



R E V I S E D

A G E N D A

PRESIDENTS MEETING

Tuesday, May 18, 2010 – 9:00 A.M. (CT)

1. Update on Chancellor's Search (Regent Agenia Clark)
2. Presentation by Benefits Administration/Department of Finance and Administration (Vice Chancellor Sims)
3. Presentation on the Business Intelligence Initiative with TSU (Tom Danford) - Attachment
4. Electronic Transcripts (Tom Danford)
5. Legislative Update (Vice Chancellor Gregory)
6. Conformance with State Laws on Smoking (Chancellor Manning)
7. Desire2Learn (Chancellor Manning)
8. Proposed Revisions to TBR Policy 5:01:00:00 – TBR General Personnel Policy (Vice Chancellor Short) – Attachment
9. Update on Revisions to TBR Guideline A-100 (Vice Chancellor Short)

Revised Presidents Meeting Agenda, May 18, 2010
Page Two

10. Proposed Revision to TBR Policy 2:03:00:00 - Admissions (Vice Chancellor King) – Attachment
11. Tuition Update (Vice Chancellor Sims)
12. Update on Mandatory Fee Process (Vice Chancellor Sims)
13. Proposed Revisions to Guideline B-065 - Sustainable Campus Fee Program (Vice Chancellor Sims) – Attachment
14. Proposed Revisions to TBR Policy 5:01:01:08 – Parental Leave (Vice Chancellor Sims) - Attachment
15. Proposed Revisions to TBR Guideline P-010 – Personnel Transactions and Recommended Forms (Vice Chancellor Sims) – Attachment
16. THEC'S Mission Statement – THEC Staff

PRESIDENTS QUARTERLY MEETING

DATE: Presidents Meeting (May 18, 2010)

AGENDA ITEM: Presentation on the Business Intelligence Initiative
with Tennessee State University

ACTION: Information Item

PRESENTER: Tom Danford

BACKGROUND INFORMATION:

A presentation on the TSU Business Intelligence Initiative will be presented to the presidents.



**Tennessee Board of Regents
Tennessee State University Information Technology
Business Intelligence Initiative**

Deloitte Participation with TSU –

During 2008 the Deloitte Consulting Division for Public-Private Partnership in Strategic Planning offered a pro bono opportunity to work with Tennessee State University, the Executive Leadership Council, and Evisions Corporation to leverage the business intelligence resources at TSU to meet the strategic goals of the university. Working closely with the leadership of TSU to define key metrics for each division or department, the results of the pro bono project were the identification and delivery of a first-wave of key performance indicators (KPI) for Higher Education at the TSU campus. Since December 2009, TSU and the TBR have been working together to develop the remainder of the KPIs for the TSU Business Intelligence Initiative. The BI project at TSU gave special attention to:

Helping to refine the TSU Business Intelligence vision.

Establishing performance metric standards with TSU.

Identifying the technological blueprint to support BI.

Organizing the methodological leadership team.

Developing technical and functional user skills.

Road-mapping the TSU Business Intelligence program.

Enrollment Management

** in progress*

- | | | |
|--|---|--|
| <ul style="list-style-type: none"> • Freshman acceptance rate • Freshman yield rate • Freshman enrollment • Freshman high school GPA • Freshman from top 25% of class • Freshman ACT | <ul style="list-style-type: none"> • 6 year graduation rate * • Average time to degree * • Undergraduate degrees conferred • Master degrees conferred • Doctoral degrees conferred • Degrees granted by level or field of study • Graduation rates of undergraduate freshman * | <ul style="list-style-type: none"> • Minority student ratio * • Proportion of student applicants to acceptances, enrollment • Degrees by type • Percentage of international students |
|--|---|--|

Instructional Programs

** in progress*

- | | | |
|---|---|---|
| <ul style="list-style-type: none"> • High school ranking * • Average high School GPA • SAT/ACT 25%-75% • Acceptance ratios • Graduate school admission test scores | <ul style="list-style-type: none"> • Student/faculty ratio • Faculty class performance ratings * • Completion of degrees in 150% of expected time * • Percentage of classes taught by tenure/tenure track faculty * | <ul style="list-style-type: none"> • Educational expense per student FTE * • Education expenses as a percent of total expenditures * • Tuition and fees or other revenues per student FTE • Educational expenses per degrees granted * • Faculty and student surveys * • Percent of faculty tenured |
|---|---|---|

