepayment plan to assist parents and students with planning and budgeting their academic year expenses is authorized. Under the plan, students may choose the expenses they wish to prepay including room, board, tuition, and fees. Expenses can be prepaid over a period of eight months.

II. Maintenance Fees

A. Description of Fees

1. The Maintenance Fee is a charge to students enrolled in credit courses. It is an enrollment or registration fee and is calculated based on the number of Student Credit Hours (SCH's) for universities and two-year institutions or student contact hours for technology centers for which the student enrolls, up to a maximum full-time charge. Fees are established by the Tennessee Board of Regents.
2. The same fee is applicable to courses for which the student is enrolled on an audit basis.

B. Rates

1. Rates are established by the Board and incorporated in a fee schedule that groups specific full-time and part-time fees; by type of institution (two-year institutions; APSU, ETSU, MTSU, TSU, and TTU; and UOM); and by course/program level (undergraduate and graduate). Developmental courses are charged at the two-year institution hourly rate with the maximum not to exceed the home institution's established full-time rate.
2. Part-time rates are applied based on the level of credit for the course (regular or developmental) and the level of credit for the course, regardless of student level. If a student, part-time or full-time, enrolls ~~for~~ **in** both regular and developmental courses, the rates shall be assessed at the part-time hourly rate for each, with the maximum not to exceed the established full-time rate of the home institution. In an instance where a course may be taken for

undergraduate or graduate credit, the student shall pay the rate of the level of credit sought. If a student, part-time or full-time, enrolls ~~for~~ **in** both undergraduate and graduate courses, the rates shall be assessed at the course/program level, with the maximum not to exceed the established graduate full-time rate.

3. Maximum fees may not apply to special offerings between terms, for concentrated courses during a term, or at specific off-campus locations when the institution determines that the course(s) should not be included for purposes of determining maximum fees.
4. For institutions with multiple summer sessions, maintenance fees and tuition may be assessed by using the current part-time rate with no maximum amount for total credit hours enrolled.
5. Maintenance fees may not be waived. However, specific exceptions are provided in the following instances:
 - a. Pursuant to TCA 49-7-113, exceptions exist for certain disabled and elderly students, as well as state service retirees. 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. For credit, a fee of \$70 per semester or \$60 per trimester may be charged to persons with a permanent, total disability, and persons who will become 65 years of age or older during the academic quarter or semester in which they begin classes and who are domiciled in Tennessee. (Note: This fee includes maintenance fees, student activity fees, technology access fees, and registration fees; it does not preclude an application fee, late fee, change-of-course fee, parking fee, special course fee, etc.). This only applies to enrollment on a space available basis, which permits registration no earlier than four (4) ~~week-weeks~~ prior to the first day of classes.
 - b. Pursuant to TCA 49-7-102, certain statutory fee exceptions exist for dependents and spouses of military personnel killed, missing in action, or officially declared a prisoner of war while serving honorably as a member of the armed forces during a period of armed conflict. If these provisions are invoked by a student, the correct applicable law should be determined.

C. Accounting Treatment

1. A revenue account for Maintenance Fees is used to record both the revenue assessed and refunds made.
2. As provided in GASB Statements 34 and 35, summer school revenues and expenditures must be accrued at fiscal year-end. Summer school activity will not be allocated to only one fiscal year.
3. In some cases full fees are not assessed to students. These occur when statutes establish separate rates for such groups as the disabled, elderly, and military dependents. The difference between normal fees and special fees is not assessed. Fees not assessed in these cases do not represent revenue. For administrative purposes the fees may be calculated and credited to revenue, then written off against a contra revenue account.
4. Agreements/contracts may be executed with a third party (federal agency, corporation, institution, etc.), but not with the individual student, to deliver routine courses at a fixed rate or for the cost of delivering the course and may provide for fees not to be charged to individual students. Individual student fees will be assessed as usual and charged to the functional category Scholarships and Fellowships. The amount charged to or paid by the third party is credited to the appropriate Grants and Contracts revenue account.
5. In some cases a non-credit course provides an option to grant regular credit. If a separate (or additional) fee is collected because of the credit, that amount is reported as Maintenance Fee revenue.
6. Full-time employees of the Tennessee Board of Regents and the University of Tennessee systems may enroll in one course per term at any public postsecondary institution, with fees waived for the employee. No tuition paying student shall be denied enrollment in a course because of enrollment of TBR and UT employees. Spouses and dependents of ~~certain~~ employees of the Tennessee Board of Regents system may be eligible for a student fee discount for undergraduate courses at Tennessee Board of Regents institutions (including technology centers) and the University of Tennessee.

Tennessee Board of Regents institutions exchange funds for tuition fees of employees' spouses and dependents who participate in a Tennessee Board of Regents educational assistance program. Effective Fall term 1990, the charging and exchanging of funds for maintenance fee discounts between Tennessee Board of Regents institutions and the University of Tennessee shall begin. To the extent they are not reimbursed by the State, fee waivers

for full-time State employees and fee discounts to children of certified public school teachers shall be accounted for as a scholarship.

III. Out-of-State Tuition

A. Description of Fee

1. This is an additional fee charged to students classified as non-residents who are enrolled for credit courses, including audit courses. This fee is in addition to the maintenance fee.
2. Out-of-state tuition fee rates are established by the Tennessee Board of Regents and are incorporated in the annual fee schedule.
3. This fee is the same for graduates and undergraduates at all institutions and includes a rate per student credit hour with a maximum fee. The maximum does not apply to special offerings in the same cases that the maximum maintenance fee does not apply.
4. Applicability of out-of-state tuition is determined pursuant to Tennessee Board of Regents Policy on Regulations for Students In-State and Out-of-State for the Purpose of Paying College or University Fees and Tuition and for Admission Purposes (No. 3:05:01:00). The business office will collect fees based upon student classification as determined by the appropriate authority within the institution.

B. Accounting Treatment

1. A revenue account for out-of-state tuition is used for recording both credits for fees and debits for refunds.
2. Other accounting is the same for out-of-state tuition ~~to~~ as that outlined under Maintenance Fees except that separate out-of-state accounts are used. In the case of fees not collected from students under grants and contracts, the same expense account under Scholarships and Fellowships may be used.

IV. Debt Service Fees

- A. The amount of debt service fees will be approved by the Tennessee Board of Regents. Separate rates are recommended by each institution based on requirements of the institution.

B. For simplicity of administration and communication, institutions may combine debt service with maintenance fees in quoting fee rates, in fee billings and charges, and in making refunds.

C. Revenue from debt service fees will be recorded in the unrestricted current fund and then transferred to the retirement of indebtedness fund as either a mandatory transfer or a non-mandatory transfer. The portion of debt service fee revenue used for current-year debt service will be reported as a mandatory transfer. Any additional debt service fee revenue will be transferred to the retirement of indebtedness fund as a non-mandatory transfer.

V. Student Fees

A. A student government activity fee may be established pursuant to T.C.A. § 49-8-109. Any increase in this fee shall be subject to a referendum for student body approval or rejection. The fee will be administered in accordance with the provisions adopted by each institution. These fees will be restricted current funds additions. ~~It is~~ **These fees are** refundable on the same basis as maintenance fees or as established by the institution.

B. Student activity fees (other than student government activity fees) will be approved by the Tennessee Board of Regents. Such fees may be recommended by each institution based on services to be provided which are related to the activity fee. These fees will be unrestricted current funds revenues. ~~It is~~ **These fees are** refundable on the same basis as maintenance fees or as established by the institution.

VI. Specialized Academic Fees

Certain academic programs require expensive maintenance/updating of equipment and software and the employment of highly qualified staff. The high costs of instruction for these programs can be offset by establishing specialized academic fees, with the Board's approval. To receive approval for a specialized academic fee, a program will be required to meet criteria A, High Cost of Instruction as defined below. Additionally, the program should document meeting criteria B-G, as applicable.

A. High Cost of Instruction. Programs qualifying for charging specialized academic fees must demonstrate that they are more costly than other programs offered by the institution. If appropriate, the extraordinary cost of the program must be validated including benchmarking with similar programs in the region and nation.

B. High Demand. The number of students enrolled in the program and the student credit hours generated are sufficient to justify additional fees.

- C. High Cost of Updating/Maintaining Equipment and Software. Programs qualifying for charging specialized academic fees are expected to be those that require extensive maintenance and regular updating of equipment and/or software, all of which are very expensive. An average hardware/software cost per student credit hour serves as the basis for determining the amount of the fee.
- D. Accreditation. Meeting standards of specific accrediting agencies may also qualify a specialized program for charging specialized academic fees. The accrediting standards that justify a fee are those that specify the possession and use of certain equipment and unique software that are extraordinarily costly and/or the employment of faculty with specific credentials that demand high salaries.
- E. High Recognition and Quality. The programs approved for specialized academic fees are expected to be distinctive and with a regional or national reputation. The program must demonstrate that it has achieved exceptional recognition in its particular enterprise.
- F. High Value to Tennessee. The program must demonstrate that it is a good investment for the State of Tennessee to justify charging extra fees to the student. The program should be distinctive and not one duplicated in other TBR institutions and should be of integral value to Tennessee. The graduates' earning potential and the associated benefit to the state economy should be projected, as well as the efforts taken by the institution to aid graduates in finding appropriate employment in Tennessee.
- G. Impact on Affected Students. Through surveys, questionnaires, or other suitable means, the program must demonstrate that the charging of additional fees will not diminish enrollment. The program should demonstrate that enrolled students realize that the potential earning power in the work force justifies their additional investment.

Institution must submit documentation of the above applicable criteria when requesting approval of a specialized academic fee.

VII. Miscellaneous Course Fees

~~Unless specifically approved by the Tennessee Board of Regents, miscellaneous course fees are not authorized.~~ **All miscellaneous fees must be approved by TBR.** However, fees **Fees** for courses requiring special off-campus facilities or services ~~may be charged and do not require Board approval but~~ should reflect the cost of the facilities or services.

VIII. Incidental Fees and Charges

A. Uniform Rates and Policies

Institutions

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.

1. Application Fee: Undergraduate - Not less than \$5.00 nor more than \$25.00. Graduate - Not less than \$5.00 nor more than \$35.00. ETSU College of Medicine and College of Pharmacy - ~~\$100~~. **Not less than \$50 or more than \$100**. 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 ~~an 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.

2. 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:

Associate Degree	\$25.00
Baccalaureate	30.00
Master and Specialist	35.00
Doctor and Juris Doctor	45.00

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.

3. Late Exam Fee: None

Institutions and Technology Centers

4. Returned Check Fee: \$30.00 per check - nonrefundable. All institutions ~~and technology centers~~ will charge a returned check fee that is the maximum set by state law. This fee will apply to all returned checks received by the institution ~~or technology center~~, whether from students, faculty, staff, or other parties. The Board will review state statutes each spring to determine any changes.

Technology Centers

Each technology center will assess a nonrefundable fee for individual instructional projects pursuant to a schedule approved by the Tennessee Board of Regents.

B. Other Fees and Charges Subject to Board Approval

Institutions

The following fees may be assessed by all institutions. Specific rate recommendations will be developed separately by each institution for approval by the Tennessee Board of Regents. In review of the recommendations, the Board staff will consider the consistency of fees for comparable services among institutions.

1. Motor Vehicle Registration - nonrefundable. A fee ~~will~~**may** be levied by each institution per academic year, per fiscal year and/or per academic term for motor vehicle registration, and such fee shall be applicable to each student, faculty and staff member.
2. Campus Access Fee - At institutions where registration of specific vehicles is not necessary and where traffic control is not a significant concern, a campus access fee may be assessed in lieu of a motor vehicle registration fee. It is refundable on the same basis as maintenance fees or as established by the institution.
3. Post Office Box and/or Postal Service Fee - nonrefundable. There ~~will~~**may** be a charge for the U.S. Post Office box or for any special arrangements for delivery of U.S. mail and it will be applicable to any person who has a U.S. Post Office box or who has made special arrangements through which regular U.S. mail may be received.
4. Traffic Fines - nonrefundable. These fines will apply to all employees and students.
5. Applied Music Fees. This fee is charged for private music lessons or small group training sessions. It is refundable on the same basis as maintenance fees or as established by the institution.
6. Late Registration Fee. A late registration fee up to \$100 will be charged during the entire period of late registration. The effective date of the fee will be determined by each institution.

7. Facilities Fee. This fee will be used to improve facilities and fund expenditures such as replacing carpets in student lounges, remodeling classrooms, etc. The fee would not be used for routine maintenance or new construction, but would be used to make improvements to areas that have an impact on students. The intended projects will be disclosed during the normal budget cycles. The fee is refundable on the same basis as maintenance fees.

Institutions and Technology Centers

1. (A) Technology Access Fee - A fee shall be levied by each institution for the purpose of providing student access to computing and similar technologies. It is refundable on the same basis as maintenance fees or as established by the institutions.

(B) A detailed spending plan of the funding generated by the access fee shall be submitted during the July budget process for approval by the Chancellor or his designee. Revisions to approved spending plans that expand existing projects or add new projects must be approved by the Chancellor or the Chancellor's designee. At the end of the fiscal year, a summary of the actual money generated and actual use of the money shall be submitted during the financial statement process for review by the Chancellor or his designee.

(C) In both the spending plan and the actual expenditure of the technology access fee as indicated in (B) above, institutions shall report designated expenditure accounts and designated revenue accounts for purposes of recording technology access fees and expenditures.

2. Transcript Fee. There will be no charge for transcripts; however, institutions and technology centers shall set a limit on a reasonable number of copies at any one time and may establish a nonrefundable charge for the cost of copying transcripts in excess of that number.

C. Fees and Charges to be Established and Administered by the Institution ~~or Technology Center~~

The following fees and charges may be established and administered by each institution ~~and technology center~~. No specific approval or notification to the Tennessee Board of Regents will be required unless subject to other Board or State requirements. The institution or technology center will establish appropriate refund policies. Technology center fees and charges in this category must be approved by the Vice Chancellor for ~~Vocational-Technical Education~~. **Technology Centers.**

1. Sales of goods and services of a commercial nature, including bookstores, food services, vending, laundry and similar activities.
2. Rental of non-student housing and facilities.
3. Admissions fees to athletic and other events open to the public, including special events sponsored by campus organizations and activities.
4. Sales and services of educational activities such as clinical services, publications, etc.
5. Registration for conferences, institutes, and non-credit activities (see X.D.).
6. Fees for use of campus facilities for recreational purposes.
7. Parking permits and parking meters for use by guests and visitors.
8. Technology centers may assess a fee for specific school instructional projects to defray incidental costs incurred by the technology center in performing the project.
9. Nonrefundable library fines, which will apply to students, faculty, staff, and other library users.
10. Thesis and dissertation fee - nonrefundable. The fee will be determined based upon cost to the institution.
11. Child Care Fees - Kindergarten, Preschool, Early Childhood, Day Care, or similarly defined activities. The refund policy will be established by the institution.
12. Special Exam Fee - nonrefundable. The fee will be determined based upon cost to the institution.
13. Standardized Test Fees - nonrefundable. The fee will be determined based upon the cost for administering the tests.
14. Identification Card Replacement - nonrefundable. There will be no charge for the original identification card. A fee may be set by each institution to offset the cost of replacing the card. This fee applies only to student ID cards and not to faculty and staff ID's.

15. Change of Course or Section Fee - nonrefundable. If the change is caused by the institution, there will be no charge for the change. If two or more forms are used at one time, they will be treated as one change/form. Institutions may waive the fee for schedule changes.

IX. Deposits

- A. Breakage deposits may be recommended by the institution ~~or technology center~~ for Board approval for courses in which it can be shown that there is a reasonable chance of loss or damage to items issued to students. The amount of the deposit should be related to the materials issued and subject to a 100% refund.
- B. A deposit may be established by the institution ~~or technology center~~ for rent or lease of buildings and facilities or for the issuance of other institutional ~~or technology center~~ property or equipment. Deposits should be subject to a 100% refund if no damage or loss occurs. The amount of such deposits should be related to the value of the facilities or equipment subject to loss and the general ability of the institution to secure reimbursement should loss or damage occur.
- C. Pursuant to Tennessee Board of Regents Policy on Student Residence Regulations and Agreements (No. 3:03:01:00), each institution is authorized to require a security deposit for residence hall facilities which may be forfeited by the student for failure to enter into a residence agreement or non-compliance with applicable agreement terms.

X. Student Residence Hall and Apartments

All regular and special rental rates for student dormitories and student apartments will be approved by the Tennessee Board of Regents upon the recommendation of the institution. A \$5.00 late payment fee shall be assessed. Each institution may recommend special rates for non-student groups during summer periods, etc.

