



A G E N D A
PRESIDENTS MEETING
TBR Board Room - Suite 366
Tuesday, May 20, 2014 – 9:00 A.M. (CT)

1. Presentation by Dr. Rod A. Risley, Executive Director of Phi Theta Kappa (Vice Chancellor Nichols) - Attachment
2. Presentation by Dr. Julie Doochin, Founder and Executive Director of the Tennessee Higher Education Initiative (Vice Chancellor Nichols) – Attachment
3. Completion Agenda Update – Business Process Model (Dr. Kenyatta Lovett)
4. Tennessee Transfer Pathways Information Posted on Admissions/Recruiting Web Pages and Audit Finding (Chancellor Morgan/Vice Chancellor Denley)
5. Proposed Revisions to TBR Policy 5:02:01:00 - Definition of Faculty (Vice Chancellor Denley) - Attachment
6. Proposed Revisions to TBR Policy 5:02:03:60 - Academic Tenure for Universities (Vice Chancellor Denley) - Attachment
7. Proposed Revisions to TBR Policy 5:02:02:20 - Faculty Promotion at Universities (Vice Chancellor Denley) - Attachment
8. Proposed Revisions to TBR Policy 5:02:07:10 - Faculty Appointments at Universities (Vice Chancellor Denley) - Attachment
9. Proposed Revisions to TBR Policy: 2:03:01:01 - Undergraduate Academic Retention Standards - Minimum Criteria for Institutional Academic Fresh Start (Vice Chancellor Denley) - Attachment

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10. Proposed Revisions to TBR Policy 4:01:04:00 – Solicitation and Acceptance of Gifts (Vice Chancellor Sims) - Attachment
11. Proposed Revisions to TBR Policy 4:03:03:00 – General Travel (Vice Chancellor Sims) - Attachment
12. Proposed Revisions to TBR Policy 3:05:01:00 (Regulations for Classifying Students In-State & Out-of-State for Paying College or University Fees & Tuition & for Admission Purposes) – General Counsel Moody - Attachment
13. Proposed Revisions to TBR Policy 5:01:01:11 – Days of Administrative Closing (Vice Chancellor Sims) - Attachment
14. Proposed Revisions to TBR Guideline P-043 – Compensation (Vice Chancellor Sims) - Attachment
15. ERP Options Study – RFP Status Update (Tom Danford)

PRESIDENTS QUARTERLY MEETING

May 2014

DATE: Presidents Meeting (May 20, 2014)

AGENDA ITEM: Phi Theta Kappa and the Tennessee Completion Initiative

ACTION: Information Item

PRESENTER: Dr. Rod A. Risley, Executive Director of Phi Theta Kappa

BACKGROUND INFORMATION:

PRESIDENTS QUARTERLY MEETING

May 2014

DATE: Presidents Meeting (May 20, 2014)

AGENDA ITEM: Tennessee Higher Education Initiative

ACTION: Information Item

PRESENTER: Dr. Julie L. Doochin, Founder and Executive Director of the
Tennessee Higher Education Initiative

BACKGROUND INFORMATION:

PRESIDENTS QUARTERLY MEETING

DIRECTORS QUARTERLY MEETING

May 2014

DATE: Presidents Meeting (May 20, 2014)
Directors Meeting (May 28, 2014)

AGENDA ITEM: Definition of Faculty: 5:02:01:00

ACTION: Action Item

PRESENTER: Vice Chancellor Tristan Denley

BACKGROUND INFORMATION:

The purpose of this statement is to provide a definition of the term "faculty" for Tennessee Board of Regents policies which do not otherwise define that term, and to relate faculty status and academic rank. Campuses may further develop this definition as needed for decisions on matters not covered by nor in conflict with Board policies, such as faculty meeting attendance, voting on recommendations of campus policies and procedures, and representation on campus committees.

Definition of Faculty : 5:02:01:00

Purpose

The purpose of this statement is to provide a definition of the term "faculty" for Tennessee Board of Regents policies which do not otherwise define that term, and to relate faculty status and academic rank. Campuses may further develop this definition as needed for decisions on matters not covered by nor in conflict with Board policies, such as faculty meeting attendance, voting on recommendations of campus policies and procedures, and representation on campus committees.

Definitions

Definitions are contained in the body of the policy.