Access to Education

** in progress*

Quality of Education

** in progress*

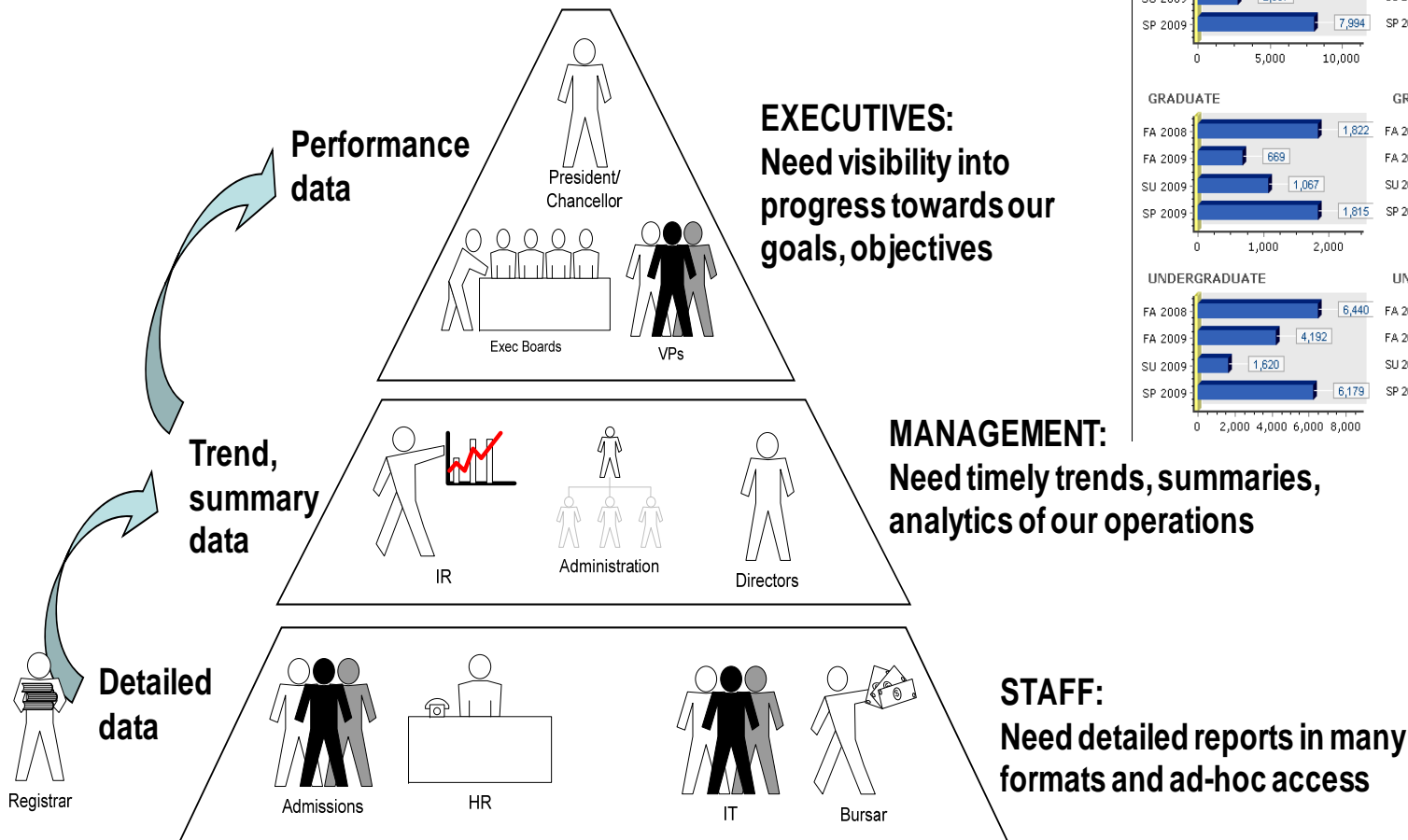
Faculty Management

Client Service



Business Intelligence - Reporting and Analytics Design

Information needs to reach all levels of campus
Data from lower levels must be transformed to upper levels



PRESIDENTS/DIRECTORS QUARTERLY MEETINGS
May 2010

DATE: Presidents Meeting (May 18, 2010)
 Directors Meeting (May 19, 2010)

AGENDA ITEM: Proposed Revision to Policy 5:01:00:00
 General Personnel Policy

ACTION: Voice Vote

PRESENTER: Vice Chancellor Paula Myrick Short

BACKGROUND INFORMATION:

The proposed revisions (in bold) to General Personnel Policy 5:01:00:00, Section C.3. will be presented to the presidents and directors.

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 and community colleges, 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:

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 \$100,000 at universities and \$100,000 at community colleges; 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 \$100,000 at universities and \$100,000 at community colleges;
4. Any other positions which may be designated by the Chancellor.

1.b. Directors

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.

2. The president of a university, community college, 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.

Notwithstanding any other policy or agreement, in the event of a severe state budget shortfall or state impoundment, the Chancellor may give specific written authorization to presidents/directors upon their request to reduce compensation across the board for the remainder of the fiscal year, to mandate furloughs without pay and/or to reduce the amount of time to be worked, on a institution by institution basis with the understanding that this subsection with regard to furloughs will be reviewed by the Board of Regents on or before January 2012. Any request submitted by presidents/directors shall include a description of the campus constituent groups represented on the presidents/directors committee advising on the budget reduction process. (See also Section E below regarding reductions in force).

The director of a Tennessee Technology Center may not delegate the foregoing authority.

B. Appointments

1. The president of a university, community college, 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 and community colleges 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 and community colleges 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.
Presidents and/or Directors are authorized to use flexibility as appropriate in determining the structure of the work week for faculty to recognize variations from traditional instructional formats such as afforded by online instruction, distance education, or other unique methods of instructional delivery. 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 and community colleges 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 and community colleges 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 unless exempted by Federal Work Study Guidelines.
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 and community colleges) 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

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.

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:

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;

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

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

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

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.

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.

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

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.

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.

K. Immigration Expense Allowance

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.

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.

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**

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.

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.

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.