Pursuant to Tennessee Board of Regents Policies on Student Resident Regulations and Agreements (No. 3:03:01:00) and Payment of Student Fees and Enrollment of Students (No. 4:01:03:00), rental for student dormitory or residence hall units shall be payable in full in advance of the beginning of a term. However, each institution shall offer an optional payment plan under which a prorated amount of the rental shall be payable monthly in advance during the term. Specific provisions for the payment plan must comply with those cited in Policy No. 3:03:01:00. A ~~\$5.00~~ monthly service charge and a ~~\$15.00~~ late payment charge may be assessed. Residence Hall students can participate in either the deferred payment plan (Guideline B-070) or the optional monthly housing payment plan. Each institution has the option of allowing students to participate in both the deferred payment plan and the optional monthly housing payment plan.

XI. Other Fee and Charge Considerations

Institutions and technology centers may submit for Board of Regents approval fees and charges not specifically covered by those guidelines when the establishment of a fee or charge is justified by the institution ~~or technology center.~~

- A. Fees may be established to control the utilization of facilities and services or to offset the cost of extraordinary requirements as a result of specific programs or activities. [Reference Tennessee Board of Regents Policy on Use of Campus Property and Facilities (No. 3:02:02:00).]
- B. ~~Where~~ **When** fees and charges are incorporated in agreements with outside contractors and vendors, specific rates, refunds and conditions must be clearly stated.
- C. Fees for auxiliary services must take into consideration that Auxiliary Enterprises should be a break-even operation with rates and charges generating revenue sufficient to cover all expenses as defined in operating budget guidelines.
- D. Fees established for non-credit courses and activities shall be sufficient to cover the total costs incurred in providing instruction plus a minimum of 25% of the annual instructional salary costs including contractual salary costs or personal services contracts.
- E. Students enrolled for six or more hours are eligible for full-time privileges, i.e., access to social, athletic, and cultural functions, pursuant to T.C.A. § 49-8-109.

XII. Refunds

Refunds of all fees and charges must be in accordance with the following provisions except ~~where as~~ previously stated, or ~~where~~ **when** required by federal law or regulation to be otherwise.

Pursuant to T.C.A. § 49-7-2301 and 49-7-2302, students called to active military or National Guard service during the semester are entitled to a 100% refund or credit of mandatory fees. Housing and meal ticket charges may be prorated based on usage.

- A. Maintenance Fee Refunds
 - 1. Refunds are 100% for courses canceled by the institution.

2. Changes in courses involving the adding and dropping of equal numbers of SCH's for the same term at the same time require no refund or assessment of additional maintenance fees. The change of course fee would be applicable.
3. The basic refund for withdrawals or drops during regular terms (fall and spring) is 75% from the first day of classes through the fourteenth calendar day of classes and then reduced to 25% for a period of time which extended 25% of the length of the term. There is no refund after the 25% period ends.
4. For summer sessions and other short terms, the 75% refund period and the 25% refund period will extend a length of time which is the same proportion of the term as the 75% and 25% periods are of the regular terms.
5. All refund periods will be rounded to whole days and the date on which each refund period ends will be included in publications. In calculating the 75% period for other than the fall and spring and in calculating the 25% length of term in all cases, the number of calendar days during the term will be considered. When the calculation produces a fractional day, rounding will be up or down to the nearest whole day.
6. A full refund (100%) is provided on behalf of a student whose death occurs during the term. Any indebtedness should be offset against the refund.
7. A 100% refund will be provided for students who enroll under an advance registration system but who drop a course or courses prior to the beginning of the first day of class.
8. A 100% refund will be provided to students who are compelled by the institution to withdraw when it is determined that through institutional error they were academically ineligible for enrollment or were not properly admitted to enroll for the course(s) being dropped. An appropriate official must certify in writing that this provision is applicable in each case.
9. When courses are included in a regular term's registration process for administrative convenience, but the course does not begin until later in the term, the 75%/25% refunds will be based on the particular course's beginning and ending dates. This provision does not apply to classes during the fall or spring terms which may meet only once per week. Those courses will follow the same refund dates as other regular courses for the term.
10. The refund percentage is applied to the difference between the per hour rate (or maximum) for the number of credit hours immediately before the drop or withdrawal and the number immediately afterward.

B. Out-of-State Tuition Refunds

The refund provision for out-of-state tuition is the same as that for maintenance fees. A 75% refund is made for the same period and a 25% refund is made for the same time period. When 100% of maintenance fees are refunded, 100% of out-of-state tuition also is refunded. Calculation procedures are the same as those specified for maintenance fees.

C. Debt Service Fee Refunds

Debt service fees will be subject to the same refund policy as maintenance fees.

D. Student Residence Hall/Apartment Rent and Deposit Refunds

1. Refund of residence hall rent after registration will be prorated on a weekly calendar basis when the student is forced to withdraw from the residence hall: (1) because of personal medical reasons confirmed in writing by a licensed physician, or (2) at the request of the institution for other than disciplinary reasons. Full refund will be made in the case of the death of the student. Withdrawals for other reasons will be subject to the same 75%/25% amounts and time periods as maintenance fees. No refund will be made other than under the above conditions.
2. Residence hall reservations and breakage deposits will be refunded in full if: (1) the institution is notified by a specific date which it establishes, but which may not be later than 14 calendar days prior to the first official day of registration, (2) the student is prevented from entering the university because of medical reasons confirmed in writing by a licensed physician, or (3) residence hall space is not available. Full refund also will be made in the case of the death of the student.

E. Meal Plan Refunds

Each institution with meal plans should develop appropriate refund procedures.

Source: December 2, 1977 TBR meeting. Revised March 14, 1980 TBR meeting; November 13, 1991 presidents meeting; November 8, 1982 presidents meeting; July 1, 1984; November 1, 1988; May 15, 1990 presidents meeting; August 14, 1990 presidents meeting; November 10, 1992 presidents meeting; August 10, 1993 presidents meeting; November 9, 1993 presidents meeting; August 9, 1994 presidents meeting; May 8, 1995 presidents meeting, August 8, 1995 presidents meeting, November 8, 1995 presidents meeting, February 6, 1996 presidents meeting, May 14, 1996 presidents meeting, November 12, 1996 presidents meeting, May 6, 1997 presidents meeting, July

16, 1997 called Board meeting, November 5, 1997 presidents meeting, February 17, 1998 presidents meeting via conference call, August 25, 1998 presidents meeting, May 9, 2000 presidents meeting, August 8, 2000 presidents meeting, November 8, 2000 presidents meeting, February 13, 2001 presidents meeting, August 21, 2001 presidents meeting, May 21, 2002 presidents meeting, February 11, 2003 presidents meeting, May 20, 2003 presidents meeting, February 10, 2004 presidents meeting, August 17, 2004 presidents meeting, February 8, 2005 presidents meeting, May 17, 2005 presidents meeting, February 8, 2006 presidents meeting, May 16, 2006 presidents meeting, August 16, 2006 presidents meeting.

EDUCATIONAL ASSISTANCE FOR STATE EMPLOYEES AND DEPENDENTS OF STATE EMPLOYEES AND PUBLIC SCHOOL TEACHERS

B-061 - Support for Educational Assistance

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/technology center/Central Office. 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-061) and two programs offered to general state employees and the dependents of licensed teachers and State employees (B-062). Exceptions to the provisions of the programs for TBR employees can be made upon recommendation of the president/director and approval by the Chancellor.

Types of Support for Educational Assistance

The guidelines for Educational Assistance (P-130, P-131, B-061, B-062) contain a total of eleven (11) programs. The Programs in P-130 provide benefits to personnel at TBR institutions, Tennessee Technology Centers and the Central Office to further their formal education. The Program in P-131 provides benefits for dependents of TBR employees. The programs in B-061 provide assistance to dependents of veterans and to state employees 65 years of age and older. The programs in B-062 provide assistance to state employees and dependents of public school teachers. The programs are:

P-130 – Educational Assistance for TBR Employees

- I. Faculty or Administrative/Professional Staff Grant-in-Aid Program
- II. Faculty or Administrative/Professional Staff Tuition or Maintenance Fee Reimbursement Program
- III. Employee Audit/Non-credit Program
- IV. Clerical and Support Staff Maintenance Fee Payment Program
- V. Fee Waiver for TBR/UT System Employees Program (PC 191)

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

- I. Fee Discount for Spouse and/or Dependent Children Program

B-061 – Educational Assistance for State Employees and Dependents of State Employees or Public School Teachers

- I. Public Higher Education Fee Waiver for State Employees Program
- II. Fee Discount for Dependent Children of Licensed Public School Teachers or State Employees Program

B-062 – Other Educational Assistance Programs

- I. Veterans’ Dependents’ Post-Secondary Education Program
- II. Age 65 or Above Program

Complete eligibility information is contained within each Guideline.

Taxation of Educational Assistance Programs

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.

I. 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.)

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 per term at any State supported college or university or Tennessee technology center without paying tuition charges, maintenance fees, debt service fees, student activity fees, technology access fees, or registration fees. Employees are responsible for special course fees, books and supplies, application fees, applied music fees, lab fees, off-campus facilities fees, parking fees and traffic fines.

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. 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.

Course enrollment will be permitted on a "space available" first-come-first-~~serve~~ **served** basis. State employees may register no earlier than four (4) weeks prior to the first day of classes. No tuition paying student shall be denied enrollment in a course because of state employee enrollments pursuant to this section.

State employees must receive credit for the course in which they are enrolled. In addition, changes may not be made from credit to audit during the course of the term. 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.

II. Fee Discount for Dependents of Licensed Public School Teachers or State Employees Program

These rules implement the provisions of T.C.A. § 49-7-101 et seq. and § 8-50-101 et seq. 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: (1) 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, (2) is a retired employee of the state of Tennessee who retired after a minimum of twenty-five (25) years of full-time creditable service, (3) was killed in the line of duty while a full-time employee of the state of Tennessee, or (4) died while a full-time employee, though not "in the line of duty."

Tuition includes undergraduate maintenance fees, technology center program fees, and technology access fees; it does not include application for admission fees, student activity fees, debt service fees, lab fees, applied music fees, books and supplies, dormitory charges or meal plans.

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.

Source: Presidents Meeting, February 7, 2006; Presidents Meeting, November 6, 2006

4/10/07- Proposed changes to G-030

expressly subject to the limits and rules set forth in TBR's General Travel Policies and Procedures, Policy No. 4:03:03:00.

H. Governing Law

Language shall be included which provides that the agreement is subject to the governing law of Tennessee, unless the other party will not accept this provision. In that case, the contract may be silent as to governing law.

I. Maximum payment clause

If the institution is required to make payments, the agreement must state the maximum dollar amount that may be paid under the agreement.

J. Illegal Immigrants

"Prohibition on Hiring Illegal Immigrants. Tennessee Public Chapter No. 878 of 2006, TCA 12-4-124, requires that Contactor attest in writing that Contractor will not knowingly utilize the services of illegal immigrants in the performance of this Contract and will not knowingly utilize the services of any subcontractor, if permitted under this Contract, who will utilize the services of illegal immigrants in the performance of this Contract. The attestation shall be made on the form, Attestation re Personnel Used in Contract Performance ("the Attestation"), which is attached and hereby incorporated by this reference.

If Contractor is discovered to have breached the Attestation, the Commissioner of Finance and Administration shall declare that the Contractor shall be prohibited from contracting or submitting a bid to any Tennessee Board of Regents institution or any other state entity for a period of one (1) year from the date of discovery of the breach. Contractor may appeal the one (1) year by utilizing an appeals process in the Rules of Finance and Administration, Chapter 0620."

The required attestation form is attached to this Guideline as Appendix I.

This Section is applicable to all agreements in this Guideline with the exception of clinical affiliation agreements, dual service agreements, use of facilities agreements, and non-credit instruction agreements.

- III. **Unacceptable Provisions.** The Director of Purchasing and Contracts in the Central Office and the Office of General Counsel are available for assistance in negotiating modifications with the vendor when the institution has been unable to secure agreement of the vendor. The institution may consult with the Director of

ATTESTATION RE PERSONNEL USED IN CONTRACT PERFORMANCE

CONTRACT NUMBER:	
CONTRACTOR LEGAL ENTITY NAME:	
FEDERAL EMPLOYER IDENTIFICATION NUMBER: (or Social Security Number)	

The Contractor, identified above, does hereby attest, certify, warrant, and assure that the Contractor shall not knowingly utilize the services of an illegal immigrant in the performance of this Contract and shall not knowingly utilize the services of any subcontractor who will utilize the services of an illegal immigrant in the performance of this Contract.

**SIGNATURE &
DATE:**

NOTICE: This attestation MUST be signed by an individual empowered to contractually bind the Contractor. If said individual is not the chief executive or president, this document shall attach evidence showing the individual's authority to contractually bind the Contractor.

14. This Agreement shall be governed by and construed under the laws of the State of Tennessee.
15. The parties agree to comply with Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Executive Order 11,246, the Americans with Disabilities Act of 1990, and the related regulations to each. Each party assures that it will not discriminate against any individual including, but not limited to, employees or applicants for employment and/or students because of race, religion, creed, color, sex, age, disability, veteran status or national origin.

The parties also agree to take affirmative action to ensure that applicants are employed and that employees are treated during their employment without regard to their race, religion, creed, color, sex, age, disability, veteran status or national origin. Such action shall include, but not be limited to, the following: Employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection available to employees and applicants for employment.

16. Prohibition on Hiring Illegal Immigrants. Tennessee Public Chapter No. 878 of 2006, TCA 12-4-124, requires that Contactor attest in writing that Contractor will not knowingly utilize the services of illegal immigrants in the performance of this Contract and will not knowingly utilize the services of any subcontractor, if permitted under this Contract, who will utilize the services of illegal immigrants in the performance of this Contract. The attestation shall be made on the form, Attestation re Personnel Used in Contract Performance ("the Attestation"), which is attached and hereby incorporated by this reference as Attachment I.

If Contractor is discovered to have breached the Attestation, the Commissioner of Finance and Administration shall declare that the Contractor shall be prohibited from contracting or submitting a bid to any Tennessee Board of Regents institution or any other state entity for a period of one (1) year from the date of discovery of the breach. Contractor may appeal the one (1) year by utilizing an appeals process in the Rules of Finance and Administration, Chapter 0620.

17. The entire contract between the parties consists of this agreement, the Licensee's Purchase Order No. _____, the Licensee's Request for Bids No. _____, Licensor's Bid dated _____ and any addenda and/or amendments to this agreement hereafter executed. In the event of conflicting provisions, the documents shall be construed according to the following priority: Addenda and/or amendments (most recent with first priority), this Agreement, Purchase Order, Request for Bids and Bid.

ATTACHMENT I

ATTESTATION RE PERSONNEL USED IN CONTRACT PERFORMANCE

CONTRACT NUMBER:	
CONTRACTOR LEGAL ENTITY NAME:	
FEDERAL EMPLOYER IDENTIFICATION NUMBER: (or Social Security Number)	

The Contractor, identified above, does hereby attest, certify, warrant, and assure that the Contractor shall not knowingly utilize the services of an illegal immigrant in the performance of this Contract and shall not knowingly utilize the services of any subcontractor who will utilize the services of an illegal immigrant in the performance of this Contract.

**SIGNATURE &
DATE:**

NOTICE: This attestation **MUST** be signed by an individual empowered to contractually bind the Contractor. If said individual is not the chief executive or president, this document shall attach evidence showing the individual's authority to contractually bind the Contractor.

PRESIDENTS QUARTERLY MEETING

DATE: May 7, 2007

AGENDA ITEM: Assessing General Education in the
Tennessee Board of Regents System

ACTION: Approval

PRESENTER: Associate Vice Chancellor Kay Clark

BACKGROUND INFORMATION:

The General Education plan Assessing General Education in the Tennessee Board of Regents System will be presented to you for approval.

Assessing General Education in the Tennessee Board of Regents System

March 15, 2007

In fall semester 2004 the Tennessee Board of Regents System (TBR) implemented a common general education distribution consisting of forty-one semester hours spread through six subject categories—written and oral communication, humanities and the fine arts, history, social sciences, natural sciences, and mathematics. Broad goals for student learning define each category. The forty-one semester hour design applies to the thirteen community colleges and six universities the TBR System comprises. With the exception of the written communication and history requirements, the courses offered in each category vary from institution to institution, and students attending a particular school are generally free to choose which among several courses they will take to meet a requirement. Initially the Central Office approved institutions' lists of courses satisfying the new general education requirements. In fall 2004 a TBR General Education Advisory Committee was given responsibility for reviewing proposals to add further courses to institutions' general education cores, as well as for proposing an approach to assessing general education in the System. General education assessment across the System is included as Strategy Q1.1 under Objective Q1 in the Board of Regents' 2005-10 strategic plan: "Develop and implement a System-wide assessment of general education." This objective indicates that all TBR institutions will have assessments of general education by 2008.