Policy/Guideline

I. Faculty Definitions

- A. The term "faculty" shall be limited to regular, full-time personnel at institutions whose regular assignments include instruction, research, and/or public service as a principal activity, and who hold academic rank as professor, associate professor, assistant professor, instructor, senior instructor or master instructor, and as senior vocational teacher, intermediate vocational teacher, vocational teacher. Institutions may limit, but may not expand the scope of the definition of faculty for the purposes of this policy.
 1. The term "regular, full-time personnel" as used in the definition of "faculty" is limited to those persons whose appointments are for a complete academic or fiscal year.
 2. The term "principal activity" as used in the above definition shall mean that the person's regular assignment in the areas of instruction, research and/or public service must be at least fifty percent (50%) of the total assigned duties.
 3. The terms "instruction," "research," and "public service" shall be limited to those academic activities properly assignable to the institution's current funds expenditures accounts designated as "Instruction," "Research," "Public Service," and "Academic Support." The terms exclude those activities properly assigned to accounts for "Student Services" (with the exception of remedial instruction which, at the discretion of the institution, may be treated as regular "instruction"), "Institutional Support," "Operation and Maintenance of Plan," etc.*
 4. The term "faculty" shall not, for the purposes of this statement include members of an institution's instructional personnel defined as "adjunct faculty," part-time teachers, post-doctoral fellows, visiting lecturers, and graduate assistants. "Adjunct faculty" is defined as professional staff members of businesses, industries and other agencies and organizations who are

appointed by institutions on a part-time basis to carry out instructional, research or public service functions.

- B. If not otherwise included within the above definition of "faculty," the term "faculty" may include, provided they hold academic rank, academic department or division chairpersons or directors, academic deans, academic vice presidents, presidents, and directors, who have direct line authority over faculty as hereinabove described, and associates or assistants for the above positions. In addition, the term "faculty" may include persons previously designated as members of the faculty who are assigned to other positions at the institution.
- C. Academic rank is an element of faculty status, and shall be limited to "faculty within the above definition. Academic rank may only be assigned to faculty who meet the minimum rank criteria under Board Policy No. 5:02:02:20, 5:02:02:30, and 5:02:02:10, and those policies shall control any promotion in rank.

Exceptions to this policy can be made upon recommendation by a president or director of an institution and approval by the Chancellor.

PRESIDENTS QUARTERLY MEETING

DIRECTORS QUARTERLY MEETING

May 2014

DATE: Presidents Meeting (May 20, 2014)
Directors Meeting (May 28, 2014)

AGENDA ITEM: Academic Tenure for Universities: 5:02:03:60

ACTION: Action Item

PRESENTER: Vice Chancellor Tristan Denley

BACKGROUND INFORMATION:

The purpose of this policy is to establish the criteria and process regarding academic tenure at universities governed by the Tennessee Board of Regents.

Academic Tenure for Universities : 5:02:03:60

Purpose

The purpose of this policy is to establish the criteria and process regarding academic tenure at universities governed by the Tennessee Board of Regents.

Definitions

The following are general definitions of words and terms used in this policy which are not hereinafter specifically defined; however, the words and terms are subject to further qualification and definition in the subsequent sections of this policy.

- Academic Tenure - a personnel status in an academic department or academic program unit pursuant to which the academic or fiscal year appointments of full-time faculty who have been awarded tenure are continued at an university until the expiration or relinquishment of that status, subject to termination for adequate cause, for financial exigency, or for curricular reasons.
- Adequate Cause - a basis upon which a faculty member, either with academic tenure or a tenure-track or temporary appointment prior to the end of the specified term of the appointment may be dismissed or terminated. The specific grounds which constitute adequate cause are set forth in Section IV.H., herein.
- Financial Exigency - the formal declaration by the Tennessee Board of Regents that one of its universities faces an imminent financial crisis, that there is a current or projected absence of sufficient funds (appropriated or non-appropriated) for the campus as a whole to maintain current programs and activities at a level sufficient to fulfill its educational goals and priorities, and that the budget can only be balanced by extraordinary means which include the termination of existing and continuing academic and non-academic appointments.
- Faculty Member - a full-time employee who holds academic rank as instructor, senior instructor, master instructor, assistant professor, assistant clinical or research professor, associate professor, associate clinical or research professor, professor, clinical or research professor, or instructor/coordinator.
- Probationary Employment - period of full-time professional service by a faculty member for whom an appointment letter denotes a tenure-track appointment in which he/she does not have tenure and in which he/she is evaluated by the university for the purpose of determining his/her satisfaction of the criteria for a recommendation for tenure. Probationary employment provides an opportunity for the individual to assess his/her own commitment to the university and for the university to determine whether the individual meets its perception of quality and/or projected need.
- Faculty Appointments - are defined in TBR Policies 5:02:07:00 and 5:02:07:10.

Policy/Guideline

I. Introduction

- A. The following policy of the Tennessee Board of Regents on tenure is applicable to all universities within the system. These are minimal provisions for universities and should be implemented in a manner appropriate to the individual missions, traditions, and needs of the universities.
- B. University policies on tenure must cite and specifically acknowledge compliance with TBR Policy on Academic Tenure (5:02:03:60). Likewise, university policies must as a minimum embody and communicate clearly all provisions, definitions, and stipulations of the Board policy.
- C. The quality of the faculty of any university is maintained primarily through support of a wide variety of professional development. It is monitored through the appraisal, by competent faculty and administrative officers, of each candidate for tenure. Tenure at a Tennessee Board of Regents university provides certain full-time faculty with the assurance of continued employment during the academic year until retirement or dismissal for adequate cause, financial exigency, or curricular reasons, as further discussed herein.