L. 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: TBR 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; March 29, 2007; June 29, 2007; September 25, 2008; Special Called Meeting January 14, 2009; June 19, 2009 to take effect July 1, 2009

PRESIDENTS QUARTERLY MEETING

May 2010

DATE: May 18, 2010

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

ACTION: Approval

PRESENTER: James King

BACKGROUND INFORMATION:

Proposed revision to Policy 2:03:00:00 is being presented for review and approval. The revision removes the requirement for the Nursing Advisory Committee to review all Technology Practical Nursing applications and recommend qualified applicants for acceptance.

Policy 2:03:00:00

Subject: Admissions

III. PROVISIONS FOR TENNESSEE TECHNOLOGY CENTERS

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~~ **may** 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; 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; June 28, 2007

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

PRESIDENTS/DIRECTORS QUARTERLY MEETINGS
May 2010

DATE: Presidents Meeting (May 18, 2010)
 Directors Meeting (May 19, 2010)

AGENDA ITEM: Proposed Revision to Guideline B-065
 Sustainable Campus Fee Program

ACTION: Voice Vote

PRESENTER: Vice Chancellor Dale Sims

BACKGROUND INFORMATION:

The proposed revision to Guideline B-065 adds a statement that campuses may consider purchasing the minimum amount through TVA Green Power Switch or other certified green power sources to attain EPA Green Power Partnership status. This proposed revision was made at the request of the Tennessee campus coordinator for the Southern Alliance for Clean Energy and approved at the April 21, 2010 Business Affairs Sub-Council meeting.

Guideline B-065

Subject: Sustainable Campus Fee (SCF Program)

Program Guidelines

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/director 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. **Campuses may consider buying the minimum amount to attain EPA Green Power Partnership status (<http://www.epa.gov/greenpower/join/purchase.htm>).**

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

Source: President's Meeting May 16, 2007 (NEW)

- Research should:
 - Focus on identified sustainability categories
 - Have significant level of student participation/support

PRESIDENTS/DIRECTORS QUARTERLY

DATE: Presidents Meeting (May 18, 2010)
Directors Meeting (May 19, 2010)

AGENDA ITEM: **Proposed Revisions to TBR Policy 5-01-01-08
Parental Leave**

ACTION: Requires Vote

PRESENTER: Vice Chancellor Dale Sims

BACKGROUND INFORMATION:

The revisions to TBR Policy 5-01-01-08 Parental Leave clarify the use of sick leave is for 30 working days, as opposed to 30 calendar days. The changes also clarify that the 30 working day clock begins following the birth of the child or placement for adoption. The proposed revisions have been reviewed and are recommended for approval by the Human Resources Officers Committee and the Business Officers Sub-Council.

Policy 5:01:01:08

Subject: Parental Leave

It is the policy of the Tennessee Board of Regents to provide a period of up to four (4) months of leave to eligible employees for adoption, pregnancy, childbirth and nursing the infant, where applicable, in accordance with T.C.A. Section 4-21-408. With regard to adoption, the four (4) month period shall begin at the time the employee receives custody of the child.

I. Eligibility

Employees who have been employed by the State for at least twelve (12) consecutive months as full-time employees, as determined by the employer at the job site or location, are eligible for this leave. Subsequent references within this policy to an employee shall assume eligibility of that individual.

II. Relevant Policies

Upon receipt of a written request for parental leave, the President/Director/Chancellor or his/her designee will process the request in accordance with the provisions of this policy and the employee's eligibility for leave under TBR Policy 5:01:01:14 Family, Medical and Servicemember Leave. Reference may also need to be made to TBR Policies 5:01:01:07 Sick Leave, 5:01:01:03 Leave of Absence and 5:01:01:01 Annual Leave.

III. Notice; Employment Rights and Benefits; Reinstatement

Employees who give at least three (3) months advance notice to their employer of their anticipated date of departure for such leave, their length of leave, and their intention to return to full-time employment after leave, shall be restored to their previous or similar positions with the same status, pay, length of service credit and seniority, wherever applicable, as of the date of their leave.

Employees who are prevented from giving three (3) months advance notice because of a medical emergency which necessitates that leave begins earlier than originally anticipated shall not forfeit their rights and benefits under this policy solely because of their failure to give three (3) months advance notice.

Employees who are prevented from giving three (3) months advance notice because the notice of adoption was received less than three (3) months in advance shall not forfeit their rights and benefits under this policy solely because of their failure to give three (3) months advance notice.

Leave will be granted as paid or unpaid pursuant to the policies of the Tennessee Board of Regents. Such leave shall not affect the employees' right to receive annual leave, sick leave, bonuses, advancement, seniority, length of service credit, benefits, plans or programs for which the employees were eligible at the date of their leave, and any other benefits or rights of their employment incident to the employees' employment position. However, the employer need not provide for the cost of any benefits, plans or programs during the period of leave unless such employer so provides for all employees on leaves of absence.

If an employee's job position is so unique that the employer cannot, after reasonable efforts, fill that position temporarily, then the employer shall not be liable for failure to reinstate the employee at the end of the parental leave period.

The purpose of this policy is to provide leave time to employees for adoption, pregnancy, childbirth and nursing the infant, where applicable. Therefore, if the employer finds that the employee has utilized the period of leave to actively pursue other employment opportunities or if the employer finds that the employee has worked part time or full time for another employer during the period of leave, the employer shall not be liable for failure to reinstate the employee at the end of such leave.