Current Status of General Education Assessment in the TBR System

Currently all TBR institutions evaluate general education as part of the Performance Funding program of the Tennessee Higher Education Commission (THEC). The Performance Funding program requires institutions to administer exit exams using one of four standardized tests—the Measure of Academic Proficiency and Progress (MAPP), the California Critical Thinking Skills Test (CCTST), the Collegiate Assessment of Academic Proficiency (CAAP), or the College Basic Academic Subjects Examination (CBASE). All of the tests provide information on students' critical thinking skills, a competency central to general education. The MAPP and CBASE also test math and writing skills, though in a multiple-choice format; only the CBASE examines content knowledge, some of which students are expected to have acquired in high school (e.g., world history, world literature). The tests mandated by THEC permit comparisons of Tennessee schools to national norms, but they have significant limitations. First, they do not directly assess all competencies of interest to individual campuses. There is at best a loose fit between what is tested and TBR and campus expected learning outcomes. Second, the data these tests provide are not easy to act upon. Although institutions' mean scores on the tests can be compared to those of other schools, such scores offer little specific information faculty and administrators can use to design improvements of student learning. Third, faculty and even assessment experts question whether all students try to do their best on exit exams, especially when their scores have no consequences for them. Even if many students try to do well, the unresolved question of student motivation undermines faculty confidence in the test results.

Institutions' assessments of general education are also driven by accreditation standards of the Commission on Colleges of the Southern Association of Colleges and Schools (SACS). SACS Principle 3.5.1 states: "The institution identifies college-level competencies within the general education core and provides evidence that graduates have attained those competencies." TBR institutions use the standardized tests endorsed by THEC as well as campus-produced evaluations to address standard 3.5.1. However, meeting this standard remains a challenge for schools in Tennessee and across the southern region.

Development and Review of this Proposal

The call to develop a System-wide assessment of general education falls on top of multiple assessments already being conducted in response to mandates from THEC and SACS. How best to aid development of workable and useable assessments of general education in the System in light of the crowded array of evaluative methods now in use is a major challenge. In response to this part of its charge the TBR General Education Advisory Committee established a subcommittee of members who have interest, experience and knowledge of assessment. In spring 2006 the subcommittee identified criteria for System-wide assessment of general education, studied other systems' experience with general education assessment, and drafted a conceptual proposal that was later endorsed by the full General Education Advisory Committee. Board staff then distributed the conceptual proposal to System institutions and invited their comments. Many of those responding supported the approach outlined in the proposal. However, some questioned the calendar for implementation. Other concerns reflected the fact that the proposal was conceptual in nature and did not provide details regarding implementation. A few of those responding hoped their institutions would be allowed to pursue assessments of interest to them. The revised proposal addresses these concerns. It provides more detail than the earlier conceptual version, includes a modified implementation calendar, and offers greater flexibility in how institutions may assess general education.

Criteria for Successful Assessment of General Education

To be successful, System-wide general education assessment must meet four criteria. These are as follows:

- Board-mandated assessment of general education should not add undue burden to faculty and staff already confronting multiple demands to evaluate courses and programs.
- Assessment across the System should not unduly infringe upon established assessment procedures on individual campuses. A System approach need not supplant current evaluations but rather should draw upon and complement them.
- Assessment of student learning, especially in general education, can easily become very expensive in time and dollars spent. Any requirement from the Board should keep these costs as low as possible and ensure that the benefits of assessment for institutions warrant its costs to them.

- Most importantly, a successful approach to assessment must aid campuses in enhancing student learning. Whatever their other benefits might be, evaluations of general education must provide information faculty and administrators can trust and use to improve teaching and learning. Assessment practices that fail to meet this test are of little value and certainly cannot satisfy SACS expectations regarding institutional effectiveness and the use of research for improvement.

Study of Best Practices: The SUNY Experience

In developing the proposal for system assessment, the General Education Subcommittee referred to various national models. The recent and ongoing experience of the State University System of New York (SUNY) provides an instructive example of efforts to assess general education within an entire system. The SUNY plan and its evolution over the past seven years were the subject of the January-February 2006 volume of *Assessment Update*, edited by Trudy Banta, a well-known expert in assessment and Vice Chancellor for Planning and Institutional Improvement, Indiana University-Purdue University. Subsequent references to the SUNY plan are extracted from this volume.

The SUNY System enrolls 413,000 students and is the largest system of higher education in the United States. It has sixty-four institutions, ranging from doctoral-granting universities to community colleges, similar to the composition of the TBR System. SUNY's work on general education assessment began in 1999. It sought to assure that System learning outcomes and individual campus objectives were aligned. The System created a General Education Assessment Review committee consisting of faculty, administration, and student representatives from the SUNY campuses. In fall 2001 each campus submitted plans for assessment of general education to the committee, which reviewed them in light of System criteria and often asked for revisions. By 2003 the SUNY Board was not pleased with progress on the plan and recommended the adoption of a common testing instrument across the System. Significantly, this recommendation was not endorsed because of an outcry of campus objection. SUNY faculty believed campus-based assessments were working and had not been given time to prove their effectiveness. Moreover, campuses expressed little confidence in the proposed standardized tests. Trudy Banta, who served as a consultant to the SUNY project, stresses that local ownership of assessment plans is essential to their success.

Assessing General Education in the TBR System: A Hybrid Model

In light of the criteria for System-wide general education assessment and the SUNY experience, it is proposed that the TBR System adopt a hybrid model of assessment. This model has two components. First, the System will identify four student competencies of universal interest in higher education and require each institution to develop and conduct direct assessments of these competencies and act on the findings. Second, regarding other areas of the core institutions will have two options:

- a) They may conduct a reflective practice process in which faculty identify student learning outcomes for general education courses, propose ideas for improving student learning and act on these ideas.

OR

- b) They may develop and conduct direct assessments of student learning outcomes in these areas and act on the findings.

A hybrid model allows institutions to invest most of their assessment resources in studying a “vital few” key competencies. The hybrid approach also calls on institutions to improve student learning in other parts of the core, but lets them decide whether reflective practice or direct assessment is best for them.

Direct Assessment of a “Vital Few” Competencies

As the first component of general education assessment in the System, all TBR institutions will develop and conduct direct assessments of the following competencies:

- critical thinking,
- mathematics,
- oral communication, and
- writing.

Assessment of each competency will occur annually. Institutions will have the option to sample student populations when assessing the competencies. Sampling methods will be presented as a part of the approval process for institutional assessment plans. Institutions will submit summaries of their assessment findings to the Board, as well as plans for acting on these findings. They may also assess other competencies, if desired.

These competencies are widely recognized as central to general education and are high on lists of abilities valued by employers and other stakeholder groups. To encourage faculty ownership of the assessments, each institution will design its own assessments of the four key competencies and submit its assessment protocols to the Board’s General Education Advisory Committee for review and submission for approval to the Vice Chancellor for Academic Affairs. As a part of the approval process, the committee will confirm that institutions have designed a direct assessment of each competency (as compared, for instance, to asking students to rate their skills, an indirect assessment), and the committee may suggest revisions of proposed assessments to improve their usefulness or reliability. It is anticipated that institutions will use data from the

standardized exit exams now required in the Performance Funding program to evaluate critical thinking. They may wish to supplement test results with other measures of critical thinking. Institutions will assess math, oral communication and writing using course-embedded assessment, in which faculty use locally developed scoring rubrics to derive assessment data from papers, tests, speeches or projects already done in general education courses. The following table summarizes the first component of the assessment plan.

Table 1: Summary of Direct Assessment of Key Competencies in General Education

Competency	Assessment	Cycle
Critical Thinking	Analysis of critical thinking subscores on senior exit exam (i.e., MAPP, CCTST, CAAP, or CBASE)	Annual
	<i>Optional:</i> Course-embedded assessment of critical thinking skills in selected courses	Institution specifies
Math	Course-embedded assessment in core math course(s) (e.g., via analysis of student subscores, mapped to TBR Math goals, on locally developed departmental final exam used in all sections of a course, or common exam items embedded within individually developed final examinations)	Annual
Oral Communication	Course-embedded assessment in core speech course(s) (e.g., by scoring students' culminating speech using locally developed rubric mapped to TBR Communication goals)	Annual
Writing	Course-embedded assessment in ENGL 1010 or 1020 (e.g., by scoring students' culminating essay using locally developed rubric mapped to TBR Communication goals)	Annual

Developing a sustainable assessment plan is possible only when the plan is not unduly burdensome. The first part of the hybrid model allows institutions to focus on a “vital few” competencies of interest and to be accountable regarding the degree to which students are attaining these competencies. It uses data already being collected from exit exams or derived from class assignments and tests. Hence it offers a resourceful way to assess some the most important outcomes of general education. Improving student learning in all areas of general education is essential, however, and the next section addresses this need.

Improving Student Learning in Other Areas of the Core

To improve learning in the Humanities and Fine Arts, Social Sciences, History, and Natural Sciences areas of the core, every System institution will conduct a reflective practice process or direct assessment of student learning in these areas. The reflective practice option provides a useful way to motivate improvements in student learning. Because some of those

responding to the earlier draft of the proposal preferred to conduct institutional assessments of student learning in all areas of the core, the present proposal also offers this option. Whereas the assessment of key competencies will occur annually, institutions may specify the cycle on which they will conduct reflective practice or direct assessment of learning. The remainder of this section briefly discusses the second option, which is the more familiar of the two, then describes the reflective practice option in greater detail.

Direct Assessment Option. Institutions choosing to assess learning in all areas of the core will submit assessment protocols to the Board. These protocols must identify the specific learning outcomes to be assessed in each area of the core and map these outcomes to the Board's goals for that area. The protocols must directly assess each learning outcome, and they must provide useable and reliable findings.

Reflective Practice Option. Reflective practice is a well-established method in which faculty examine their experience in teaching particular knowledge or skills, then design improvements based on that experience. The proposed process is minimally a two-year process that could be repeated on a cycle. Alternatively, the process can be performed every year. (See Table 2 at the end of this section). All faculty teaching courses in the designated areas of the core would participate in the reflective practice process. In the first year of the process, instructors of each course in the designated areas of the core would collectively submit a report that presents course learning objectives, maps these outcomes to corresponding TBR general education goals, and proposes ideas for improving student attainment of one or more of the course objectives. The institution's general education committee or another body on the campus would review each report in light of three criteria:

1. The list of learning objectives is reasonably complete and accurately expresses the purposes of the course as a general education offering.
2. Course objectives address TBR goals for the area of the core the course satisfies.
3. Ideas for improving student learning are described in sufficient detail and can be implemented in the coming year.

Reports needing further work would be returned for revision. Each institution would then submit a summary of its reflective practice process to the Board's General Education Advisory Committee, which would confirm that the process meets stated criteria.

In the second year of the reflective practice process, faculty would submit follow-up reports describing how they carried out plans for improving student learning and whether the plans had proven helpful. They would also propose further ideas for improving student learning in the next year of the process. The institution's general education committee would also review these reports and submit a summary to the Vice Chancellor for Academic Affairs.

The following table summarizes the reflective practice process.

Table 2: Summary of Reflective Practice in General Education

Areas of Core	Humanities and Fine Arts, Social and Behavioral Sciences, History, Natural Sciences
First Year	Faculty teaching courses in these areas submit reports on course learning objectives, corresponding TBR general education goals, and ideas for improving attainment of one or more objectives
	Review of reports by campus general education committee or other body
	Submission of reflective practice summary report to Board
Second Year	Faculty report action on ideas for improvement (from previous year reports), indicate whether actions proved helpful, and propose ideas for improving student learning in the next year
	Review of reports by campus general education committee or other body
	Submission of reflective practice summary report to Board
Subsequent Years	If process will occur every year, subsequent years are the same as the second year, with opportunities for revision of course learning objectives as needed
	If process occurs on a cycle, recommend repeating first year and second year activities in each cycle.

Benefits of the Model

The proposed model presents a plan for conducting meaningful, sustainable assessment of general education, in keeping with not only TBR but SACS and indeed national expectations. While focusing institutional and System attention on a vital few competencies, the model assures that institutions seek to improve student learning in all parts of the core. With regard to the Board's strategic priorities, the proposal achieves several purposes. By calling upon institutions to develop assessments of general education it advances the Board's priority of providing *leadership* in the System. The plan supports the *quality* priority by focusing on competencies essential for success in the workplace and active, responsible citizenship. By using data from the standardized exit exam required in the Performance Funding program, the model uses national

benchmark data, another element of the *quality* priority. Finally, the model supports *efficiency in the use of resources* by enabling institutions to invest their assessment resources wisely.

Implementation and Timetable

Implementing this proposal will require not only leadership but support from the Central Office. To help institutions develop and refine their assessment plans, the Central Office will sponsor seminars and workshops for campus representatives. An informational conference will occur early in the implementation calendar. Furthermore, although all institutions will assess the four key competencies and engage in reflective practice or direct assessment of learning in other areas of the core, the specific design of individual campus assessments will vary. The Central Office will help institutions learn from each other by sponsoring conferences at which campus representatives will discuss their approaches to general education assessment. The public nature of these meetings will also encourage institutions to develop assessment plans which they are proud to present to others. (A similar effect was observed in spring 2005, when TBR institutions presented their 2005-10 strategic plans at regional meetings sponsored by the Board.) The Central Office's sponsorship of general education assessment meetings will promote excellence and collegiality among System institutions, while retaining the local ownership and flexibility that are essential to successful assessment programs. The following table outlines a calendar for implementing System assessment of general education.

Table 3: Calendar for Implementation of System Assessment of General Education

By	Action	Who
April 2007	Present proposal to sub-councils for consideration/approval	TBR staff
May 2007	Present proposal to presidents for consideration/approval	TBR staff
June 2007	Present proposal to Board of Regents for approval	TBR staff
June 2007	Distribute approved document to System institutions, invite institutions to general education assessment conference (see 9.15.07)	TBR staff
June – July 2007	Develop TBR general education assessment conference	GEAC
September 15, 2007	Conduct System-wide general education assessment conference	GEAC, TBR staff
October 2007 – March 2008	Develop institutional assessment plans	System Institutions
March 1, 2008	Share draft campus plans at System-wide conference, campuses receive feedback	System Institutions
May 1, 2008	Submit campus plans to Board General Education Advisory Committee (GEAC) for review	System Institutions
June 15, 2008	Complete review of campus plans; approve or request revisions	GEAC, TBR staff
AY 2008 – 09	Conduct pilots of assessment plans	System Institutions
May 1, 2009	Submit pilot reports to GEAC	System Institutions
June 15, 2009	Review pilot reports and provide feedback as needed; revise System assessment process if needed	GEAC, TBR staff
AY 2009 – 10	Begin implementation of assessment plans	System Institutions

PRESIDENTS/DIRECTORS QUARTERLY

DATE: May 7, 2007

AGENDA ITEM: Proposed Revisions to TBR Policy 2:03:00:00 - Admissions

ACTION: Approval

PRESENTER: Associate Vice Chancellor Clark

BACKGROUND INFORMATION:

Proposed revisions to TBR Policy 2:03:00:00 – Admissions will be presented to you for approval.

D R A F T

3-21-07

Recommended changes are noted by strikethroughs for deletions and bold italics for revised wording.

POLICY NO: 2:03:00:00

SUBJECT: ADMISSIONS

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I. PROVISIONS FOR ALL INSTITUTIONS

A. POLICY DEVELOPMENT

Each institution governed by the Tennessee Board of Regents shall develop an admission policy consistent with the provisions of this policy and Section 504 of the Rehabilitation Act of 1973 (Non-discrimination on the Basis of Handicap) and the Americans with Disabilities Act of 1990 and submit it

to the Tennessee Board of Regents for approval. Each institution shall include its approved admission policy in its catalog or other appropriate publications.

B. POLICY REVISION

Any subsequent change to an approved admission policy shall, prior to implementation, be submitted to the Tennessee Board of Regents for review and approval.

C. MEDICAL OR HEALTH INFORMATION

Each institution may request applicants for admission to volunteer information as to their medical or health conditions for the purpose of providing them, once admitted, any reasonable assistance in mitigating the effects of conditions which may otherwise limit their participation in the institution's programs. Information thus provided shall remain confidential and participation by the student in any recommended program or service shall be voluntary.