II. Consideration for Tenure

A. Tenure Appointments

1. The awarding of tenure is recognition of the merit of a faculty member and of the assumption that he/she would meet the long-term staffing needs of the department or academic program unit and the university.
2. Tenure is awarded only to those members of the faculty who have Exhibited professional excellence and outstanding abilities sufficient to demonstrate that their future services and performances justify the degree of permanence afforded by academic tenure.
3. The Tennessee Board of Regents does not award tenure in non-faculty positions.
4. Tenure appointments reside in the departments and academic program units, and are assurances of continued employment during the academic year subject to expiration, relinquishment, or terminations of tenure as set out in Sections III. and IV.
5. Recommendations for or against tenure should originate from the department or academic program unit in which the faculty member is assigned and should include appropriate participation in the recommendation by tenured faculty in the department or academic program unit as specified in Policy.
6. Tenure is awarded only by positive action of the Board, pursuant to the requirements and procedures of this policy, at a specific university.

7. No faculty member shall acquire or be entitled to any interest in a tenure appointment at a university without a recommendation for tenure by the president of the university and an affirmative award of tenure by the Board of Regents.
8. No other person shall have any authority to make any representation concerning tenure to any faculty member, and failure to give timely notice of non-renewal of a contract shall not result in the acquisition of a tenure appointment, but shall result in the right of the faculty member to another year of service at the university, provided that no tenure appeals remain outstanding due to lack of cooperation and/or appropriate action on the part of the candidate in completing the appeal process.

B. Tenure Process

1. Each university policy must contain the following:
 - a. Provisions for a tenure-track faculty member to be guided through the tenure process. Guidance may include provision of a mentor, pre-tenure review, portfolio development workshops, etc.
 - b. A process that defines the levels of review to include peer review.
 - c. Procedures associated with review by each level, a clear description of materials that each level will review.
 - d. A calendar or schedule of the review process.
 - e. The types and frequency of evaluation of probationary faculty members in the areas of teaching, service/outreach, and scholarship/creative activities/research.
2. University procedures shall ensure that peer committees have qualified privilege of academic confidentiality against disclosure of individual tenure votes unless there is evidence that casts doubt upon the integrity of the peer committee.
3. This policy shall be interpreted in a manner consistent with T.C.A. § 10-7-101 et seq. The recommendation for tenure must be made by the president to the Chancellor and by the Chancellor to the Board. In the event that tenure is awarded by the Board, the president shall furnish to the faculty member written confirmation of the award.
4. Annual evaluations conducted by the candidate's department chair or other appropriate head of an academic program unit are an important aspect of the criteria for tenure at universities; therefore, university policies should include a clear statement as to the role of evaluation in measuring those criteria relevant to assessing the merit of the probationary candidate. Types of evidence relevant to evaluating effectiveness and contributions in teaching,

research/scholarship, and service/outreach are identified in subsections III.A1, 2, and C of this section.

C. Minimum Eligibility Requirements for Consideration for Academic Tenure

1. University policies must include specifically identifiable sections which define minimum eligibility requirements for consideration for academic tenure. Those sections must clearly distinguish between:
 - a. Minimum eligibility requirements for consideration for academic tenure; and
 - b. Criteria to be considered in tenure recommendations (see Section III).
2. Academic tenure may be awarded only to full-time faculty members who:
 - a. Hold academic rank as instructor, senior instructor, master instructor, assistant professor, associate professor, or professor and meet the minimum rank criteria for that rank as specified in TBR Policy No 5:02:02:20 (however, a university may choose not to award tenure to faculty in the rank of instructor);
 - b. Have been employed pursuant to tenure-track appointments and have completed the probationary period of service as stated in the university's policy, and/or as agreed upon in writing and signed by the appropriate academic officer; and
 - c. Have been determined by the university to meet the criteria for recommendation for tenure and have been so recommended pursuant to this policy.
3. Faculty holding clinical or research appointments are not eligible for tenure, provided, however, that under certain circumstances, such appointments may be converted to tenure track appointments as discussed in faculty appointments, TBR Policy Nos. 5:02:07:00 and 5:02:07:10.
4. Faculty members supported in whole or in part by funds available to the university on a short-term basis, such as grants, contracts, or foundation sponsored projects, shall not be eligible for tenure unless continuing support for such members can be clearly identified in the regular budget of the university upon the recommendation of tenure to the Board.
5. No faculty member shall be eligible for tenure unless the employee's contract specifies his/her tenure-track status; provided that where a faculty member with tenure is appointed to an administrative position, he/she will retain tenure in a former faculty position only; and provided further that a faculty member otherwise eligible for tenure who also

holds a non-faculty position may be awarded tenure in the faculty position only, subject to the requirements of this policy.