Whenever the employer shall determine that the employee will not be reinstated at the end of such leave because the employee's position cannot be filled temporarily or because the employee has used such leave to pursue employment opportunities or to work for another employer, the employer shall so notify the employee.

IV. Sick Leave

Use of accrued sick leave for adoption or childbirth is limited to thirty (30) working days following the birth of a child or placement for adoption unless medical complications arise that fit ordinary rules regarding the use of sick leave.

In the event both parents are state employees, the aggregate amount of sick leave that may be used for childbirth or adoption is limited to thirty (30) working days following the birth of a child or placement for adoption.

In order to be eligible to use sick leave as parental leave, a statement from the attending physician indicating the expected date of delivery must accompany the request for leave. Additional information from the attending physician may be required if there are complications and the period of absence must begin sooner than agreed, extend further than agreed, or require the use of sick leave beyond the period beginning with the period of hospitalization and extending for thirty (30) work days ~~after delivery~~ following the birth of a child or placement for adoption.

After the thirty (30) working days following the birth of a child or placement for adoption or, if extended, after employee's physician determines that the employee should be released, thus ending the period of sick leave, the employee may use accrued annual leave or leave without pay for the remainder of the four-month parental leave.

V. Annual Leave; Compensatory Time

Accrued annual leave and compensatory time may be used for the entire leave period.

VI. Leave of Absence

When accrued annual and sick leave balances are depleted prior to the end of the four (4) month parental leave period, the employee will be placed in a leave of absence status. Refer to TBR Policy 5:01:01:03 Leave of Absence regarding continuation of insurance coverage for employees on unpaid leave of absence.

VII. Family, Medical and Servicemember Leave

To be eligible for Family, Medical and Servicemember Leave (FMSL) which provides for up to twelve (12) work weeks of leave, an employee must have: (1) worked for the State at least 12 months; and, (2) worked a minimum of 1250 hours during the year preceding the start of the leave.

Employees who are eligible for FMSL will have parental leave processed in conjunction with the provisions of TBR Policy 5:01:01:14 Family, Medical and Servicemember Leave regarding election of paid/unpaid leave, continuation of insurance coverages, etc. Parental leave and FMSL periods shall run concurrently.

At the end of the FMSL period, an employee is also entitled to receive the difference between the four months granted under this policy and the 12 workweeks granted under FMSL. Accrued annual leave or leave of absence may be used for the remainder of the parental leave period.

During work weeks that an employee takes leave designated as FMSL, the employer is responsible for paying the employer's portion of the employee's insurance premium, whether the leave is paid or unpaid. Employees who choose to take any unpaid leave over the amount to which they are entitled under FMSL should be made aware that they will be responsible for paying the employer's portion of the insurance premium for the remainder of the leave period if they wish to ensure continued coverage.

[Authority: T.C.A. Section 4-21-408, Acts 2005, ch. 224, sec. 1.]

The above Policy 5:01:01:08 Paternal Leave supersedes 5:01:01:02 Adoptive Parents Leave, 5:01:01:08 Maternity Leave, and 5:01:01:16 Paternity Leave.

Source: TBR Board Mtg. December 2, 2005;

PRESIDENTS/DIRECTORS QUARTERLY

DATE: Presidents Meeting (May 18, 2010)
 Directors Meeting (May 19, 2010)

AGENDA ITEM: **Proposed Revision to TBR Guideline P-010**
 Personnel Transactions and Forms

ACTION: Requires Vote

PRESENTER: Vice Chancellor Dale Sims

BACKGROUND INFORMATION:

The proposed revisions the TBR Guideline P-010 are intended to clarify some parts of the process and responsibilities at the TBR Central Office. The proposed revisions have been reviewed and are recommended for approval by the Human Resources Officers Committee and the Business Officers Sub-Council.

Guideline P-010

Subject: Personnel Transactions and Recommended Forms

The purpose of this guideline is to supplement provisions of the Tennessee Board of Regents General Personnel Policy (No. 5:01:00:00), as it relates to personnel transactions, procedures for campus appointments, budgetary and position considerations, required forms for implementation procedures, processing of forms by Central Office, employment agreements, contracts, letters of agreement, records and reports. The guideline and attachments are applicable to all institutions and technology centers governed by the Board. For purposes of this guideline, all technology center director responsibilities shall be coordinated through the Vice Chancellor for the Tennessee Technology Centers.

Consistent with the general personnel policy, any exceptions to this guideline are subject to approval by the Chancellor.

I. Personnel Transactions

Each president and technology center director is expected to follow Board policies, affirmative action plans, and fair employment practices when making appointments. Appointments requiring the Chancellor's approval will be reviewed in light of these expectations. All appointments, regardless of salary, including promotions and transfers, must be reviewed and certified by the institutional Affirmative Action Officer prior to action. Other appointments not requiring approval of the Chancellor will be reviewed periodically by the System Affirmative Action Officer to ensure compliance. Technology center directors are required to receive prior approval from the Vice Chancellor for Technology Centers for any change in personnel classification, compensation, job description or assignments.