II. PROVISIONS FOR UNIVERSITIES, COMMUNITY COLLEGES, AND TECHNICAL

INSTITUTES

A. GENERAL PROVISIONS

1. Admission of Non-Tennessee Residents

Each university, community college, or technical institute may establish minimum criteria for the admission of residents of states other than Tennessee which exceed the minimum criteria established for residents of the state.

2. Residency Classification

Each university, community college, and technical institute shall, in the admission or readmission process, assign each student a residency classification using TBR Policy No. 3:05:01:00 Regulations for Classifying Students In-State and Out-of-State for the Purposes of Paying College or University Fees and Tuition and for Admission Purposes.

3. Admission of Foreign Non-Immigrant Applicants

Each university, community college, and technical institute will establish policies and procedures for the admission of foreign non-immigrant applicants in accordance with the following criteria:

a. *Educational Level.* The educational level attained must be comparable to that required of U.S. applicants.

b. *Test of English as a Foreign Language (TOEFL).* In order to determine an applicant's level of proficiency in the English language, each university, community college, and technical institute shall require that applicants whose native language is not English submit scores earned on the TOEFL or one of the other recognized comparable standardized examinations. Courses completed at another U. S. institution may be used in lieu of standardized examination scores.

c. *Financial Statement.* In order to determine the international student's ability to pay registration fees,

non-resident fees, living and other expenses, each institution shall require international applicant to supply evidence of financial capability.

d. *Immigration Service Regulations.* Institutions must adhere to all Immigration Service regulations in the admission, enrollment, and readmission of foreign non immigrant applicants.

e. *Certification of Freedom from Tuberculosis.* All foreign non-immigrant students applying for admission pursuant to a student visa shall submit within thirty (30) days from the first day of classes a certificate from a licensed physician or other qualified medical authority verifying freedom from tuberculosis. Failure to submit such certification shall result in denial of admission or continued enrollment. In the event that a student has tuberculosis or has potential tuberculosis requiring medical treatment, continued enrollment will be conditioned upon the determination by a licensed physician that further enrollment is not a risk to others and upon the student's compliance with any prescribed medical treatment program.

f. *Medical and Hospitalization Insurance.* Each institution must require that foreign non-immigrant applicants with J, F, or M visas have and maintain medical and hospitalization insurance as a condition of admission and continued enrollment at the institution. Applicants with J visas must also carry adequate medical and hospitalization insurance for spouses and dependents. Institutions may require similar insurance coverage of all other foreign non immigrant applicants.

Institutions shall establish this requirement in policy and shall establish a process for:

- (1) Informing applicants for admission of the coverage required and of its approximate cost.
- (2) Informing applicants of the documents that will be acceptable as proof of medical and hospitalization coverage; and
- (3) Automatically enrolling in the TBR Student/Scholar Health & Accident Insurance Plan those foreign non-immigrant students who do not otherwise have adequate coverage. Enrollment shall take place not later than at the time of class registration, and the cost of the coverage shall be added to the student's registration fees.

For the purposes of this policy, "adequate coverage" shall mean that the student's coverage meets or exceeds the level of coverage provided to participants in the TBR's Student/Scholar Health & Accident Insurance Plan.

4. Admission to Specialized or Limited-Enrollment Programs

Each university, community college, and technical institute shall develop specific policy and procedures for admission of students to programs or courses with enrollment limitations and/or specialized curricula. Such limitations should be based upon selective criteria appropriate to the program or course which apply equally to all prospective students, provided that preference for admission be given to residents of the State of Tennessee. (Incorporates former TBR Policy No. 2:03:00:05 - see TBR Meeting September 30, 1983)

5. Admission to Medical, Nursing, and Allied Health Programs

Each university, community college, and technical institute that offers medical, nursing, or allied health programs shall require that all persons admitted to such programs:

- a. Provide evidence through a health verification form which documents information that they are in good health and free from communicable diseases.
- b. Be, with reasonable accommodation, physically and mentally capable of performing the essential functions of the program as defined in writing by the institution.

6. Advanced Standing and Placement

Each university, community college, and technical institute may develop policies and procedures for granting admission with advanced placement or standing based on examination, experiential learning, active duty in the armed services, credit earned in armed services schools, and credit earned through non-collegiate sponsored instruction.

7. Readmission

Each university, community college, and technical institute shall develop policies and procedures for the readmission of students. These policies and procedures shall be consistent with TBR Policy No. 2:03:01:01 (Undergraduate Academic Retention Standards).

8. Application Fee

Each university, community college, and technical institute may, with prior approval of the Board, charge a one-time non-refundable application fee.

B. UNDERGRADUATE DEGREE ADMISSION

Each university, community college, and technical institute shall develop policy and procedures consistent with this policy for the admission of students to undergraduate degree programs.

1. Admission of First-Time Freshmen

Applicants for degree admission as first-time freshmen shall be admitted using the following four (4) criteria:

- a. *High School Graduation.* Except as provided for below in Section IIB.1.b, applicants for degree admission as first-time freshmen must provide an official transcript showing graduation from high school. The transcript of graduates of Tennessee public high schools must include a notation indicating that the student passed the required Proficiency Examination.
- b. *General Educational Development (G.E.D.) Certificate.* Applicants for degree admission as first-time freshmen may present a General Educational Development (GED) Certificate in lieu of a high school diploma provided that their GED score meets or exceeds the minimum score set by the institution.
- c. *Standardized Examination Scores.* Applicants for admission as first-time freshmen who are 20 years of age or younger must present Enhanced ACT or SAT scores. Universities will use the scores for admission, advisement, and as a component in the placement decision. Community colleges and technical institutes will not use the scores for admission purposes, but may use them for advisement purposes as well as a component in the placement decision.
- d. *High School Course Requirements.* In order to be eligible for degree admission as first-time freshmen

at TBR universities, applicants shall, except as provided for in Section II.B.1.d(2) below, have successfully completed the following 14 units of high school courses. (~~Specific high school courses which meet these unit requirements are listed in TBR Guideline A-015~~):

(1) Minimum Unit Requirements

English, 4 units

Algebra I and Algebra II, 1 unit of each

Geometry or other advanced mathematics course with Geometry component, 1 unit

Natural/Physical Sciences, 2 units; 1 unit must be in a laboratory course in biology, chemistry, or physics

United States History, 1 unit

Social Studies, 1 unit

Foreign Language, 2 units in same language

Visual/Performing Arts, 1 unit

(2) Limitations of Applicability

The minimum high school unit requirements listed above are required of all persons admitted to universities as first-time freshmen except as provided for below:

(a) Applicants Who Graduated from High School or Who Earned a General Educational Development (GED) Certificate Prior to 1989

Applicants who graduated from high school or who received a General Educational Development (GED) Certificate prior to 1989 are admissible without regard to the high school unit requirements.

(b) Applicants with an Honors Diploma in General Education from a Tennessee Public High School

Applicants with an Honors Diploma in General Education from a Tennessee public high school [*Rules, Regulations, and Minimum Standards for the Governance State of Tennessee, Book One, Chapter 0520-1-3-06(1)(e)*] are considered to have met all high school unit requirements.

(c) Applicants Who Graduated from High School and Have an Enhanced ACT Composite Score of 26 or Higher

Applicants who graduated from high school and have an Enhanced ACT composite score of 26 or higher are considered to have met all high school unit requirements except those in foreign language and visual or performing arts. Deficiencies in those units must, normally be removed within the first 30 hours after initial enrollment.

(d) Applicants Who Received a General Educational Development (GED) Certificate in 1989 and Thereafter or an American Council on Education (ACE) External Diploma

Applicants who received a General Educational Development (GED) Certificate in 1989 and thereafter are considered to have met all high school unit requirements except those in foreign language and visual or performing arts. ~~Deficiencies in those units must, normally be removed within the first 30 hours after initial enrollment.~~ ***These admissions deficiencies must be removed after admission as stipulated in TBR Guideline A-015.***

(e) *Handicapped Applicants*

The qualifications and needs of applicants who volunteer information about a handicapping condition will be assessed on an individual basis. Assessment will include an evaluation of the applicant's potential for success in college and the determination of any exceptions which may be warranted to the provisions of Section IIB.1(d) of this policy.

(f) *Out-of-State Applicants*

Applicants who are residents of states other than Tennessee are subject to the same admission requirements as in-state applicants.

(g) *Admission by Exception*

A university may grant *admission by exception* to individuals lacking one (1) or two (2) of the required units if the individuals - through an approved procedure - have demonstrated that they have high potential for academic success. If a university wishes to employ Admission by Exception, it must first submit for approval by the Chancellor a procedure which, at a minimum, incorporates the following: stipulation of a committee or office to review requests for admission by exception and stipulation of criteria (e.g., ACT scores, high school GPA, etc.) that would appropriately represent high potential for academic success sufficient to warrant the exception. ~~Deficiencies in the required units must be removed soon after initial enrollment according to a schedule prescribed by the institution.~~ ***Any admissions deficiencies must be removed after admission as required in TBR Guideline A-015.***

(h) *Alternative Standards for Degree Admission*

See Section IIB.4 on pages 15 and 16.

2. Early Admission of First-Time Freshmen

Each university, community college, and technical institute may develop procedures for the admission of applicants who have completed their junior year in high school. The minimum requirements for admission of applicants in this category shall be the following:

- a. *High School GPA.* Applicants must have completed the 9th, 10th, and 11th grades with a minimum grade point average of 3.2 based on a 4.0 scale or the equivalent.
- b. *Standardized Examination Score.* Applicants must have an Enhanced ACT composite score of at least 22.
- c. *Prescribed Courses.* Applicants must provide a written statement from their high school principal specifying the college courses that will be substituted for the remaining high school courses needed for high school graduation.

d. *Endorsements.* Applicants shall provide written endorsements from their high school counselors and from their parents or guardians.

3. Admission of Transfer Students

Each university, community college, and technical institute shall establish policy and procedures for the admission of transfer students that are consistent with the following criteria:

a. The applicant must provide official transcripts of credits attempted from all institutions of higher education previously attended.

b. The applicant's grade point average on transferable courses must be at least equal to that which the institution requires for the readmission of its own students. Applicants who do not meet the institution's standards may be admitted on scholastic probation or other appropriate condition.

c. Institutions must develop policy and publish criteria regarding the awarding of transfer credit from collegiate and non-collegiate institutions, credit by examination, military and other formal training, and experiential learning. Such policies and procedures must, as a minimum, be consistent with national standards of good practice and the requirements of appropriate accrediting bodies.

d. Applicants with college credit earned prior to Fall 1989 are admissible without regard to the minimum high school unit requirements.

~~e. Applicants with 60 or more transferable semester hours are eligible for degree admission without regard to the minimum high school unit requirements.~~

~~f. Applicants with an associate degree (AA, AS) designed for transfer to baccalaureate institutions are eligible for degree admission without regard to the minimum high school unit requirements.~~

g. Applicants who enrolled in college for the first time in Fall 1989 or thereafter and ~~have 59 or fewer semester hours of transferable credit~~ are eligible for degree admission provided that any high school unit ~~admissions deficiencies are~~ deficiency be removed *after admission* ~~within the first 30 semester hours after initial enrollment.~~ (See *as required in* TBR guideline A-015.)

4. Alternative Standards for Degree Admission

Each university may develop alternative standards and procedures for granting degree admission to an approved number or percentage of applicants each year who would not otherwise qualify for such admission. While such standards may vary from institution to institution, the following general provisions shall apply at all institutions:

a. Persons admitted under alternative standards are subject to the minimum high school unit requirements specified in Section IIB.1.d above.

b. The number or percentage of students admitted under these standards in a calendar year may not exceed the number or percentage approved by the Tennessee Board of Regents.

5. Admission of Non-Degree Students to Degree Admission Status

Each university, community college, and technical institute may develop policy and procedures for

granting degree admission to non-degree students. To be eligible for Degree Admission status, non-degree students, as defined in Section IID below, must meet all the applicable provisions of Section IIB.1.a-d above.

6. Admission to Nursing Programs

a. Accreditation and professional certification standards, limited clinical and classroom space, faculty availability, and a concern for appropriate student progress influence the selective admissions process to TBR nursing programs. Students must meet the application criteria, be reviewed and accepted for admission, and make satisfactory progress to be continued in nursing programs. Institutions may vary in their requirements based on their analysis of student success characteristics. Admission is based on an institution's requirements and the available spaces in a program.

b. All TBR nursing programs have adopted the following core performance standards proposed by the Southern Council on Collegiate Education for Nursing (1993). Admission to and progression in nursing programs is not based on these standards; instead, they will be used to assist each student in determining whether accommodations or modifications are necessary. Each of these standards is reflected in nursing course objectives and provides an objective measure for students and advisors to make informed decisions regarding whether the student is "qualified" to meet requirements. Copies of these standards will be available to every applicant and student.

If a student believes that he or she cannot meet one or more of the standards without accommodations or modifications, the nursing program will determine, on an individual basis, whether or not the necessary accommodations or modifications can be made reasonably. Each program has written procedures by which students who identify potential difficulties with meeting the standards can receive appropriate assistance and guidance.

Core Performance Standards for Admission and Progression

- (1) Critical thinking ability sufficient for clinical judgement.
- (2) Interpersonal abilities sufficient to interact with individuals, families, and groups from a variety of social, emotional, cultural, and intellectual backgrounds.
- (3) Communication abilities sufficient for interaction with others in verbal and written form.
- (4) Physical abilities sufficient to move from room to room and maneuver in small spaces.
- (5) Gross and fine motor abilities sufficient to provide safe and effective nursing care.
- (6) Auditory abilities sufficient to monitor and assess health needs.
- (7) Visual ability sufficient for observation and assessment necessary in nursing care.
- (8) Tactile ability sufficient for physical assessment.

C. GRADUATE AND PROFESSIONAL DEGREE ADMISSION

Universities shall develop policy, procedures, and specific criteria for admitting applicants to graduate and professional degree programs. Such policies and procedures must, as a minimum, be consistent with national standards of good practice and the requirements of appropriate accrediting bodies.

D. NON-DEGREE ADMISSION

Each university, community college, and technical institute shall develop policy and procedures for admitting applicants who wish to take credit courses, but who either do not qualify for or do not wish to apply for degree admission. Policies shall include any conditions of enrollment and any term or overall credit-hour limitations. Applicants who are eligible for non-degree admission include:

1. Persons Not Previously Enrolled in College

a. High School Graduates

b. Persons 21 years of age or older who have not earned a high school diploma and are not currently enrolled in high school.

c. Persons 18 years of age or older who have not earned a high school diploma or are not currently enrolled in high school and wish to enroll in GED preparatory courses only.

d. High school students who meet the following criteria as specified in Chapter 395 of the Public Acts of 1983:

"Academically talented/gifted students enrolled in grades 9, 10, 11, or 12 in public or private high schools in Tennessee may with the recommendation and approval of the high school principal and appropriate higher education institution personnel enroll in and receive regular college degree credit from a Tennessee postsecondary institution if such a student has a grade point average equivalent to 3.2 on a 4.0 maximum basis and if such placement is a part of the student's planned Individual Education Program (IEP) as established by the multi-disciplinary team process."

e. High school students who have completed their sophomore year of high school. Such students may be admitted for either joint enrollment or dual enrollment or both. For the purposes of this policy, the terms joint and dual enrollment are defined as follows:

Dual enrollment is the enrollment of a high school student in one or more specified college course for which the student will be awarded both high school and college credit and Joint enrollment is the enrollment of a high school student in one or more college course for which the student will earn only college credit.

2. Persons with College Credit but Not a Degree

Persons who earned credits but not a degree at another college and are eligible for readmission to the last institution attended. Those who do not meet the readmission standards of the last institution attended may be admitted on scholastic probation or other established condition.

3. Persons with a College Degree or Certificate

Persons who have a degree or certificate equivalent to the highest degree or certificate offered by the institution in a particular field but who wish to take additional courses.

4. Senior Citizens and Disabled Persons

Totally and permanently disabled persons and persons 65 years of age or older. No fees other than a service fee in the amount authorized by the Tennessee Board of Regents may be charged. In the case of disabled persons, the institution may require an affidavit or certificate of disability from a physician or from the agency compensating the disabled person. Admission under this provision may, however, be limited or denied based on the availability of space in the individual classroom.

E. AUDIT AND NO-CREDIT ADMISSION

Each university, community college, and technical institute shall develop policy and procedures for the admission of persons wishing only to audit courses or to take credit courses on a no-credit basis. The following provisions shall apply:

1. Space Available Basis

Admission may be limited or denied based on the availability of space in the individual classroom.