6. Each university may establish additional reasonable requirements for the eligibility of faculty for consideration for tenure. These should include but are not limited to the completion of the doctorate or other specified terminal degree in the faculty member's discipline, a minimum rank of instructor, assistant professor, and prescribed research and publication achievements. (The Tennessee Board of Regents, using national standards, will determine what constitutes the terminal degree for each discipline. The university may request exceptions to this standard based upon its mission, or based upon an extraordinary candidate. In the latter instance, the exception shall be requested when the faculty member is employed and/or when the length of the probationary period is determined.)

D. Probationary Employment

1. Probationary faculty may be employed on annual tenure-track appointments for a probationary period of which may not exceed six (6) years, however, six (6) years is considered to be the normal length of time required to develop a substantial record in teaching, research and service.
2. The faculty member may apply for tenure following a probationary period of not less than five years, provided that exceptions to the minimum probationary period may be made under special circumstances upon recommendation by the president and approval by the Chancellor.
 - a. Upon approval of such an exception by the Chancellor, the faculty member's recommendation for tenure will go forward to the Board as meeting the requirements for the probationary period.

E. Calculating the Probationary Period

1. Only full-time continuous service at a university will be included in determining completion of the probationary period, except where a break in service was pursuant to an approved leave of absence.
 - a. Credit for Prior Service - The minimum probationary period of five years may include credit for prior service when agreed to by the president, and subject to the maximum permissible credit for prior service as noted below:
 - . Credit toward completion of the probationary period may at the discretion of the president be given for a maximum of three years of previous full-time service at other colleges, universities, or institutes provided that the prior service is

relevant to the institution's own needs and criteria.

- . Any credit for prior service that is recognized and agreed to must be confirmed in writing at the time of the initial appointment.
 - . Credit toward completion of the probation period may, at the discretion of the president, be given for a maximum of three years or previous full-time service in a temporary faculty appointment or term appointment at the same institution or in an earlier tenure-track appointment at the same institution that has been followed by a break in service.
 - . Any credit for prior service in a temporary full-time faculty appointment at the same institution or in an earlier tenure-track appointment (at the same institution) that has been followed by a break in service must be recognized and confirmed in writing in the appointment letter to a tenure-track position.
- b. Approved Leave of Absence
- . A period of approved leave of absence shall be excluded from the requisite period for completion of the probationary period unless the president of the university specified in writing prior to the leave of absence that it shall be included in the probationary period.
 - . Leaves of absence may not be granted retroactively.
 - . A faculty member may apply for a maximum of two (2) extensions in one-year increments so long as the total probationary period does not exceed six years.
 - . Requests for a second extension follow the same procedure and are subject to the same considerations as the original extension.
- c. Stopping the Tenure Clock
- . A faculty member in a tenure track appointment may request to "stop the clock" during his/her probationary period when circumstances exist that interrupt the faculty member's normal progress toward building a case for tenure.
 - . Discretion for stopping the tenure clock rests on the institution and also requires supervisory

approval. In such cases, the faculty member may request to “stop the tenure clock” for one-year if he/she demonstrates that circumstances reasonably warrant such interruption.

- . Reasons for approving a request to “stop the clock” will typically be related to a personal or family situation requiring attention and commitment that consumes the time and energy normally addressed to faculty duties and professional development.
- . Examples may include, but are not limited to, childbirth or adoption, care of dependents, medical conditions or obligations, physical disasters or disruptions, or similar circumstances that require a fundamental alteration of one’s professional life.
- . The intent of this policy is to serve the best interests of the university while providing neither preference to nor adverse effect on a faculty member’s process of developing a case for tenure.
- . Once approved, the “stop the clock” year is not counted in the probationary period accrual.

d. Procedure

- . A faculty member seeking a modification of his/her probationary period must submit his/her request, in writing, addressing the considerations described above.
- . The request is to be submitted to the department chair for consideration and recommendation. The chair’s recommendation is forwarded to the dean of the faculty member’s college for consideration and recommendation; thence to the provost for consideration and recommendation; and finally to the president for approval or denial.
- . The president will notify the faculty member, in writing, of the decision to approve or deny such exceptions within one month of submission.
- . Requests for modification of the probationary period that are based on a faculty member’s health or care for an immediate family member should also be submitted to the university’s legal counsel or to TBR’s Office of the General Counsel for review.

- F. A faculty member that is appointed to an administrative position prior to a tenure award remains eligible for tenure under two conditions:
 - 1. The faculty member must qualify for tenure under departmental or academic program unit, college and university guidelines; and
 - 2. The faculty member must maintain a significant involvement in academic pursuits including teaching, scholarship and service. The time (or prorated portion of time) spent in the administrative position may be credited toward completion of the probationary period.
- G. Where a faculty member is serving a probationary period in a department or academic program unit and is subsequently transferred to another department or academic program unit, the faculty member may – with the approval of the president – elect to begin a new probationary period on the date that the transfer occurs.
 - 1. If he/she does not so elect (and confirm in writing to the president), time spent in the first appointment shall count toward establishing the minimum and maximum probationary period (see E.1 above).