A. Appointments Requiring Approval by the Chancellor

No offer of employment can be made for positions requiring the Chancellor's approval until the appointment form has actually been signed by the Chancellor or his/her designee and the monitor, where required.

All institutions must submit the following positions for approval:

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 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 \$100,000 at universities and \$100,000 at community colleges ; 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 \$100,000 at universities and \$100,000 at community colleges; and

4. And any other positions which may be designated by the Chancellor.

B. Appointments Not Requiring Approval by the Chancellor

All appointments not listed in I.A. may be approved at the institution by the Director, the President or any properly approved designee. The hiring procedures outlined in the following sections will be followed with the records being maintained at the institution. Records must be maintained as described in Section VI, A.2. of this guideline.

1. The director or president shall be responsible for assuring compliance with the guideline.
2. The institutional Affirmative Action Officer shall be responsible for monitoring the recruiting and employment process to assure compliance with the guideline and the institution's Affirmative Action program and objectives.
3. For Affirmative Action purposes, institutional records will be reviewed periodically by the System Affirmative Action Officer
4. All promotions and transfers not requiring approval of the Chancellor must be approved by the president/director and reviewed and certified by the institutional Affirmative Action Officer in compliance with TBR Policy 5:01:00:00, General Personnel Policy.

C. Minimum Requirements for All Campus and Central Office Appointments

The following actions or procedures are mandatory at all institutions, to

1. Establish an Affirmative Action Plan which sets goals for all categories of employment;
2. Develop appropriate recruitment and selection procedures to ensure fairness in employment;
3. Determine in a discussion with the Affirmative Action Officer whether the institution has met the affirmative action goal for the area or department (job group in which the vacant position occurs). Even if the institution has met the overall institutional goal in an employment category, i.e., executive/administrative/managerial; faculty; professional non-faculty; secretarial/clerical/technical and paraprofessionals; skilled crafts; service/maintenance, there may be a goal for the area or department (job group) in which the vacant position is located which has not been met. For example, the overall institutional faculty goal of 4.5% black representation has been met, but the vacancy is in the job group of Arts and Sciences, Availability data in Arts and Sciences supports the affirmative action plan's goal of 7.0% black representation, which is higher than the overall institutional goal. In this case, the efforts to recruit for the Arts and Sciences position will be directed toward qualified black candidates since the availability data shows the applicant pool should contain some qualified black candidates. A second example relates to the availability of women in the particular job group vacancy. The total institutional faculty goal for women is 40%, but a higher number of women are available in the particular job group category. Therefore, in both examples cited above affirmative action recruitment must

occur. In summary, the institution has an obligation to use the availability figures applicable to the particular vacancy to recruit qualified minorities.

4. Prior to taking any recruitment action, the person directing the hire and/or the search committee must submit to the Affirmative Action Officer a written recruitment plan. There may be a standard plan for any EEO category which has been approved in advance. EEO categories 4, 5, 6, and 7 may be more easily standardized. There may be a need for occasional modification to this standard plan, depending on the nature of the position and the availability data. The plan includes, but is not limited to:
 - a. the proposed job description, which has been reviewed by the institutional Affirmative Action Officer;
 - b. method of directing the hire, i.e., individual supervisor or search committee.
 - c. composition of the search committee and responsibilities of the members, i.e., direct contacts, references, interviews, etc.;
 - d. an advertising plan, which provides the following:
 - i. advertisement of the position on bulletin boards, and/or in appropriate publications, and/or newspapers and/or professional discipline-specific journals and/or the Tennessee Employment Security Office; and/or the internet
 - ii. requests for nominations, from professional organizations, discipline-related groups, and organizations devoted to leadership training for the position;
 - iii. diverse membership on all search, selection, or advisory committees, when practicable; and,
 - iv. direct contacts to assure that underrepresented groups are aware of the vacancy and are encouraged to apply.
5. Approval of the recruitment plan must be granted by the Affirmative Action Officer prior to the commencement of the recruitment process.
6. The applicant pool must generally reflect the availability data for the defined vacancy in that discipline or field as determined by the appropriate job group in the institutional affirmative action plan. Direct contacts will be required to assure the diversity of protected groups in the applicant pool.
7. The Affirmative Action Officer must review all applicant pools and approve their composition prior to the scheduling of interviews. Upper level hires as defined in Section I.A.2, require the submission of **Form A-1**, Certification of the Search Pool, to the Vice Chancellor for Academic Affairs or the System Affirmative Action Officer Assistant Vice Chancellor for Human Resource Development as outlined in Section III of this Guideline.

8. After a candidate has been identified as a possible hire for positions defined in Section I.A., **Form A-2**, Approval of Appointment, must be submitted to the Vice Chancellor for Academic Affairs or the Assistant Vice Chancellor for Human Resource Development as outlined in Section IV ~~Section III~~ of this Guideline.

9. In the case of appointments of adjunct faculty, equal employment opportunity efforts must include advertisement to establish and build diverse pools from which adjunct employees are chosen.

IMPORTANT: IF AN INSTITUTION HAS MET ITS AFFIRMATIVE ACTION GOALS, EQUAL EMPLOYMENT OPPORTUNITY IS REQUIRED. RACE OR SEX CANNOT BE USED AS A PLUS FACTOR IN HIRING.