2. Senior Citizens

Senior citizens age 60 or older may audit courses or take credit courses on a no-credit basis free of any charge.

3. Disabled Persons

Totally and permanently disabled persons may audit courses or take credit courses on a no-credit basis free of any charge. Institutions may, however, require an affidavit or certificate of disability from a physician or from the agency compensating the disabled person.

III. PROVISIONS FOR TENNESSEE TECHNOLOGY CENTERS

All Tennessee Technology Centers shall admit applicants on a "first-come, first-serve" basis, and the following minimum criteria shall apply:

A. APPLICANTS NOT ENROLLED IN HIGH SCHOOL

Applicants not enrolled in high school are eligible for admission provided that:

1. They are at least eighteen (18) years of age or have a high school diploma or equivalent.
2. They declare an occupational objective or demonstrate through testing or counseling reasonable potential for achieving that objective.

B. APPLICANTS ENROLLED IN HIGH SCHOOL

Applicants enrolled in high school are eligible for admission provided that:

1. An agreement authorizing such admission is concluded between the local Board of Education and the

Tennessee Technology Center. Such agreements are subject to the approval of the Chancellor or his designee.

2. Enrollment is limited to one (1) occupational area.

C. ADMISSION OF FOREIGN NON-IMMIGRANTS

Foreign non-immigrant applicants are eligible for admission if they meet the same conditions required for other applicants as well as the requirements of the U. S. Bureau of Naturalization and Immigration.

D. USE OF STANDARDIZED TESTS

Tennessee Technology Centers may require applicants for admission to be tested. The test results will be used by the school to assist the applicant in selecting a suitable program.

E. ADMISSION TO PRACTICAL NURSING PROGRAM

1. Admission to the Practical Nursing program is not automatic even though the applicant may be otherwise academically qualified and recommended by the Nursing Advisory Committee.

2. Applicants seeking admission to the Practical Nursing program must:

a. Make application for admission to the area school.

b. Submit evidence of high school graduation or GED equivalency.

c. Have attained a passing score on an appropriate admission test. The admission test, and minimum score shall be determined by the Executive Sub-Council of the Tennessee Technology Center Directors.

d. Submit evidence of a recent physical examination by a licensed physician or nurse practitioner.

e. Submit written references.

f. Report for enrollment upon notification of acceptance.

3. The Nursing Advisory Committee shall review all applications for admission to the Practical Nursing program and recommend qualified applicants for acceptance.

4. Qualified applicants not accepted into the class for which they applied may be considered for admission to a subsequent class.

Sources: TBR Meeting, August 16, 1974; September 29, 1978; June 27, 1980, September 30, 1983⁽¹⁾; December 16, 1983; June 27, 1986; September 16, 1988; December 2, 1988; June 30, 1989; December 7, 1990; March 20, 1992; March 19, 1993; September 17, 1993; June 23, 1994; December 8, 1994; December 15, 1995; March 7, 1997; June 19, 1998; September 22, 2000; April 2, 2004; December 8, 2006

1. The admission policy was revised in its entirety on September 30, 1983, superseding the previous policy and all amendments thereto.

PRESIDENTS/DIRECTORS QUARTERLY

DATE: May 7, 2007

AGENDA ITEM: Proposed Revisions to Guideline A-015

ACTION: Approval

PRESENTER: Associate Vice Chancellor Clark

BACKGROUND INFORMATION:

Proposed revisions to TBR Guideline A-015 will be presented to you for approval.

Guideline No: A-015**D R A F T (3-21-07)**

Recommended changes are noted by strikethroughs for deletions and bold italics for revised wording.

Subject: Admissions

The following guidelines are intended to facilitate the implementation of TBR Policy 2:03:00:00 (Admissions). ~~They identify procedures and conditions related to admissions as well as the approved means for the removal of high school unit deficiencies:~~

I. Undergraduate Degree Admission**A. Minimum High School Unit Requirements**

1. Approved List of High School Courses. Only specific and approved high school courses may be applied to meeting the minimum unit requirements for admission. Because high school curricula may change from time to time, the TBR staff will periodically, after consultation with the State Department of Education, disseminate the current list to each institution. Institutions may propose for consideration high school courses they consider to have been inappropriately omitted.

2. Issues of Interpretation. To ensure consistency of interpretation and practice, institutions should inform the TBR academic staff of questions raised relative to specific high school courses and the appropriateness of any inclusion or exclusion.

B. Removal of ~~High School Unit~~ Admissions Deficiencies

Institutions will develop procedures whereby students admitted *without minimum* high school unit *requirements fulfilled* may remove those *admissions* deficiencies in a timely manner. Minimally, such procedures must ensure that:

1. Students are notified of ~~and how to begin removing~~ *remove* deficiencies. ~~immediately following initial enrollment, and that their progress is monitored.~~

~~2. Students remove all deficiencies prior to being awarded an Associate of Arts (A.A.) or Associate of Science (A.S.) degree designed for transfer from a community college or attainment of junior status (64 semester hours) at a university.~~

2. Students may remove deficiencies in social studies, history, visual/performing arts, science, and geometry/advanced mathematics by completing the appropriate blocks of subject categories in the TBR Forty-One Semester Hour General Education Curriculum. Courses taken to remove deficiencies in the affected subjects also apply toward fulfillment of general education requirements.

3. Students who have deficiencies in English or Algebra are subject to applicable provisions governing Developmental Studies. These provisions are identified in Guideline A-100.

4. Students may remove deficiencies of one or two units of a single foreign language through completion of an approved semester course in a single foreign language for each unit deficiency as specified by the collegiate institution. Courses used to complete deficiencies in foreign language may be designated as electives and apply toward fulfillment of graduation requirements; however, in

certain courses of study with restricted ranges of electives, these courses may become add-on hours.

Students whose primary language is not English will be deemed to have satisfied the minimum unit requirements in foreign language if they demonstrate proficiency in English through achieving satisfactory scores on the TOFEL Examination or other recognized instrument as designated by the collegiate institution.

~~3. In the case of transfer students, courses completed at another TBR institution to remove deficiencies will be recognized by the receiving institution.~~

~~4. Transfer students admitted with high school unit deficiencies must remove all such unit deficiencies within 30 semester hours of initial enrollment, including Remedial/Developmental hours.~~

~~5. Institutions will specify the means by which students admitted with high school unit deficiencies may remove those deficiencies. While specifics may vary from institution to institution, they should all be consistent with the following principles:~~

~~a. Students may make up deficiencies by earning the required units through local high schools and/or other education programs offered by local school systems. These may include special courses provided that the high schools grant credit for them. This is the preferred method of deficiency removal, and TBR institutions should consider encouraging high schools to address this.~~

~~b. Students may fulfill high school unit deficiencies through course exemption by examination provided that any examinations used for this purpose are based on the Basic Academic Subject competencies, are used for other students, and that the same standards are applied to both groups of students. Challenge examinations may not be implemented exclusively for the purpose of removing unit deficiencies in the 1989 Admission Standards.~~

~~c. Students may remove deficiencies through Continuing Education courses provided that such Continuing Education courses are:~~

~~(1) competency based with respect to the Basic Academic Subject competencies of the EQ Project;~~

~~(2) endorsed by the appropriate academic department; and~~

~~(3) have an assessment component, approved by the department, for determining student proficiency.~~

~~d. Students may remove deficiencies through existing institutional courses provided that such courses include development of the knowledge and skills of the Project Equality Basic Academic Subjects and meet the minimum criteria specified below for each subject area:~~

~~(1) ENGLISH—A student deficient in English will be required to take the Academic Assessment and Placement Program (AAPP) writing and reading examinations and placed accordingly regardless of ACT scores or high school grade point average. If AAPP assessment indicates deficiency based on existing cutoff scores, the student will be required to enroll in the appropriate Remedial/Developmental Studies course(s) and will be subject to all the established requirements, restrictions, and procedures of that program.~~

~~(2) ALGEBRA—A student deficient in Algebra will be required to take the appropriate Academic Assessment and Placement Program (AAPP) algebra examination and placed accordingly regardless of~~

~~ACT scores or high school grade point average. If, based on current cut-off scores, the AAPP assessment indicates deficiency, the student will be required to enroll in Remedial/Developmental Studies course(s) and will be subject to all the established requirements, restrictions, and procedures of that program.~~

~~(3) GEOMETRY/ADVANCED MATHEMATICS—Students deficient in the Geometry/Advanced Mathematics unit will be required to take a specified semester course in mathematics which includes geometry as a major component. Only Developmental credit may be awarded for courses used to remove this deficiency.~~

~~(4) SCIENCE—Students deficient in one or two units of science will be required to take an approved semester course of laboratory science as specified by the collegiate institution for each unit deficiency.~~

~~(5) UNITED STATES HISTORY—Students deficient in U.S. History will be required to take an approved semester course specified by the collegiate institution.~~

~~(6) SOCIAL STUDIES—Students deficient in social studies will be required to take an approved semester course specified by the collegiate institution.~~

~~(7) FOREIGN LANGUAGE—Students deficient in one or two units of a single foreign language will be required to take an approved semester course in a single foreign language for each unit deficiency as specified by the collegiate institution.~~

~~(8) VISUAL/PERFORMING ARTS—Beginning in the Fall 1993 term, students deficient in the arts unit will be required to take an approved semester course in the arts, as specified by the collegiate institution.~~

~~6. In order to complete successfully a course taken to remove a high school unit deficiency, a student must achieve a minimum grade of C.~~

~~7. Courses successfully completed at one TBR institution for count toward fulfillment of any graduation requirement (e.g., general education, requirements of a major or minor, etc.). With the exception of courses taken to remove deficiencies in geometry, all other courses taken to remove high school unit deficiencies may count as electives.~~

~~8. Collegiate courses completed in order to remove high school unit deficiencies shall be clearly indicated as such on the college transcript.~~

~~9. Collegiate courses taken to remove high school unit deficiencies may not count toward fulfillment of any graduation requirement (e.g., general education, requirements of a major or minor, etc.). With the exception of courses taken to remove deficiencies in geometry, all other courses taken to remove high school unit deficiencies may count as electives.~~

II. Alternative Admissions

The number or percentage of students that a university may accept in any one year under the Alternative Admissions provisions of TBR Policy 2:03:00:00 (Admissions) is fixed and approved by the TBR for each institution.

A. Approved Number or Percent

The currently approved number or percentage for each institution as follows:

APSU 10% or 100, whichever is greater; ETSU up to 150; **UOM** up to 10%; MTSU up to 10%; TSU up to 5% or 100; TTU up to 250.

B. Modifications of Approved Number

Any modification of the approved number or percent must have TBR approval before it may be implemented. Source: Presidents Meeting of November 1990; Presidents Meeting, November 8, 2006

PRESIDENTS/DIRECTORS QUARTERLY MEETING

DATE: May 7, 2007

AGENDA ITEM: Proposed Revisions to TBR Policy 2:01:02:00 – Vocational Program Review and Approval & TBR Guideline TTC-060 – Guidelines on TTC Programs, Changes, and Modifications

ACTION: Vote

PRESENTER: James D. King

BACKGROUND INFORMATION:

The proposed the changes to Policy 2:01:02:00 and Guideline TTC-060 will align the Tennessee Technology Centers' academic program approval process with the community college and universities' program approval process and improve institutional response time to business and industry needs.

POLICY 2:01:02:00

SUBJECT: Vocational Program Review and Approval

INTRODUCTION

T.C.A. § 49-8-101 et seq. authorized the establishment of the State University and Community College System of Tennessee. Among the powers given to the Tennessee Board of Regents (TBR) by this Act is the power "to prescribe curricula and requirements for diplomas and degrees." ~~The Board's responsibility in these matters extends to all levels of academic programming—degree and non-degree, undergraduate, graduate, and professional. In addition, that responsibility extends to: (a) the adoption of changes in admission, retention, and graduation standards; (b) the establishment, reorganization or elimination of academic departments, divisions, branch operations, extension services, and other academic units; and (c) reviewing the level of productivity of existing programs~~ TBR Appendices 6:06:00:00 (TBR Bylaws, Article VII., Section 2b).

~~To this end, the Board has delegated certain of its responsibilities to the Chancellor and others to the institutions under its control.~~

Institutions have the authority to create new courses, determine course content or design, and carry out curriculum revisions less extensive than those that the Board has reserved to itself or otherwise delegated.

~~Beyond those delegated responsibilities, the Board reserves to itself the authority to review and approve all proposed actions pertaining to the:~~

~~1. Establishment of vocational-technical diploma programs 2. Establishment of vocational-technical proficiency certificates 3. Establishment of program options 4. Substantive revision of the curriculum of existing programs 5. Consolidation of existing vocational-technical programs 6. Modification of the title of a vocational-technical program 7. Inactivation of a vocational-technical program 8. Termination of a vocational-technical program 9. Establishment or revision of institutional policies and standards governing student admission.~~

~~Finally, the Board reserves the authority to review either directly or through the Chancellor all other actions affecting the vocational programs of its institutions. It shall, moreover, receive from the Chancellor periodic reports on the status of vocational programs as well as on matters pertaining to student access and to quality. For this purpose, institutions shall provide to the Chancellor the following and any other information specifically requested:~~

~~(1) Articulation Agreements: Articulation agreements between institutions and institutions or between distinct levels of programming (TBR Policy 2:01:00:03) at the same institution;~~

~~(2) Accreditation Activities: Notice of scheduled self studies, site visits, and other activities relative to institutional or programmatic accreditation and reaffirmation as well as a copy of the formal notice of accreditation or reaffirmation.~~

~~Institutions wishing to effect changes that fall into any of the above categories will, therefore, comply with the following procedures as well as those contained in TBR Guideline A-010.~~

This policy should serve as a resource for the development of all Tennessee Technology Centers proposals.

Section I. Process

A. TTC Program Proposals That Must Be Taken to the Board

Beyond those delegated responsibilities, the Board reserves to itself the authority to review and approve all proposed actions pertaining to establishment of vocational-technical diploma and certificate programs.

Establishment of a New Vocational-Technical Program is defined as a new vocational-technical program that differs in designation from currently approved programs in the school's program inventory.

Establishment of New Proficiency Certificates- A proficiency certificate is awarded for achieving a proficiency level that is less than would be achieved upon full completion of the program

B. TTC Program Proposals Approved by Board through Delegated Authority

Other than new programs, TTC proposals may be approved by the Board through delegated authority to the Chancellor. Summaries of these proposals will be reported monthly to the Board, with a 30-day period following for Board concerns. Any proposal identified by a Board member during this 30-day period will be brought before the full Board at its next quarterly meeting. Institutions shall provide, to the Vice Chancellor for Tennessee Technology Centers, proposals related to the following:

Establishment of Program Options- A program option may be established within an ongoing full-time program when the basic portion of the new option is the same as the ongoing program but with the addition of specialized units of instruction that result in an additional diploma level job titles. Other examples include: moving a program to an off campus site, adding or deleting exit points, etc.

Substantial Revision of the Curriculum of Existing Programs-Technological changes and the changing needs of businesses and industries from time to time make

it necessary to delete, add to or otherwise revise the instructional content of program offerings.

Consolidation of Existing Vocational-Technical Programs -two or more ongoing instructional programs may be combined under the title of one of the existing programs or under a new title.

Inactivation of a Vocational-Technical Program-inactivation of a program may be requested when enrollment and placement factors indicate the program operation is not presently needed but it is the opinion of school personnel that reactivation will be needed within a three year period of time.

Termination of a Vocational-Technical Program- termination of a program may be requested when enrollment and placement factors indicate the program is no longer needed in the school's service area and it is the opinion of school personnel that reactivation of the program is not expected in the foreseeable future.

Establishment or Revision of Institutional Policies and Standards Covering Student Admission.

Current on-ground programs that will be converted to a fully online delivery format.

C. Academic Proposals Requiring Only Notification to Vice Chancellor

Changes to *existing* academic programs not listed above, that require no new costs or minimal costs that the campus will fund through reallocation of existing resources or through sources such as grants and gifts, may be approved through an established process by the institution. The Vice Chancellor for Technology Centers must be informed of such changes prior to implementation. Such action includes, but is not limited to, establishment of new credentials and changes such as the modification of the title of a program.

Section II. Procedures

Institutions wishing to effect program changes that fall into any of the above categories will, therefore, comply with the following procedures as well as those contained in Guideline No: TTC-060.