III. Criteria to be considered in Tenure Recommendations

A. Overview

- 1. The nature and relative importance of the criteria for the recommendation for tenure depend upon the nature, mission, and goals of the university in which tenure may be awarded and of the department or academic program unit in which a faculty member is employed.
- 2. The faculty member must demonstrate willingness and ability to work effectively with colleagues to support the mission of the institution and the common goals both of the institution and of the academic organizational unit.
- 3. Moreover, criteria for tenure relate to the university's three traditional, and often inter-related, missions: teaching, research/scholarship/creative activities, and service/outreach.

B. Teaching

- 1. Effective teaching is an essential qualification for tenure, and tenure should not be granted in the absence of clear evidence of a candidate's teaching ability and potential for continued development.
- 2. Excellence in teaching is a strong recommendation for both tenure and promotion though it cannot be considered in isolation from scholarship and service.
- 3. Although it is difficult to establish evidence of teaching excellence, each department must develop a procedure to ensure that factual information relative to a candidate's teaching is available at the time he/she is considered for

tenure. It is expected that a component of teaching is effective student advisement.

4. The teaching portfolio should include, but is not limited to, evidence of teaching excellence as follows:
 - a. Ability to organize and present subject matter in a logical and meaningful way;
 - b. Ability to motivate and stimulate creativity, intellectual curiosity, and interest in writing and inquiry in undergraduates and/or graduate students; and
 - c. Evidence of peer evaluation.
5. Documentation of teaching should routinely include:
 - a. Statement of teaching philosophy;
 - b. Course materials;
 - c. Student evaluations for every course evaluated during the probationary period; and
 - d. Evidence of supervision of student projects and other forms of student mentorships.
6. A candidate for tenure may choose to include other types of evidence that support his/her application for tenure such as:
 - a. Additional student input;
 - b. Student products;
 - c. Teaching recognition;
 - d. Teaching scholarship;
 - e. Peer input;
 - f. Evidence of professional development in teaching;
 - g. Evidence of disciplinary or interdisciplinary program or curricular development;
 - h. Alumni surveys and student exit interviews; and
 - i. Other evidence of excellence in teaching or mentoring, or both.

C. Research/Scholarship/Creative Activities

1. A candidate for tenure must present evidence of his/her research, scholarship and/or creative activities when he/she applies for tenure.
 - a. Such evidence should cite books, journal articles, monographs, creative activities, performances, or Exhibitions that have undergone appropriate peer review.
 - b. Research publications in refereed journals or media of similar quality are considered reliable indicators of research/scholarly ability.
 - c. Written reviews and evaluations by qualified peers, either in person or aided by other forms of reports, or both, are appropriate for performances, compositions, and other artistic creations.

- d. Books published by reputable firms and articles in refereed journals, reviewed by recognized scholars, are more significant than those that are not subjected to such rigorous examination.
 - e. It should be emphasized that quality is more important than quantity.
- 2. The tenure dossier/application must include evidence of peer review of the candidate's record of research/scholarly activity by qualified peers. The scholarship of teaching is a valid measure of research capability.
 - a. It goes beyond doing a good job in the classroom; creative teachers should organize, record, and document their efforts in such a way that their colleagues may share their contributions to the art of teaching.
 - b. Appropriate textbooks or educational articles in one's own discipline and innovative contributions to teaching, if published or presented in a peer-reviewed forum, constitute scholarship of teaching.
- 3. Service/Outreach Service and/or outreach encompass a faculty member's activities in one of three areas:
 - a. Outreach or public service;
 - b. University service; and
 - c. Professional service.
- 4. The outreach or public service function is the university's outreach to the community and society at large, with major emphasis on the application of knowledge for the solution of problems with which society is confronted.
 - a. Outreach primarily involves sharing professional expertise and should directly support the goals and mission of the university.
 - b. A vital component of the university's mission, public service must be performed at the same high levels of quality that characterize the teaching and research programs.
- 5. University service refers to work other than teaching and scholarship done at the department, college, or university level. A certain amount of such service is expected of every faculty member; indeed, universities could hardly function without conscientious faculty who perform committee work and other administrative responsibilities.
 - a. University service includes, but is not limited to, serving on departmental committees and participating in college and university committees.
 - b. Some faculty members may accept more extensive citizenship functions, such as a leadership role in the

Faculty Senate, membership on a specially appointed task force, service as advisor to a university-wide student organization, and membership on a university search committee.