HOWEVER, AFFIRMATIVE ACTION EFFORTS ARE APPROPRIATE IN THE RECRUITMENT PROCESS TO ASSURE A REPRESENTATIVE POOL. DISCRIMINATION ON THE BASIS OF RACE, RELIGION, COLOR, NATIONAL ORIGIN, AGE, HANDICAPPED STATUS, VETERAN STATUS, OR OTHER ILLEGAL BASIS IS A VIOLATION OF LAW.

10. The Tennessee Board of Regents believes that it is important to check references to limit employer liability, verify information and reduce cost of rehiring and retraining. Checks will produce authenticity of information as it relates to such areas as work history, credential problems and criminal backgrounds.

Each campus shall conduct appropriate and timely checks in conjunction with each employment offer. As an option, a campus may choose to participate in a system wide contract with a third party vendor who conducts background screening and checks. Campuses shall develop procedures which will include the specific types of checks and specific positions included. The procedures will be forwarded to the central office for review and approval prior to implementation of the program.

When using the third party vendor, the campus shall notify the applicant that a background check will be conducted prior to conducting the background check.

II. Budgetary Considerations

A. Pursuant to Section B.1. of the General Personnel Policy (5:01:00:00), where a transfer of funds is necessary for appointments with compensation in excess of funds available, the transfer is subject to confirmation by the Chancellor. No approval is necessary unless the transfer of funds is from one functional area to another; adjustments of line item salary amounts within a functional area may be made by the president or technology center director if sufficient funds are available, subject to applicable guidelines and limitations. Where a transfer of funds between functional areas is necessary, the president or technology center director should submit a letter of recommendation to the Chancellor identifying the amount and source of transfer.

B. Pursuant to Section B.3. of the General Personnel Policy (5:01:00:00), any new administrative positions and major changes in administrative organization must be approved by the Chancellor. If the proposed position or

organizational change is submitted as part of the proposed operating budget or October 31 revision, it should be identified, justified, and documented, but separate approval is not required. If the proposed position or organizational change does not coincide with the budget cycle, it should be recommended by the president or technology center director in the form of a letter to the Chancellor which includes a full description, justification, fiscal implications, and other pertinent information. The technology centers follow the same basic procedure as outlined above; however, the director shall submit the recommended change and justification on TBR TTC Form D-1 to the Vice Chancellor for Technology Centers.

III. Required Forms for Implementation of Procedures for ~~Appointments~~ Approvals

Information to support transactions that require the approval of the Chancellor or his/her designee is requested in Forms A-1 and A-2 attached. Approval for ~~appointment recommendation is shown on Form A-2~~ and the certification of the search pool for upper level administrative vacancies is shown on **Form A-1**. Where a search committee is formed to search for a University or college administrator at the level of dean or higher, the search committee **MUST** be racially diverse. Where a search committee is formed, candidates for hire must first be screened by the search committee before an offer can be extended. The Chair of the search committee must certify that each candidate considered by the committee meets or exceeds the criteria published in the job description. (See **Form A-1**)

Supporting documentation for Form A-1 for vice presidents and upper level academic positions must be submitted to the System Affirmative Action Officer.

Approval for an Appointment recommendation is shown on Form A-2. Assurance by the Affirmative Action Officer that an approved process has been followed and the qualified other-race applicants have been contacted and fully considered is mandatory. Supporting documentation for ~~Forms A-1 and A-2~~ vice presidents and upper level academic positions must be submitted to the Assistant Vice Chancellor for Human Resource Development.

IV. Central Office Procedure for Processing of Form A-2 and Portfolios

A. The Office of the ~~Assistant Vice Chancellor for Human Resources Development~~ will date stamp and log all recommendation portfolios received. ~~Each office~~ The Office of Human Resources will verify that the portfolio contains the following: (a) all information required on the A-2 form; (b) vitae for: the candidate recommended, all candidates interviewed, and all final candidates from which interviewees were chosen who are from an underutilized group for all institutions; and, (c) all advertisements for the position. If a portfolio is determined to be incomplete, the respective office will communicate with the campus Affirmative Action Officer in the interest of completing it.

For all appointments, if warranted because of significant omission in the portfolio, the Vice Chancellor for Academic Affairs or the Assistant Vice Chancellor for Human Resource Development will secure information from the campus to

certify completeness of the portfolio. No action to approve the recommendation will be taken by TBR staff until the portfolio is complete.

B. The Vice Chancellor for Academic Affairs or the Assistant Vice Chancellor for Human Resource Development, after reviewing portfolios, will approve, disapprove, or defer decision pending some specified course of action.

C. Once final action has been taken on the recommendation portfolio, the complete document and record of action will be transmitted for filing to the Assistant Vice Chancellor for Human Resource Development. [Office of Human](#)

[Resources.](#)

V. Transaction Forms, Employment Agreements, Contracts and Letters of Agreement

A. Transaction Forms

1. Section V.B. of this guideline provides recommended transaction forms to be used for all personnel transactions, unless alternate forms have been approved by the Chancellor.
2. Institutions and technology centers may develop internal personnel transaction forms for administrative purposes. These forms may relate to management information system and contain fiscal and personnel data deemed necessary by the institution or technology center.