1. A Letter of Intent

~~At the very outset of the planning process, the director will inform the Chancellor by means of a Letter of Intent of the following:~~

A Letter of Intent must be submitted for all proposed actions prior to implementation. At the outset of the planning process, the Director will inform the

Vice Chancellor for Technology Centers by means of a Letter of Intent of the following:

(a) the nature, purpose, and scope of the intended action; (b) the expected date upon which the completed proposal will be submitted; and (c) the intended implementation date. **(d) a statement of total estimated cost for the first year and anticipated source of funding.**

Once a Letter of Intent is received, the proposed action will be reviewed **by TBR staff** for consistency with broad institutional, System, and State objectives; and the results shall be conveyed to the **Director**.

2. B. Approval Route of Proposals

Proposals for all new programs and other actions that require approval by the Board of Regents shall be submitted to the **Vice Chancellor for the Technology Centers** for review.

At the conclusion of the review, the Chancellor will transmit the proposal along with his recommendation to the TBR Committee on Vocational Education which, in turn, will recommend appropriate action to the full Board of Regents.

3. C. Schedule for the Submission and Approval of Vocational-Technical Proposals

The Board will consider vocational-technical proposals at each of its quarterly meetings. Proposals must, however, be submitted sufficiently in advance of the meeting at which Board consideration is desired in order to permit adequate review by the staff. The time required for this review will vary according to the nature of the proposal.

Finally, the Board reserves the authority to review either directly or through the Chancellor all other actions affecting the vocational programs of its institutions. It shall, moreover, receive from the Chancellor periodic reports on the status of vocational programs as well as on matters pertaining to student access and to quality. For this purpose, institutions shall provide to the Chancellor the following and any other information specifically requested:

(1) Articulation Agreements: Articulation agreements between institutions or between distinct levels of programming (TBR Policy 2:01:00:03) at the same institution;

(2) Accreditation Activities: Notice of scheduled self-studies, site visits, and other activities relative to institutional or programmatic accreditation and reaffirmation as well as a copy of the formal notice of accreditation or reaffirmation.

Institutions wishing to effect changes that fall into any of the above categories will, therefore, comply with the following procedures as well as those contained in TBR Guideline A-010.

~~4. Definitions of Vocational Technical Actions that Require TBR Approval~~

~~Vocational Technical actions that require approval by the Tennessee Board of Regents are listed and described below:~~

~~a. Establishment of a New Vocational Technical Program~~

~~A new vocational technical program is one that differs in designation from currently approved programs in the school's program inventory.~~

~~b. Establishment of New Proficiency Certificates~~

~~A proficiency certificate is awarded for achieving a proficiency level that is less than would be achieved upon full completion of the program.~~

~~c. Establishment of Program Options~~

~~A program option may be established within an ongoing full-time program when the basic portion of the new option is the same as the ongoing program but with the addition of specialized units of instruction, an additional diploma level job title can be offered.~~

~~d. Substantial Revision of the Curriculum of Existing Programs~~

~~Technological changes and the changing needs of businesses and industries from time to time make it necessary to delete, add to or otherwise revise the instructional content of program offerings.~~

~~e. Consolidation of Existing Vocational Technical Programs~~

~~Two or more ongoing instructional programs may be combined under the title of one of the existing programs or under a new title.~~

~~f. Modification of the Title of a Vocational Technical Program~~

~~Modification of a program title is necessary from time to time in order for the titles to more closely coincide with titles being used in business and industry.~~

~~g. Inactivation of a Vocational Technical Program~~

~~Inactivation of a program may be requested when enrollment and placement factors indicate the program operation is not presently needed but it is the opinion of school personnel that reactivation will be needed within a three year period of time.~~

~~h. Termination of a Vocational-Technical Program~~

~~Termination of a program may be requested when enrollment and placement factors indicate the program is no longer needed in the school's service area and it is the opinion of school personnel that reactivation of the program is not expected in the foreseeable future.~~

~~i. Establishment or Revision of Institutional Policies and Standards Covering Student Admission.~~

Section III: Criteria for Reviewing Vocational Program Proposals

~~A summary of the major criteria used by the TBR staff in evaluation vocational proposals is presented below. The criteria selected from this list to apply to a specific proposal may vary according to the nature of the proposal. While many aspects of the proposed action may be important, those criteria are generally chosen that are deemed to be critical to the program's effectiveness. They are drawn from and reflect various TBR and THEC policies and guidelines, SACS requirements, and other relevant general criteria. TBR policy sources are identified in the section that follows the listing.~~

~~General Criteria~~

- ~~(1) The proposed action is appropriate to the mission, role, and scope of the institution.~~
- ~~(2) Need for the proposed action is evident from the supporting data on student interest, employer demand, and societal needs. Need must also be reflected in the projected level of student enrollment and the anticipated number of graduates.~~
- ~~(3) The proposed action is a more feasible means for achieving the specified purpose(s) than existing programs, projects, policies, and/or organizational units at the school.~~

The proposed action does not constitute unnecessary duplication of vocational programs available at other public institutions. Partnerships or collaborations should be considered whenever needs might be met with greater efficiency

- ~~(4) The proposed action does not constitute unnecessary duplication of vocational programs available at other public institutions.~~

The proposed action reflects appropriately innovative design and the best available pertinent knowledge.

- ~~(5) The proposed action does not require unnecessary duplication of courses that are already offered by the school.~~ **The proposal documents the institution's ability to implement the proposed action in terms of: (a) fiscal resources, (b) support resources, (c) physical facilities, and (d) qualified personnel.**

~~(6) The proposed action reflects appropriately innovative design and the best available pertinent knowledge. When the proposed action is supported in whole or in part by articulation with another institution or by affiliation with other agencies for the provision of clinical or internship experiences, such articulation or affiliation should be acknowledged in the program design and copies of the articulation or affiliation agreements should be appended to the proposal.~~

~~(7) The proposal reflects the school's readiness for implementing the proposed action in terms of: (a) fiscal and personnel resources; and (b) physical facilities. The proposed action is consistent with the achievement of the institution's goals.~~

~~(8) When the proposed action is supported in whole or in part by articulation with another institution or by affiliation with other agencies for the provision of clinical or internship experiences, such articulation or affiliation should be acknowledged in the program design and copies of the articulation or affiliation agreements should be appended to the proposal. The proposal includes information about the online delivery format (if applicable)~~

(9) Proposals pertaining to programs should include a description of procedures for regular evaluation of the programs and units, including evaluation of the program's enrollment and productivity.

(10) Proposals should include information related to accreditation, both COE and professional, and when applicable, provide a time frame for achieving the appropriate accreditation.

Sources of Specific Criteria

Listed below are illustrative sources of specific criteria that serve as bases for staff decisions relative to vocational proposals.

(1) TBR Policy No. 2:01:00:03, Principles for Articulation in Vocational/ Technical Education

(2) TBR Policy No. 2:03:00:00, Admissions

(3) TBR Policy No. 2:03:01:05, Academic Retention and Readmission at the Tennessee Technology Centers

SOURCE: March 17, 1989 State Board of Regents' Meeting

Guideline No: TTC-060

SUBJECT: Guidelines on TTC Programs, Changes, and Modifications

The following shall serve as guidelines for submitting proposals for new ~~continuing~~ programs, program modifications, Special Industry Training, inactivation of programs, termination of a program, and reporting of part-time programs at the Tennessee Technology Centers.

This policy should serve as a resource for the development of all Tennessee Technology Centers proposals.

Section I. Process for TTC Program Proposals That Must Be Taken to the Board

Beyond those delegated responsibilities, the Board reserves to itself the authority to review and approve all proposed actions pertaining to establishment of vocational-technical diploma and certificate programs **per Policy 2:01:02:00.**

~~1. New Continuing Program Proposals~~

Planning for new continuing programs should be an integral part of the Five-Year Strategic Plan of the TTC. The TTC director should send a letter of intent to the Vice Chancellor at least six (6) months prior to the planned period for starting the program relating the purpose and scope of the proposed action. If the Board staff has questions related to plans to start the program, they will be communicated to the director early in the process. The TTC staff should communicate its intent to start a new program with the lead institution in its primary service area and seek assistance, if necessary, in preparing the new program proposal. The proposal should be submitted on TBR-TTC Format 1 (attached). The major criteria used by technology center staff in evaluating program proposals are:

- (1) Program is appropriate to the role and scope of the TTC.
- (2) Need for the program is evident (supported by supply and demand data).
- (3) Program does not unnecessarily duplicate existing delivery in the primary service area.
- (4) Fiscal resources are available to initiate the program. If not, an analysis of need is included in the proposal.
- (5) Space and equipment are available or plan is in place to provide necessary accommodations. If funding is needed, requirements are identified in the proposal.
- (6) There is a plan for articulation of the new program with existing programs within the school and with programs at other institutions, if appropriate.

(7) Instructional personnel are available with appropriate qualifications to implement the proposal.

(8) Plan for addressing assessment and basic education is evident.

(9) Level(s) of exit (certificates) are addressed.

Section II: Process for TTC Program Proposals Approved by Board through Delegated Authority

Other than new programs, TTC proposals may be approved by the Board through delegated authority to the Chancellor. Summaries of these proposals will be reported monthly to the Board, with a 30-day period following for Board concerns. Any proposal identified by a Board member during this 30-day period will be brought before the full Board at its next quarterly meeting. Institutions shall provide, to the Vice Chancellor for Tennessee Technology Centers, proposals related to the following or as stated in Policy 2:01:02:00:

(1) Establishment of Program Options

(2) Substantial Revision of the Curriculum of Existing Programs.

(3) Consolidation of Existing Vocational-Technical Programs

(4) Inactivation of a Vocational-Technical Program

(5) Termination of a Vocational-Technical Program

(6) Establishment or Revision of Institutional Policies and Standards Covering Student Admission.

(7) Current on-ground programs that will be converted to a fully online delivery format.

~~2. Program Modifications (Including termination of a program)~~

~~This guideline applies to any substantive change in a program at a TTC. TBR-TTC Format 2 (attached) should be submitted to the Vice Chancellor by a director who wishes to expand a program, terminate a program, modify the title or content of a program, or place a program on inactive status. The same procedure will apply if a TTC wishes to reactivate an inactive program. The director should communicate his/her intent to modify a program to the Vice Chancellor for Tennessee Technology Centers at the earliest sign of need, then proceed with completion of the TBR-TTC Format 2 **by deadline established by the Vice Chancellor's Office.** The following criteria should be considered in requesting a program modification:~~

(A) Termination of a Program

- (a) Placement rate is low in jobs trained for or in related jobs. (Below 65% for two consecutive years.)
- (b) Student demand is below desired standard. (Below an annualized FTE of 13 students).
- (c) High attrition rate and/or low rate of completers. (Below 50% for two consecutive years).
- (d) The director should address reassignment of space and disposition of personnel and equipment.

(B) Inactivation of a Program

- (a) A program may be placed on inactive status for a maximum of three years. If it is not reactivated by the end of the third year, the program is automatically terminated.
- (b) Conditions described in (A)(a), (b), and (c) which are considered to be of a temporary nature may be used as justification for inactive status of a program. Rationale for potential reactivation of program should be clearly demonstrated.

(C) Modification of an Existing Program

- (a) Any substantive change in the title, curriculum, or method of delivery in a program should be requested in advance on TBR-TTC Format 2.
- (b) Justification must address supply and demand, student interest, personnel impact, costs, space and equipment.

Section III: Process for Academic Proposals Requiring Only Notification to ViceChancellor

Changes to *existing* academic programs not listed above, that require no new costs or minimal costs that the campus will fund through reallocation of existing resources or through sources such as grants and gifts, may be approved through an established process by the institution per Policy 2:01:02:00. The Vice Chancellor for Technology Centers must be informed of such changes prior to implementation. Such action includes, but is not limited to, establishment of new credentials and changes such as the modification of the title of a program. Notification should be in a form of a letter addressing the above mentioned items.

Section IV: 4. Special Industry Training

- (A) Requests for approval of special industry training should be submitted to the Vice Chancellor for Tennessee Technology Centers for transfer of funds prior to program

operation. (Requests for approval are required only when TBR Central Office funds are requested).

(B) The request should be submitted on TBR-TTC Format 3 (attached).

Section V: 5. Reporting of Part-Time Programs

A report listing all part-time programs currently in operation should be submitted to the Vice Chancellor for Tennessee Technology Centers on a quarterly basis. The reports should indicate program title, part-time program code, enrollment, cost and projected length of program (in hours).

Source: November 16, 1984 AVTS Sub-Council meeting; Revised January 15, 1989 AVTS Sub-Council Meeting; February 14, 1989 Presidents' Meeting; August 17, 2004 Presidents' Meeting; August 18, 2004 Directors' Sub-Council Meeting

TBR-TTC FORMAT 1

NEW PROGRAM PROPOSAL

I. GENERAL INFORMATION

A. Name of TTC

B. Statement of action proposed and scope of program

C. Proposed implementation date

D. Objectives

E. Analysis of potential for duplicating programs or services within the TTC or at other institutions in the primary service area.

II. PROGRAM SUPPLY AND DEMAND RATIONALE (Data must address OIS and/or Employment Security Study detailing number of jobs available and projected in the primary service area. Local surveys and letters of support are encouraged.)

III. ESTIMATED ENROLLMENT AND PROGRAM COMPLETERS

1st Year 2nd Year 3rd Year

IV. CURRICULUM (In addition to program curriculum, the proposal should address plans for assessment, basic skills, and program evaluation.)

V. ESTIMATED PROGRAM COST

VI. NEW FACULTY NEEDED (Number and estimated salary)

1st Year 2nd Year 3rd Year

VII. OTHER SUPPORT SERVICES

A. Facilities B. Other

VIII. ADVISORY COMMITTEE (List names and titles)

IX. DOCUMENTATION OF REGIONAL PROGRAM COORDINATION. X. SIGNATURE OF DIRECTOR AND DATE SIGNED.

TBR-TTC FORMAT 2

PROGRAM MODIFICATION REQUEST

1. Termination of a Program 2. Inactivation of a Program 3. Substantive alteration of Program

I. NAME OF TTC

II. DESCRIPTION OF PROPOSED CHANGES

III. PROPOSED IMPLEMENTATION DATE

IV. REASON FOR REQUESTING CHANGE

V. IMPACT OF THE CHANGE ON THE TTC

A. Fiscal Resources B. Personnel C. Clientele D. Space E. Equipment

VI. DOCUMENTATION OF REGIONAL PROGRAM COORDINATION

VII. SIGNATURE OF DIRECTOR AND DATE SIGNED

REQUEST NO: _____ TBR-TTC FORMAT 3

PART-TIME PROGRAM APPROVAL REQUEST SPECIAL INDUSTRY TRAINING

_____ Tennessee Technology Center requests approval to offer a part-time program as described below:

1. Program name and brief description: (description should be adequate for proper program code assignment.)
2. Justification for use of Special Industry funds:
3. Name of businesses or industries requesting training:
4. Program beginning _____, ending _____, meeting _____ days per week, _____ hours per session for a total of _____ hours with a projected enrollment of _____.
5. Total amount of fees projected enrollment would be expected to produce \$_____, if fee schedule was applied.
6. Source of Funding:

Total funding required for program:

BUDGETED PART-TIME _____ (school appropriated)

REQUESTED SPECIAL INDUSTRY _____ OTHER _____
_____ (Identify)

REQUESTED BY: _____ DATE _____

APPROVED BY: _____ DATE _____

PROGRAM CODE ASSIGNED: _____
(See TBR Policy 2:01:00:03)

Institution _____

The Regional Articulation Committee has reviewed the need for the proposed program in light of TBR Policy 2:01:00:03 and recommends the following:

Date of Meeting _____

Signature of Regional Committee Chair Date

PRESIDENTS/DIRECTORS QUARTERLY MEETINGS

DATE: May 7, 2007

AGENDA ITEM: **TBR Guideline P-010 – Discussion of Intellectual Property Clause in Adjunct Contract (Attached)**

ACTION: Required Vote

PRESENTER: Vice Chancellor Adams

BACKGROUND INFORMATION:

A question came from a campus about the intellectual property clause in an adjunct contract with an adjunct whose employer would not permit signing such a clause. The HR Advisory committee recommended leaving the language in the contract and for those who want an exception to the language would send request to Debbie Johnson at TBR-Central Office. Changes to the language will be done on an employer by employer basis. Removal of the language must be consistently applied to all adjunct faculty contracts and any other necessary contracts.

The language in the contract reads as follows:

“I agree to abide by the policies of the Tennessee Board of Regents and of this Institution/Technology Center regarding Intellectual Property, and hereby acknowledge my responsibilities under those policies to disclose and possibly assign (as required under policy) Intellectual Property developed by me, either solely or jointly with others, during the term of my employment, and to otherwise assist the Institution/Technology Center as required by policy in protecting rights it may have in that Intellectual Property.”