6. Professional service refers to the work done for organizations related to one's discipline or to the teaching profession generally.
 - a. Service to the profession includes association leadership, journal editorships, article and grant proposal review, guest lecturing on other campuses, and other appropriate activities.
 - b. While it is difficult to define the exact nature of significant professional service, clearly more is required than organizational membership and attendance; examples of significant service would be that done by an officer of a professional organization or a member of the editorial staff of a journal.

IV. Changes in Tenure/Tenure-Track Status

A. Non-renewal of Probationary Tenure-Track

1. When tenure-track appointments of faculty are not to be renewed for further service, the faculty member shall receive notice of his/her non-retention for the ensuing academic year as follows:
 - a. Not later than April 1 of the first academic year of service, if the appointment expires at the end of that year; or, if the appointment terminates during an academic year, at least two months in advance of its termination;
 - b. Not later than January 1 of the second year of service, if the appointment expires at the end of that year; or, if the appointment terminates during an academic year, at least five months in advance of its termination;
 - c. Not later than the close of the academic year preceding the third or subsequent year of service, if the appointment expires at the end of that year; or, if the appointment terminates during an academic year, at least twelve months in advance of its termination.
2. The above stated dates are the latest dates for notice of non-renewal of faculty on tenure-track appointments, and each university may adopt annual dates which provide for longer notice of non-renewal. Notice of non-renewal shall be effective upon personal delivery of the notice to the faculty member, or upon the date the notice is mailed, postage prepaid, to the faculty member at his/her current home address of record at the university.

3. Applicable dates for notice of non-renewal are based upon actual years of service at a particular university and in no way affected by any credit for prior service. When a faculty member on a tenure-track appointment completes his/her probationary period, the faculty member will be recommended for tenure by the president or will be given notice of non-renewal of the appointment during the spring term following application for such status. Such notice of non-renewal should be given not later than the final day of the academic year. The faculty member's right in an instance where timely notice is not given is described in II.A.8.
4. Faculty members on tenure-track appointments shall not be terminated during the term of the annual appointment as stated in the employment contract except for reasons which would be sufficient for the termination of tenured faculty.
5. The non-renewal or non-reappointment of any faculty member on a tenure-track appointment does not necessarily carry an implication that his/her work or conduct has been unsatisfactory.
6. Unless there is a violation of state or federal law under the limitations described in the TBR Policy on Appeals (1:02:11:00), decisions that are not subject to appeal to the Chancellor include (a) non-renewal of a tenure-track faculty appointment during the first five years of the probationary period and (b) denial of tenure unaccompanied by notice of termination in the fifth year of the probationary period.

B. Transfer of Tenure

1. Where a faculty member is tenured in an academic program unit (e.g., a department or division) he/she may be transferred to another academic program unit.
2. In such cases, the transfer will be made with tenure; moreover, the tenure appointment will be transferred to the new academic program unit.
3. In no instance may the faculty member be compelled to relinquish tenure as a condition for affecting the transfer.

C. Expiration of Tenure

1. Tenure status shall expire upon retirement of the faculty member.
2. Tenure shall also expire upon the event of permanent physical or mental inability of a faculty member, as established by an appropriate medical authority, to continue to perform his/her assigned duties.

D. Relinquishment of Tenure

1. A faculty member shall relinquish or waive his/her right to tenure upon resignation from the university or upon failure to report for service at the designated date of the beginning of

any academic term, which shall be deemed to be a resignation unless, in the opinion of the president, the faculty member has shown good cause for such failure to report.

2. Where a tenured faculty member is transferred or reclassified to another department or academic program unit by the university, the transfer or reassignment shall be with tenure.
3. Tenure is not relinquished during administrative assignments at the university.

E. Termination of Tenure for Reasons of Financial Exigency

1. A tenured faculty member may be terminated as a result of financial exigency at a university subject to Board declaration that such financial conditions exist.
2. Personnel decisions (including those pertaining to tenured faculty) that result from a declaration of financial exigency at a Board of Regents university will comply with the Board Policy on Financial Exigency (5:02:06:00).

F. Termination of Tenure for Curricular Reasons

1. The employment of a tenured faculty member may be terminated because:
 - a. An academic program is deleted from the curriculum; or
 - b. Because of substantial and continued reduction of student enrollment in a field or discipline.
2. Before declaring that curricular reasons exist, the president will ensure meaningful participation by the university's representative faculty body in identifying the specific curricular reasons, evaluating the long-term effect on the university's curriculum and its strategic planning goals, and the advisability of initiating further action.
3. Prior to initiating the process described below, the president will present-either verbally or in writing - a description of curricular reasons that may warrant the termination of tenured faculty member(s).
4. Each university policy will describe procedures whereby this presentation will be made to a representative faculty body, and that body will have the opportunity to respond in writing to the president before action described below is initiated.
5. Each of these reasons for termination of tenure for curricular reasons must denote shifts in staffing needs that warrant greater reductions than those which are accommodated annually in light of shifting positions from one department to another or among colleges to handle changing enrollment patterns (see Definitions, G.6 below).