B. Employment Agreements, Contracts and Letters of Agreement

Pursuant to Section B.2. of the General Personnel Policy (5:01:00:00), the Chancellor must approve employment agreements, contracts, and letters of agreement used in the appointment and employment of campus personnel. Approved provisions for personal, professional, consultant, and dual service agreements are addressed in System Guideline G-030. Each institution and technology center may modify the forms or develop alternative and additional forms; however, any forms with provisions substantially different from the recommended forms should be submitted for review and approval by the Office of the Chancellor. The EEO tagline must be included on all forms. The language concerning the Drug Free Workplace Act must be included on all initial employment contracts. In order to comply T.C.A §49-7-133 the following sentence must be included on all contracts: "It is a Class A misdemeanor to misrepresent academic credentials." Attached are the following personnel transaction forms, which are recommended for the use of institutions and technology centers:

Forms F-1 through F-8 are for use in connection with the employment of faculty; Form G-1 for use in connection with the employment of graduate assistants/graduate instructors; Forms S-1 through S-4 are for use in connection with the employment of all personnel other than faculty; and Form D-1 is for use in requesting approval of a change in personnel status of a TTC employee. Form E-1 is for use in connection with the employment of all personnel. Following are explanatory notes concerning the use of the recommended forms:

Forms F-1, Notice of Tenure-Track Appointment and Agreement of Employment for Faculty, is recommended for the initial employment of any faculty member in a tenure-track appointment. Designate the salary rate by crossing through the word "monthly" or "annual" as appropriate, and designate whether an academic or fiscal year appointment. Also, designate the appropriate beginning and ending months for the pay period as found in paragraph 2. Paragraph 8 should include any special conditions concerning the appointment, such as the policy requirement for separate contracts or agreements with regard to patents or copyrights, or such as any credit for prior service which is agreed to by the institution or technology center [not to exceed three (3) years]. The same form may be used for the re-employment of probationary faculty who are re-appointed in tenure-track appointments following a break in service. In this situation, execution of the forms should be timed in conformance with the institution's or technology center's policy on notice of non-renewal, and specification of the number of years creditable service should be included in paragraph 8.

Form F-2, Notice of Renewal of Tenure-Track Appointment for Faculty, should be sent to all faculty on tenure-track appointments whose appointments will be renewed and where no new special conditions concerning the appointment are necessary. Even though renewal occurs automatically in the event a tenure-track appointee does not receive notice of renewal by the proper date, it's required that renewal occur by affirmative action rather than default, and that this notice be sent no later than the institution's or technology center's last date for notice of non-renewal. A signature line for the faculty member has been added which must be signed and returned to be valid and binding. You may wish to incorporate the content of Form E-1 when issuing this form rather than sending the Notice of Recommended Salary at a later time; if so, you must make any necessary changes. Designate whether an academic or fiscal year appointment.

Form F-3, Notice of Renewal of Tenure-Track Appointment and Amendment of Agreement of Employment for Faculty, should be used to renew a tenure-track appointment where an express amendment to the terms of the initial appointment, Form F-1, is deemed necessary. You may wish to incorporate the content of Form E-1 when issuing this form rather than sending the Notice of Recommended Salary at a later time; if so, you must make any necessary changes. Designate whether an academic or fiscal year appointment.

Form F-4, Notice of Award of Tenure, is used to notify an employee that tenure has been awarded. A notice of tenure must be given, and Form F-4 is a model of one you may use. As indicated, you should note in which department, division, or academic organizational unit the person is awarded tenure. You may wish to develop a letter to be used in lieu of this notice without TBR approval.

Form F-5, Notice of Non-Renewal of Appointment, is a notice of non-renewal. This notice must be sent prior to the required date for notice of non-renewal, and should be hand delivered or sent certified mail, return receipt requested;

consult the institution or technology center policy or practice for the method for which notice will be effected. Also, refer to TBR Policies 5:02:03:10, 5:02:03:60, and 5:02:03:70 concerning when notices should be given.

Form F-6, Notice of Temporary Employment and Employment Agreement for Faculty, should be used for the employment of all full-time non-tenure track faculty on temporary appointments (Form F-8 should be used for employment of adjunct faculty and faculty for the summer term). Regular part-time faculty percentage (60% appointment) may be listed as a condition in paragraph 9. Designate the salary rate by crossing through the word "monthly" or "annual" as appropriate. Renewal or non-renewal of these appointments will not be subject to the same conditions as for tenure-track appointments, and the form expressly provides that any renewal is subject to a subsequent written agreement. The same form would be used each year for employment of temporary full-time faculty for more than one year, not to exceed three years. Note that this form contains a 30-day notice provision in paragraph 8.

Form F-7, Notice of Term Appointment and Agreement of Employment for Faculty, is a term appointment for full-time non-tenured faculty and applies only to the community colleges, technical institutes and technology centers. This form was devised to help meet the special problems of career/vocational programs where markets are volatile and changing - examples: computer programming, legal assistant program, and some allied health programs. In order to decide whether to use a temporary agreement, F-6, or a term agreement, F-7, look at the projected need for the program. The term agreement is to be used when the projected need is beyond three years, but not for a sufficient time to create a tenure-track position. Designate the salary rate by crossing through the word "monthly" or "annual" as appropriate.