TENNESSEE BOARD OF REGENTS
OF
THE STATE UNIVERSITY AND COMMUNITY COLLEGE
SYSTEM OF TENNESSEE

Institution/Technology Center

NOTICE OF EMPLOYMENT OF
ADJUNCT FACULTY

TO: _____

This is to confirm your appointment as an adjunct faculty member in the _____ (department/division or area of assignment) for the _____ (semester/quarter) 20____ to teach the following course(s): (list course by course number, name, and section number)

_____ at a salary of \$_____ per credit hour, effective _____, 20____, subject to the terms and conditions hereinafter set forth and your acceptance thereof:

1. This agreement is made subject to the laws of the State of Tennessee, the requirements and policies of the Tennessee Board of Regents, and the requirements and policies of this institution/technology center.
2. The above-stated salary is contingent upon your successful completion of service for the full term of this agreement. The salary will accrue and be payable as follows:

In the event of failure to complete the specific terms of the appointment, salary will be prorated in accordance with the policies of the institution/technology center.

3. This appointment and the above-stated salary are in consideration of your faithful performance to the best of your ability of the duties and responsibilities assigned to you as an adjunct faculty member of this institution/technology center.

4. As an adjunct faculty member you are not eligible for employment benefits (retirement credit, state insurance plan, annual or sick leave, holiday pay, or longevity credit.) Notwithstanding, social security will be deducted from your paycheck unless you are a member of a retirement system or are a rehired annuitant as specified in 26 CFR Part 31.

5. Finalization of the pending assignment will be subject to the course(s) sufficient enrollment and/or other administrative considerations. Should the class(es) not have a sufficient number of students register, this contract automatically becomes void. The institution/technology center also reserves the right to terminate this agreement and transfer the class(es) to a full-time faculty member.

6. This appointment does not include any assurance, obligation, or guarantee of subsequent employment.

7. Classes will begin on _____, 20____ and will end on _____, 20____, including examinations. In the event you cannot meet the class(es) at any scheduled time, you must immediately contact your Department Head. Any absenteeism will be reflected in your rate of pay.

8. The class roll(s) will serve as the official record of attendance and catalog description(s) as the official record of contract hours taught. Paychecks will not be issued until all personnel requirements have been met. The final paycheck will not be issued until all contractual obligations have been met.

9. This agreement may be terminated without advance notice.

10. You are required to notify the Director of Personnel/Vice President for Academic Affairs should you become employed at another state agency/institution.

11. By acceptance of this appointment, I agree to abide by the terms of the Drug-Free Workplace Act of 1988 as defined in published institution statements and policy. I also agree to notify the Office of Personnel of any criminal drug conviction for a violation occurring in the workplace no later than five days after such conviction.

12. The following special conditions shall govern this appointment:

13. I agree to abide by the policies of the Tennessee Board of Regents and of this Institution/Technology Center regarding Intellectual Property, and hereby acknowledge my responsibilities under those policies to disclose and possibly assign (as required under policy) Intellectual Property developed by me, either solely or jointly with others, during the term of my employment, and to otherwise assist the Institution/Technology Center as required by policy in protecting rights it may have in that Intellectual Property. It is a Class A misdemeanor to misrepresent academic credentials.

You must signify your acceptance of this appointment under the terms and conditions set forth by signing each copy of this Notice and returning the original and _____ copies to the office of the president/director within fifteen (15) days after the date of this notice.

Date

President/Director

Date of Contact 2/13/07

THIS INFORMATION MUST BE COMPLETED BY THE EMPLOYEE BEFORE PAYROLL CHECKS WILL BE PROCESSED.

I accept the appointment as described above. I understand that this appointment is not approved until all signatures have been obtained.

I am ___/___ am not employed as a regular part-time or regular full-time employee at another state agency or institution.

In order to process a payroll check, federal regulations require disclosures of your retirement system(s). If none, please write in ANone@.

Retirement System

Employee Signature Date

___ Employment application ___ W-4 form ___ I-9 form (plus documentation)

An Equal Opportunity/Affirmative Action Employer

PRESIDENTS/DIRECTORS QUARTERLY MEETINGS

Revised

DATE: May 7, 2007

AGENDA ITEM: **Compensation Schedule & Revised Pay Plan Methodology for June Board Meeting (reminder)**

ACTION: Information Item

PRESENTER: Vice Chancellor Adams

BACKGROUND INFORMATION:

Reclassifications, degree changes and faculty promotions were due May 7, 2007.

We have reviewed the revised pay plan methodologies submitted in March 2007 by East Tennessee State University, Austin Peay State University, Walters State Community College, Pellissippi State Technical Community College and Jackson State Community College for consideration and approval at the June 2007 Board Meeting.

PRESIDENTS/DIRECTORS QUARTERLY MEETINGS

DATE: May 7, 2007

AGENDA ITEM: **Revision to TBR Policy 5:01:00:00 General Personnel
(Moving Expenses & Immigration Expense Allowance)**

ACTION: Required Vote

PRESENTER: Vice Chancellor Adams

BACKGROUND INFORMATION:

It has been proposed by the Business Affairs Sub-Council to remove the language regarding moving expenses and immigration expense allowance from the TBR Policy 4:03:03:00 General Travel. This language would be added to the TBR Policy 5:01:00:00 General Personnel.

Policy No. 5:01:00:00

SUBJECT: General Personnel Policy

The following General Personnel Policy of the Tennessee Board of Regents is hereby adopted to delegate to the presidents of universities, community colleges, and technical institute, the authority and responsibility hereinafter specified concerning personnel, which the Board finds to be necessary and appropriate for the efficient administration of the institutions, and to establish standards, guidelines, and reporting requirements for the exercise of the delegated authority.

The policy also cites specified authority and responsibility concerning personnel assigned to directors of the Tennessee technology centers.

A. Scope of Delegation

1.a. Presidents

The appointments and terminations which require the prior approval of the president and the Chancellor include:

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- (1) All Vice Presidents (academic, business, student affairs, etc.) including all interim appointments;
- (2) Academic deans, academic department and/or division heads, Directors of the Centers of Emphasis and Excellence, (including those officers, who with varying titles, have line responsibility for administration of academic faculty or staff at the academic disciplinary unit level); including interim appointments;
- (3) Appointments, promotions, and/or transfers to positions with salaries in excess of \$75,000; and of non-faculty (the promotion process for faculty is governed by TBR Policies 5:02:02:10, 5:02:02:20, and 5:02:02:30), and/or transfers to positions with salaries in excess of \$75,000; and
- (4) Any other positions which may be designated by the Chancellor.

B. Directors

Deleted: b.

The appointments, changes of status, compensation, and termination of the TTC assistant directors shall be subject to the prior approval of the Vice Chancellor for Technology Centers.

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2. The president of a university, community college, or technical institute and the director of a Tennessee technology center are authorized to

appoint, determine the compensation and change of status of, and terminate all other employees at the institution or center subject to the provisions of this and other relevant Board policies and procedures and the Board approved Compensation Plan Guideline.

The president may delegate the foregoing authority to a designated person or persons at the institution provided that all appointments and compensation of faculty and administrative personnel shall be subject to the approval of the president. Subsequent references to the president of an institution include the president or his or her appropriate designee.

The director of a Tennessee technology center may not delegate the foregoing authority.

B. Appointments

1. The president of a university, community college, or technical institute and the director of a Tennessee technology center are authorized to appoint and employ personnel within the scope of delegation provided in Section A for positions at the institution or center which have been approved by the Board in an operating budget (work program) at a level of compensation which does not exceed the amount specified in the operating budget; provided that new appointments to approved positions may be made at a level of compensation in excess of the amount specified where funds are available, subject to confirmation of the transfer of budgeted funds by the Chancellor.
2. No employment agreement, or contract, or letter of agreement shall be used in the appointment or employment of personnel unless the form of agreement, contract, or letter has been approved by the Chancellor.
3. New administrative positions shall not be established in an institution's or center's administrative organization, and no major change in the administrative organization of an institution or center shall be made, unless approved by the Chancellor.
4. The minimum qualifications for the appointment of faculty at universities, community colleges, and the technical institute shall be the Minimum Rank Criteria for Professional Personnel in Instruction, Public Service, and Research set forth in Board Policy No. 5:02:02:20 and 5:02:02:30, which is incorporated herein by reference. The minimum criteria for tenure-track or tenure appointments at Tennessee technology centers are specified in

Board Policy No. 5:02:02:10. All part-time or temporary faculty must be appointed according to the provisions of Board Policy.

5. The minimum qualifications for the appointment of all personnel other than faculty shall be determined by the president or director, based upon the duties and responsibilities of the position, and shall be recorded and maintained by the institution or center, subject to any minimum qualifications for personnel positions which may be established by the Board.

C. Nature of Appointments

1. Faculty at universities, community colleges, and the technical institute shall be employed pursuant to the types of appointments specified in Board Policy No. 5:02:02:20 and 5:02:02:30, which is incorporated herein by reference.

Faculty at Tennessee technology centers shall be employed pursuant to the types of appointment specified in Board Policy No. 5:02:02:10, which is incorporated herein by reference.

2. Personnel other than faculty shall be appointed to serve at the pleasure of the president or, at Tennessee technology centers, of the director.
3. All full-time personnel, including faculty, shall be required to devote a minimum of 37.5 hours per week to the institution or center, and shall maintain appropriate office hours as determined by the president (or his or her designee) or, at Tennessee technology centers, by the director. Calculation of the 37.5-hour week shall follow such guidelines as promulgated by the Chancellor.
4. Within the requirement of a minimum of 37.5 hours per week, faculty at universities, community colleges, or the technical institute shall be required to carry a full teaching load, which shall be fifteen (15) credit hours or the equivalent per term for undergraduate courses, twelve (12) credit hours or the equivalent per term for graduate courses, two hundred and twenty-five (225) non-credit contact hour or the equivalent per term. All equivalent teaching load activities shall be subject to prior review and approval by the president (or his or her designee).

Within the requirement of a minimum of 37.5 hours per week, faculty at Tennessee technology centers shall normally be required to carry thirty (30) contact hours per week of teaching.

5. In addition to the requirement of Section C-3 above, full-time administrative personnel shall be required to devote sufficient time to complete their assigned duties and responsibilities. When administrative personnel are appointed on an academic year basis, such personnel shall be required to devote sufficient time to fully perform the administrative responsibilities for the academic year, including periods preceding or following the academic year.
6. Personnel at universities, community colleges, or the technical institute who are appointed on an academic year basis shall be on duty for not less than nine months, which shall commence from the time designated by the president prior to the institution's registration for the fall term of each year through the time designated by the president at the end of the spring term, and shall be subject to call for duty during that period regardless of whether classes are in session.

D. Compensation

1. The president or director is responsible for compliance with all federal and state laws and regulations, and all Board policies and directives, concerning compensation for employees, and compensation for employees shall be subject to limitations imposed by the Board or the General Assembly.
2. All regular full-time salaried personnel, whether on an academic or fiscal year appointment, shall be paid twelve (12) monthly installments each year, provided that exceptions may be made upon termination, or as approved by the Chancellor.
3. All full-time and part-time employees are required to participate in the automatic deposit program for the direct deposit of their salaries. Each campus has the option to require student workers to participate in the direct deposit program as long as there is no charge to the student.
4. Part-time instructional personnel shall be paid on the basis of the credit or non-credit hours taught, pursuant to such guidelines and/or schedules as may be established by the Board.
5. The president or director shall insure that all employees shall be paid equal wages or salaries for equal work in positions the performance of which requires equal skill, effort and responsibility, and which are performed under similar working conditions, except where pay differentials are based upon: (a) market factors, (b) a merit or evaluation system, (c) length of

service, or (d) any other proper, non-discriminatory basis. When any of the foregoing bases are relied upon to justify pay differentials for employees in similar positions as described above, the basis and the attendant circumstances shall be substantiated in writing and maintained by the institution or center.

6. Overtime payments and compensatory time are available to employees not exempt from the FLSA. The Chancellor is authorized to issue guidelines relative to the use of compensatory time and payment of overtime and the rates pertinent to each.
7. Each institution and technology center shall develop policies and procedures for the administration of the compensation system at the institution or center subject to the approval of the Chancellor, and subject to the Compensation Plan Guideline promulgated by the Board. This includes reclassifications and degree changes.
8. Faculty members may be asked to temporarily assume administrative responsibilities which entail moving from an academic year to a fiscal year contract with the assignment of additional duties. This temporary appointment may be on a long-term or short-term basis but is still considered a temporary appointment subject to this policy. This does not apply when a faculty member is hired into a permanent administrative position such as a deanship which requires a twelve-month contract.

Temporary administrative responsibilities may necessitate the awarding of an administrative stipend in addition to the previously established salary. The stipend amount or any other understanding concerning compensation must be set out in a newly-executed contract. The contract (1) should include a statement that the stipend is awarded as compensation for the additional administrative responsibilities and will be removed at the time the administrative responsibilities end or (2) should otherwise address how compensation would be affected at the end of an administrative appointment.

The awarding of an administrative stipend is an issue separate from that of conversion from an academic year to a fiscal year basis. When the conversion is to take place, the institution should just convert the salary from the academic year contract by adding 25% and then adding any stipend amount determined necessary.

The following illustrates the procedure defined above. A faculty member making \$20,000 on an academic contract is converted to a fiscal year contract at a salary of \$25,000. In addition, a \$1,500

administrative stipend is added and so indicated because of additional duties. The total amount of salary is then \$26,500. At the time the faculty member serving as administrator returns to a faculty position on an academic year basis, the administrative stipend will end. Then the base faculty salary is reduced to an academic year contract at a rate no less than 80% of the fiscal year contract. The institution may choose to exceed the 80% number on the basis of comparable faculty salaries, including rank, merit, length of service, experience, degrees and yearly percentage increase in salary.

E. Changes of Status and Terminations

1. The president or director is authorized to approve changes of status (i.e., transfers, promotions, demotions, or other changes in duties or responsibilities) of personnel within the scope of the delegation provided for in Section A, provided that when a change of status would cause the employee to be within the scope of positions subject to approval of the Chancellor, the change of status will be subject to the Chancellor's approval. The president/director of each TBR institution/center may establish procedures for accomplishing promotions, demotions, and transfers between institutions/centers within the Tennessee Board of Regents System, in such manner as to ensure fair and equitable treatment to all personnel, and in accordance with established TBR policies. Any such action must be taken within the parameters of the institution's or central office's Affirmative Action Plan, and must be reviewed and certified by the institutional Affirmative Action Officer.

Inter-institutional promotions, demotions, and transfers must be discussed and approved by the appointing authorities of the two institutions/centers concerned prior to any discussion with the candidate. Any candidate promoted must meet all established minimum qualifications as determined by the appointing authority.

For purposes of this policy, the following definitions apply:

A promotion is defined as an increase in position or rank brought about by means of assuming the duties of a vacant position of higher classification, or assuming duties which warrant a reclassification of present position to one at a higher level.

A demotion is defined as a decrease in position or rank brought about by means of assuming the duties of a vacant position of lower classification, the realignment of duties presently performed which warrant a reclassification of present position to one at a

lower level, or the assignment of a position at a lower classification subsequent to the disciplinary procedure or disqualification from present duties as a result of mental or physical incapacity to perform the required work.

A reclassification occurs when an employee's duties and responsibilities evolved to the extent that another classification is more appropriate.

A lateral transfer is defined as the assumption of duties of another position at the same level.

2. Promotion of Faculty - The promotion of faculty shall be subject to Board Policy No. 5:02:02:20 and 5:02:02:30 (for universities, community colleges, and the technical institute) and Board Policy No. 5:02:02:10 (for Tennessee technology centers).
3. Promotion of Non-faculty Promotions of personnel other than faculty should be made pursuant to established and written criteria developed by the institution or center. Promotions and transfers are an acceptable means of filling vacancies. However, such promotions and transfers must be achieved within the parameters of institutional affirmative action plans. In addition, any vacant position created by that promotion must be filled within the provisions of this Policy and applicable guidelines.
4. Terminations and Transfers The president or director is authorized to terminate and transfer all personnel within the scope of the delegation of authority provided for in Section A, provided that terminations of faculty shall be pursuant to the provisions of Board Policy No. 5:02:03:60 and 5:02:03:70 (for universities, community colleges and technical institutes) or Board Policy No. 5:02:03:10 (for technology centers).
5. Termination for Gross Misconduct Gross misconduct may include, but is not necessarily limited to: any act or omission which may seriously disrupt or disturb the normal operation of the institution/center/Central Office; any work-related conduct which would subject the employee to criminal conviction; theft or dishonesty; gross insubordination; destruction of institution/center/Central Office property; falsification of records; acts of moral turpitude; reporting for duty under the influence of intoxicants; the illegal use, manufacture, possession, distribution, or dispensing of controlled substances or alcohol; disorderly conduct; provoking a fight; and/or such other similar acts involving intolerable behavior by the employee. In determining

eligibility for unemployment compensation benefits, the definition of gross misconduct utilized by the Tennessee Department of Employment Security is not affected by the definition outlined in this paragraph.