G. Procedures for Termination of Tenure

1. Upon determining that termination of one or more tenured faculty members is required for one or more of the two reasons cited above, the president shall furnish each faculty

member to be terminated a written statement of the reasons for the termination.

- a. Those reasons shall address fully the curricular circumstances that warranted the termination and shall indicate the manner and the information upon which the decision of which faculty members were to be terminated was reached.
 - b. The president's written statement shall also indicate that the faculty member has the opportunity to respond in writing stating any objections to the decision.
2. If the faculty member(s) to be terminated indicate(s) objections to the president's written statement(s) and request(s) a review, the president will appoint a faculty committee consisting of a minimum of five tenured faculty members from a slate of ten tenured faculty members proposed by the representative faculty body.
 - a. The committee shall conduct a hearing on the proposed termination(s).
 - b. The committee shall report its findings and recommendations to the president, who shall in a reasonable time inform the faculty member(s) proposed for termination in writing either that the decision for termination stands or that it has been altered.
3. The president's decision to terminate a tenured faculty member for curricular reasons is subject to appeal to the Chancellor and the Board as provided in the policy on appeals to the Board (TBR Policy 1:02:11:00).
4. When a tenured faculty member is terminated for curricular reasons, the position will not be filled by a new appointee with the same areas of specialization as the terminated faculty member within a period of three years unless the terminated faculty member has been offered, in writing, reappointment to the position at his/her previous rank and salary (with the addition of an appropriate increase which, in the opinion of the president, would constitute the raise(s) that would have been awarded during the period that he/she was not employed).
5. Upon determining that termination of one or more tenured faculty members is warranted for curricular reasons, the president shall base his/her decision about which faculty member(s) should be terminated upon his/her assessment as to what action would least seriously compromise the educational programs in a department or division.
 - a. Termination for curricular reasons presumes a staffing pattern in a department or academic program unit which cannot be warranted either by comparison with

general load practices within the university or by comparison with faculty loads in comparable departments or academic program units at similar universities.

- b. In that light, the president shall also, at his/her discretion, base his/her decision on a careful assessment of the impact of the curricular reason on staffing requirements in the department or academic program unit as compared to overall patterns in the university and to comparable departments or academic program units which, in his/her judgment, are in universities similar enough to warrant assessment.

6. Definitions

- a. "Program is deleted from the curriculum" means that the Board takes formal action to terminate a degree major, concentration, or other curricular component and that such termination eliminates or reduces need for faculty qualified in that discipline or area of specialization.
- b. "Substantive and continued reduction of student enrollment in a field" means that over a period of at least three (3) years student enrollment in a field has decreased at a rate in considerable excess of that of the university as a whole and that such reduction has resulted in faculty-student ratios that, in the opinion of the president, cannot be warranted either by comparison with equivalent faculty load practices within the university or by comparisons with faculty loads in comparable departments or academic program units at similar universities which the president would deem to be appropriate for comparison.

7. When a tenured faculty member is to be terminated for curricular reasons, the president will make every possible effort to relocate the tenured faculty member in another existing vacant position for which he/she is qualified.
 - a. In instances where (in the opinion of the president) relocation within the university is a viable alternative, the university has an obligation to make significant effort to relocate the faculty member, including the bearing of reasonable retraining costs.
 - b. The final decision on relocation is within the discretion of the president.

H. Termination for Adequate Cause

1. A faculty member with tenure or a faculty member on a tenure-track appointment prior to the end of the term of

appointment may be terminated for adequate cause, which includes the following:

- a. Incompetence or dishonesty in teaching or research.
- b. Willful failure to perform the duties and responsibilities for which the faculty member was employed or refusal or continued failure to comply with the policies of the Board, the university or the department, or to carry out specific assignments, when such policies or assignments are reasonable and non-discriminatory.
- c. Conviction of a felony or a crime involving moral turpitude.
- d. Improper use of narcotics or intoxicants, which substantially impairs the faculty member's fulfillment of his/her departmental and university duties and responsibilities.
- e. Capricious disregard of accepted standards of professional conduct.
- f. Falsification of information on an employment application or other information concerning qualifications for a position.
- g. Failure to maintain the level of professional excellence and ability demonstrated by other members of the faculty in the department or academic program unit of the university.

I. Procedures for Termination for Adequate Cause

1. Termination of a faculty member with a tenure appointment, or with a tenure-track or temporary appointment prior to the annual specified term of the appointment, shall be subject to the following procedures:
 - a. No termination shall be effective until steps 4 through 9 below have been completed.
 - b. Suspensions pending termination shall be governed by the following procedure.
 - . A faculty member may not be suspended pending completion of steps 4 through 9 unless it is determined by the university that the faculty member's presence poses a danger to persons or property or a threat of destruction to the academic or operational processes of the university. Reassignment of responsibilities is not considered suspension; however, the faculty member must be reassigned responsibilities for which he/she is qualified.
 - . In any case of suspension, the faculty member shall be given an opportunity at the time of the decision or immediately thereafter to contest the

suspension; and, if there are disputed issues of fact or cause and effect, the faculty member shall be provided the opportunity for a hearing on the suspension as soon as possible at which time the faculty member may cross-examine his/her accuser, present witnesses on his/her behalf, and be represented by an attorney. Thereafter, whether the suspension is upheld or revoked, the matter shall proceed pursuant to these procedures.