Form F-8, Notice of Employment of Adjunct Faculty, will be used for the hiring of adjunct faculty and summer term faculty. Adjunct faculty are temporary appointments based on demand each semester, may be full or part-time and are not eligible for employment benefits. The method of salary payment should be specified. No notice provision has been included. For regular faculty, the institution should cross out paragraph 4 and have the parties to the agreement initial. For tenured faculty teaching during the summer, the institution should cross out paragraphs 4 and 6 and have the parties initial.

Form G-1, Notice of Agreement of Employment for Graduate Assistant/Instructor, will be used for the hiring of graduate assistants/graduate instructors on a temporary basis. The method of payment, length of the appointment, and whether full- or part-time should be specified.

Form S-1, Notice of Appointment and Agreement of Employment, should be used for all regular staff except faculty. Notices of renewal and non-renewal are not necessary for these appointments, and the appointments are subject to termination at any time by the institution or technology center (see paragraph 4). Designate the salary rate by

crossing through the word "month" or "year" as appropriate. Please note the option to add additional language to paragraph 2. Such statements need not be included if the employee is put on notice of this practice through employee orientation or other employee information documents given at the time of initial hiring.

Form S-2, Notice of Modified Fiscal Year Appointment and Agreement of Employment, should be used to appoint regular administrative, clerical and support staff to modified fiscal year appointments. Fill in the blank in paragraph 3 as appropriate. Designate the salary rate by crossing through the word "month" or "year" as appropriate.

Form S-3, Notice of Temporary Employment and Agreement for Non-Faculty Administrative/Professional and Clerical/Support, will be used for the hiring of non-faculty on a temporary basis for employees who will work longer than 60 days and who do not work on an "as needed" basis. The method of salary payment should be specified.

Form S-4, Notice of Termination, is the form notice of termination for non-faculty personnel and provides no reason for termination whatsoever. Institutions and technology centers may wish to provide notice of the opportunity for an oral statement of the reason similar to that specified in Form F-5 for faculty. It is assumed that employees should be aware of the reasons for termination under an effective personnel system. Form E-1, Notice of Recommended Salary, should be used to notify all personnel of the recommended salary for the ensuing academic or fiscal year. Notice of the recommended salary is not included in the notices of renewal for faculty since the recommended salary may not be known at the time of such notices. However, you may wish to add the language of this form to Forms F-2 and F-3.

~~3. Designate the salary rate by crossing through the word "monthly" or "annual" as appropriate and whether for an academic or fiscal year. This form should be used and should not be replaced with a Personnel Action Request Form (PARF) or a budget memorandum.~~

Form V-1, Statement of Understanding/Agreement between Institution and Volunteer, will be used for volunteer workers. In order for a volunteer worker in an institution supported program to be eligible for reimbursement of the costs of defense in the event of a claim arising out of their actions, the institution is required by TCA 8-42-101(3)(B) to register the name of the volunteer with the Tennessee Board of Claims. (See attachment to Form V-1.) If the institution fails to register the volunteer and the state pays attorney fees or a judgment based on the volunteer's actions, cost and awards will be funded through the institution's budget. In addition, if the volunteer is a medical professional providing direct health care as a volunteer, he/she is only considered a "state employee" under the defense reimbursement provisions for purposes of medical malpractice.

Form D-1 is addressed above.

Institutions and technology centers are advised to exercise extreme caution in connection with employment letters to personnel and any cover letters which are used to transmit personnel transaction forms, to ensure against

inconsistent statements or commitments. Moreover, all personnel transactions at the institutions and technology centers shall comply with the principles and provisions of the Board policy on equal employment opportunity and affirmative action (5:01:02:00).

VI. Transaction Records and Reports

A. Transaction Records

1. Institutions and technology centers shall develop and maintain adequate records to document all personnel transactions, including transactions which do not require the approval of the Chancellor.
2. As provided in Section H.1. of the General Personnel Policy (5:01:00:00), all transaction records for an employee must be maintained as provided in Guideline G-070, Disposal of Records.

B. Transaction Reports

1. All campus personnel transactions shall be incorporated as part of the institutions' and technology centers' proposed operating budgets and October 31 budget revisions. The Board staff shall determine the appropriate form and medium for the information.
2. Current personnel information may be reported periodically to the staff by institutions and technology centers for administrative purposes relative to the maintenance and operation of management information systems.
3. Current personnel reports may be requested from the institutions and technology centers at any time in response to requests for information for the Board staff, Board, Legislature, etc.

Affirmative action compliance audit reports may be requested on an annual basis.

Source: July 2, 1976 and August 19, 1976 TBR staff memoranda; Revised September 16, 1980 TBR staff memorandum; July 1, 1984; August 16, 1984 TTC Sub Council meeting; July 1, 1985; February 16, 1988 Presidents Meeting; May 15, 1990 Presidents Meeting, September 21, 1990 Presidents Meeting; November 13, 1990 Presidents Meeting; November 11, 1991 Presidents Meeting; November 12, 1996 Presidents Meeting; August 5, 1997 Presidents Meeting; February 16, 2000 Presidents Meeting; May 21, 2001 Presidents Meeting; February 13, 2002 Presidents Meeting; November 5, 2003 Presidents Meeting ; November 8, 2006 Presidents Meeting; February 13, 2007 Presidents Meeting; August 19, 2008 Presidents Meeting; May 12, 2009 Presidents Meeting

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