In the case of gross misconduct, immediate disciplinary action up to and including termination should be taken. An employee suspected of theft of institutional property may not resign as an alternative to discharge after the investigation has been completed. Any exceptions to this requirement must be made by the institution's President or Center's Director after consultation with the Vice Chancellor for Business and Finance. If the employee resigns during the investigation, the employment records must reflect the situation at the date of resignation and the outcome of the investigation.

Refer to Annual Leave Policy 5:01:01:01 and Sick Leave Policy 5:01:01:07 regarding the loss of unused leave if termination of employment is due to gross misconduct.

6. Reduction in Force - Each institution or center shall develop a consistent and equitable method of notifying and terminating faculty and non-faculty employees in the event that a reduction in force, reorganization or elimination of any occupational classification within a unit becomes necessary. The method should include a written rationale to the reduction, review of the institution's or center's operations, identification of the functional area(s) affected, a review of the budgetary implications involved, and development of the specific written criteria to be used in identifying the duties that will be reassigned and/or eliminated in the event of a reduction.

Only after specified functions/duties have been identified by unit heads and approved by the president/director does the review of individual personnel begin. Unit heads in consultation with personnel services staff will assess the specified areas and the employees in those areas in order to make recommendations to the President/Director relative to the specific personnel changes to be made. In making personnel recommendations to the President, the factors used in reaching the recommended decisions may include, but are not limited to:

Length of service in the position and/or length of service at the institution or center, past written performance appraisals, and functional needs of the unit, and qualifications needed to perform remaining duties of the affected units.

Prior to a final decision by the president/director and notification to the employees and in consultation with the staff of General Counsel, the impact of the recommendations shall be considered in light of non-discriminatory requirements listed in Section F of this policy. In the event of one of the above actions, it is permissible to transfer qualified individuals to vacancies at other departments/divisions, institutions or centers within the System.

Written notification to the affected employees must be given as far in advance of the effective date as possible.

Effective 2004, employees affected by a RIF must receive notification when vacancies occur for like positions at their former campuses within 12 months of the RIF.

7. Absence from Duty An employee who is absent from duty for more than three (3) consecutive business days without giving notice to the appointing authority or appropriate manager concerning the reason for such absence and without securing permission to be on leave or who fails to report for duty or to the immediate supervisor or the appointing authority within two (2) business days after the expiration of any authorized leave of absence, absent unusual circumstances causing the employee's absence or preventing the employee's return, is considered as having resigned not in good standing.

F. Non-Discrimination Requirements

The president or director shall insure that all appointments, changes of status, compensation, and terminations are all in compliance with Board Policy No. 5:01:02:00 (EEO Affirmative Action) which is incorporated herein by reference and that no person is discriminated against on the basis of race, sex, religion, age, color, or national origin in any area of employment. An annual compliance audit will be conducted by the System Affirmative Action Officer.

G. Employment Practice Complaints

1. Upon receipt by an institution or center of any charge or claim alleging violations of state or federal laws or regulations in any area of employment by any state or federal agency, a copy of the notice of the charge or claim shall immediately be transmitted to the Office of the General Counsel. The president or director shall forthwith initiate an investigation of the charge, and shall report to the General Counsel the results of the investigation. The Office of the General Counsel will coordinate and approve all responses to

the appropriate agency. The president or director shall transmit to the General Counsel copies of all correspondence from or to the state or federal agency involved. All interactions with the state or federal agency shall be coordinated through the Office of the General Counsel.

2. Internal complaints, charges, or claims concerning matters of employment shall be handled through the established procedures at the institution or center, subject to approval by the president or director. In any case where the president or director makes a decision which is adverse to the charge or claim of the person, the president or director shall advise the person of any right of appeal provided by Board policy.

H. Academic Credentials to comply with T.C.A §49-7-133

It is a Class A misdemeanor to misrepresent academic credentials. A person commits the offense of misrepresentation of academic credentials who, knowing that the statement is false and with the intent to secure employment at or admission to an institution of higher education in Tennessee, represents, orally or in writing that such person:

- (1) Has successfully completed the required course work for and has been awarded one (1) or more degrees or diplomas from an accredited institution of higher education;
- (2) Has successfully completed the required course work for and has been awarded one (1) or more degrees for diplomas from a particular institution of higher education; or
- (3) Has successfully completed the required course work for and has been awarded one (1) or more degrees or diplomas in a particular field or specialty from an accredited institution of higher education.

I. Records and Reporting Requirements

1. The president or director shall maintain full and complete records on all personnel, including all appointments, compensation, change of status, and termination as specified in Guideline G-070, Disposal of Records.

J. Moving Expenses

1. Travel expenses directly associated with a move may include mileage of all owned vehicles and en route lodging.

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Lodging may be covered for the employee and all immediate family members residing in the household. En route lodging may be

provided for one night if the distance of the move is 400 miles or more, plus one additional night for each additional 400 miles. Lodging for one night at the destination may be permitted.

Lodging will be consistent with the Tennessee Board of Regents travel policy rates. Mileage will be reimbursed at the current IRS rate for moving mileage. Travel expenses incurred when moving from another state to Tennessee will be reimbursed at the out-of-state rates.

For the purpose of these regulations, immediate family is defined as any of the following named members of the employee's household at the time he/she reports for duty at his/her new official station: spouse, children (including step-children, adopted children, or foster children) unmarried and under 21 years of age or physically or mentally incapable of supporting themselves regardless of age, or dependent parents of the employee and the employee's spouse.

2. If two or more members of an immediate family otherwise qualify for reimbursement or allowances under these regulations as Tennessee Board of Regents employees, only one member shall be eligible for employee reimbursement or allowances; the other is eligible for reimbursement as a family member.
3. Storage of household goods and personal effects may be allowed for a period of 30 consecutive days.
4. Arranging for Moving and Payment
 - A. If the total moving expense authorized exceeds \$5,000 and if the institution agrees to pay all of the cost of a commercial mover, the institution must arrange for the mover through normal purchasing procedures. The vendor should be paid directly by the institution. Formatted: Indent: Left: 72 pt
 - B. In all other cases, the institution may require, at its option, that arrangements be made through its purchasing department or the employee may make the arrangements and seek reimbursement. Formatted: Indent: Left: 72 pt
 - C. Only arrangements made directly by the institution will be reimbursed directly to vendors by the institution. In other cases the institution should reimburse the employee. Claims for reimbursement must be supported by an invoice. Formatted: Indent: Left: 72 pt
5. Other Provisions

- A. **Moving expenses will be paid or reimbursed only after a contract is executed between the employee and the institution. See Attachment A.** Formatted: Indent: Left: 72 pt
- B. **All travel and travel expenses shall be accomplished as soon as possible, but in no event shall the effective date of the move to the completion of travel and transportation exceed twelve (12) months unless written extension is granted by the President/Director of the institution/school. All payments or reimbursements must be made within twelve (12) months of the date employment begins for new employees or relocation occurs for relocated employees.** Formatted: Indent: Left: 72 pt
- C. **The agreement on the amount of moving expenses to be paid, the type expenses to be paid, responsibility for arranging logistics, etc., should be clearly understood in writing between the employee and the institution.** Formatted: Indent: Left: 72 pt
- D. **The institution shall assume no liability whatsoever for personal injuries, property damages, or other losses which may be sustained in connection with any moves undertaken pursuant to these regulations.** Formatted: Indent: Left: 72 pt

K. IMMIGRATION EXPENSE ALLOWANCE

- 1. **New employees may receive reimbursement for immigration expenses when considered to be in the interest of the institution and when such payment is a part of the employment negotiation with a new employee or the relocation of a current employee from another employer or institution. Reimbursement/fee allowance for immigration fees must be approved in advance by the Director or President or his/her designee.** Formatted: Indent: Left: 36 pt, Hanging: 36 pt
- 2. **This provision applies only to candidates who are required to pay immigration fees to work and live in the U.S. No TBR employee may receive reimbursement more than once.** Formatted: Indent: Left: 36 pt, Hanging: 36 pt
- 3. **No payment shall be made unless the employee agrees in writing to remain in the service of the institution for a period of twenty-four (24) months following the effective date his/her employment agreement, unless separated for reasons beyond his/her control and acceptable to the institution. The service agreement statement should be maintained in the employee's personnel file. In case of a violation of such an agreement, any funds expended by the institution for such** Deleted: .

allowance shall be recoverable from the employee as a debt due the institution in the same manner as educational allowance payments. (See Attachment B)

4. Reimbursement shall be in the maximum amount of \$4500 and shall not exceed the employee's actual, documented expenses. The allowance cannot be used to defray non-immigration-related costs or any costs not associated with the individual employee's immigration expenses.

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5. Reimbursable fees include: fees charged by a licensed immigration attorney retained in connection with the application, filing, permanent residence fee, fee for any application to enter the U.S., fee for application to remain in the U.S., and associated fees required in the application process, such as medical examinations, fingerprinting, photo identification, postal/courier fees, and costs of evaluating foreign academic credentials or translations of foreign documents.

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6. The employee is responsible for making arrangements for representation, completion of paperwork, assistance in the immigration process, and submission of all bills and/or invoices for which reimbursement is sought. Faculty may submit a claim for reimbursement by sending a request with original receipts to the Chief Academic Officer.

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J K. Exceptions

The Chancellor is authorized to approve exceptions to the provisions of this policy, or to suspend the provisions of this policy as to any or all institutions or centers when necessary to ensure proper compliance with Board policies, guidelines, and procedures.

Source: SBR Meetings: June 25, 1976; March 4, 1977; June 26, 1981; September 18, 1981; September 30, 1983; September 16, 1988; March 17, 1989; September 21, 1990; December 7, 1990; March 19, 1993; September 20, 1996; December 6, 1996; June 20, 1997; June 29, 2001; March 15, 2002; December 5, 2003; September 24, 2004; Board Meeting March 29, 2007

TENNESSEE BOARD OF REGENTS
MOVING EXPENSE AGREEMENT

Agreement made on _____ (Date _____ between
____ (Institution/School) _____ (referred to as the
Institution), and _____ (Employee's Full Name) _____
(referred to as the Employee),

WITNESS:

WHEREAS, the Employee, with employment date effective
(Employment Date) _____ desires to move and relocate his/her
residence from _____ (City and State) _____ to _____ (City and
State) _____ and the Institution desires to reimburse or
pay on behalf of the Employee the cost of the moving
expense, the parties therefore, agree as follows:

1. The Institution agrees to reimburse or pay on behalf
of the Employee an amount not to exceed
\$ _____ for moving expenses incurred for the
relocation. Of this amount, not more than
\$ _____ can be reimbursed directly to the
individual. All reimbursement claims must comply
with the State Comptroller's rules and regulations in
effect when this agreement is signed. Also, the
Employee agrees to provide original receipts for all
reimbursement claims.
2. In consideration for the Institution either
reimbursing or paying the costs of moving, the
employee agrees to remain employed by the Institution
for a period of at least one year. For faculty
appointed on an academic basis, one year is defined
as one regular academic session (Fall and Spring
semesters, nine months). For all other annual
faculty and employees, one year is defined as twelve
months. Should the employee leave employ prior to
completion of that year, the Employee will be liable
to the Institution for all moving expenses which the
Institution has paid (to or on behalf of the
Employee), together with reimbursements and all
payroll taxes withheld by the Institution in
connection with such expenses.
3. The Employee hereby gives the Institution an express
lien on all salaries, wages, and other sums payable

to him/her by the Institution, for the purpose of securing all amounts due under Section 2 above in the event the Employee leaves prior to one year's employment at the Institution. The Employee authorizes the Institution to withhold all amounts due under this Agreement from any sum payable to the Employee by the Institution.

4. If the Employee fails to remain employed as indicated in Section 2 above for reasons beyond his/her control considered sufficient by the Institution, all or part of the liability under Section 2 may be waived by the Institution. Any such waiver must be approved in writing by the Employee's department head or dean and the President/Director. (The dean/department head, whose account paid for the Employee's move, must notify Human Resources if the Employee does not remain employed at the Institution for at least one year.)

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Operations

Employee (Signature) President/Director
(Signature)

Employee (Print or Type) President/Director
(Print or Type)

Employee's Social Security No.

Assistant Comptroller for Department Name
Accounting Operations

Account Number to be Charged Department Contact &
Phone Number

ATTACHMENT B

TENNESSEE BOARD OF REGENTS

IMMIGRATION EXPENSE ALLOWANCE AGREEMENT

This Agreement is made on ____ (Date) ____ between ____ (Institution) ____,
(referred to herein as "Institution"), and ____ (Employee's Full Name) ____
(referred to herein as "Employee"),

WITNESS:

Employee, whose effective employment date is (Employment Date) ____,
desires to become employed at Institution and to have institution reimburse
Employee for employment-related immigration expenses, and Institution desires to
reimburse Employee for employment-related immigration expenses up to
_____ (\$_____.00) dollars. The parties therefore agree as follows:

1. Institution agrees to reimburse Employee an amount up to _____.00.
Employee's reimbursement shall not exceed employee's actual costs. All
reimbursement claims must comply with the guidelines and policies of the
Tennessee Board of Regents system and the Tennessee Comptroller's rules
and regulations.
2. Employee must to provide Institution with original receipts for all expenses
in order to receive reimbursement.
3. Only employees who are required to pay immigration fees to work and live
in the U.S. are eligible for reimbursement. The allowance cannot be used to
defray non-immigration-related costs or any cost(s) not associated with the
individual employee's immigration expenses.
4. Reimbursement shall not exceed Employee's actual, documented expenses.
No TBR employee may receive reimbursement more than once.
5. Reimbursable fees include: fees charged by a licensed immigration
attorney retained in connection with the application, filing, permanent
residence fee, fee for and application to enter the U.S., fee for application to
remain in the U.S., and associated fees required in the application process,
such as medical examinations, fingerprinting, photo identification,
postal/courier fees, and costs of evaluating foreign academic credentials or
translations of foreign documents.
6. In consideration for the Institution reimbursing Employee for immigration
expenses, the Employee agrees in writing to remain employed by the

Institution for a period of twenty-four (24) months following the effective date of his/her employment agreement, unless separated for reasons beyond his/her control and acceptable to the ~~institution~~. Institution The service agreement statement should be maintained in the employee's personnel file. In case of a violation of ~~such as~~ the agreement, any funds expended by the ~~institution~~ Institution for such allowance shall be recoverable from the employee as a debt due the institution in the same manner as educational allowance payments.

7. Employee hereby gives the Institution an express lien on all salaries, wages, and other sums payable to him/her by the Institution, for the purpose of securing all amounts due under Section 5 above if Employee leaves prior to the expiration of two year's employment at the Institution. In the event that Employee voluntarily leaves ~~institution~~ Institution prior to the expiration of two years, Employee hereby expressly authorizes Institution to withhold all amounts due under this Agreement from any sum payable to Employee, ~~the~~ including Employee's final paychecks and, if sufficient funds are not available from Employee's final paychecks, from Employee' s retirement.

8. If Employee fails to remain employed as indicated in Section 5 above for reasons beyond his/her control considered sufficient by the Institution, all or part of the liability under Section 5 may be waived by the Institution. Any such waiver must be approved in writing by the Employee's department head or dean and the President. (The dean/department head, whose account paid for the Employee's immigration expense, must notify Human Resources if the Employee does not remain employed at the Institution for at least two years.)

Employee Signature	Date	President's Signature	Date
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Employee Name (Print or Type)	President's Name (Print or Type)
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Employee's Social Security No.

INSTRUCTIONS:

Submit this form in duplicate to the Purchasing and Business Services Department (all information must be complete and all signatures must be affixed, except that of the President, which will be obtained by Purchasing and Business Services). Attach the

employment contract signed by the President that reflect immigration expenses have been approved (do not attach an Appointment Recommendation Form).

When this agreement has been fully executed, a copy will be returned to the Department by Purchasing and Business Services to process/attach a travel requisition. A copy will be also be forwarded to the Human Resources Department to be placed in the Employee's personnel file. The Employee may submit a travel claim after the immigration expense has been encumbered. All travel must be in compliance with TBR policy 4-03-03-00, http://www.tbr.state.tn.us/policies_guidelines/business_policies/4-03-03-00.htm.