- . Except for such simple announcements as may be required concerning the time of proceedings and similar matters, public statements and publicity about these proceedings by either the faculty member or administrative officers will be avoided so far as possible until the proceedings have been completed, including consideration by the Board.
- . Upon a recommendation by the chief academic officer of the university to the president or upon a decision by the president that these procedures should be undertaken in consideration of the termination of a tenured faculty member, one or more appropriate administrators shall meet privately with the faculty member for purposes of attempting to reach a mutually acceptable resolution of the problems giving rise to the proposed termination proceedings.
- . If no mutually acceptable resolution is reached through step 4 the following steps shall be taken.
 - . The faculty member shall be provided with a written statement of the specific charges alleged by the university which constitute grounds for termination and a notice of hearing specifying the time, date, and place of the hearing. The statement and notice must be provided at least twenty (20) days prior to the hearing. The faculty member shall respond to the charges in writing at least five (5) days prior to the hearing. The faculty member may waive the hearing by execution of a written waiver.
 - . A committee consisting of tenured faculty or tenured faculty and administrators shall be appointed to hear the case and to

determine if adequate cause for termination exists according to the procedure herein described. The committee shall be appointed by the president and the officially recognized faculty senate, assembly or advisory committee, with each appointing the number of members designated by the policy of the university. The committee may not include any member of the faculty committee referred to in 4 above. Members deeming themselves disqualified for bias or interest shall remove themselves from the case, either at the request of a party or on their own initiative. Members of the committee shall not discuss the case outside committee deliberations and shall report any ex-parte communication pertaining to the hearing to the president who shall notify all parties of the communication.

- . The hearing committee shall elect a chairperson who shall direct the proceedings and rule on procedural matters, including the granting of reasonable extensions of time at the request of any party and upon the showing of good cause for the extension.
- . The chairperson of the hearing committee may in his/her discretion require a joint pre-hearing conference with the parties which may be held in person or by a conference telephone call. The purpose of the pre-hearing conference should include but is not limited to one or more of the following:
 - . As notification as to procedure for conduct of the hearing.
 - . To exchange of witness lists, documentary evidence, and affidavits.
 - . To define and clarify issues.
 - . To effect stipulations of fact. A written memorandum of the pre-hearing conference should be prepared and provided to each party.
- . A hearing shall be conducted by the hearing committee to determine whether adequate cause for termination of the faculty member exists. The

hearing shall be conducted according to the procedures below.

- . During the hearing, the faculty member will be permitted to have an academic advisor present and may be represented by legal counsel of his/her choice.
- . A verbatim record of the hearing will be taken and a typewritten copy will be made available to the faculty member, upon request, at the faculty member's expense.
- . The burden of proof that adequate cause exists rests with the university and shall be satisfied only by clear and convincing evidence in the record considered as a whole.
- . The faculty member will be afforded an opportunity to obtain necessary witnesses and documentary or other evidence. The administration will cooperate with the committee in using its best efforts to secure witnesses and make available documentary and other evidence that is under its control.
- . The faculty member and the administration will have the right to confront and cross-examine all witnesses. Where the witnesses cannot or will not appear, but the committee determines that the interests of justice require admission of their statements, the committee will identify the witnesses, disclose their statements, and, if possible, provide for interrogatories. An affidavit may be submitted in lieu of the personal appearance of a witness if the party offering the affidavit has provided a copy to the opposing party at least ten (10) days prior to the hearing and the opposing party has not objected to the admission of the affidavit in writing within seven (7) days after delivery of the affidavit or if the committee chairperson determines that the admission of the affidavit is necessary to ensure a just and fair decision.

- . In a hearing on charges of incompetence, the testimony shall include that of qualified faculty members from the university or other universities of higher education.
- . The hearing committee will not be bound by strict rules of legal evidence and may admit any evidence which is of probative value in determining the issues involved. Every possible effort will be made to obtain the most reliable evidence available.
- . The findings of fact and the report will be based solely on the hearing record.
- . The president and the faculty member will be provided a copy of the written committee report. The committee's written report shall specify findings of fact and shall state whether the committee has determined that adequate cause for termination exists and, if so, the specific grounds for termination found. In addition, the committee may recommend action less than dismissal. The report shall also specify any applicable policy the committee considered.

After consideration of the committee's report and the record, the president may in his/her discretion consult with the faculty member prior to reaching a final decision regarding termination. Following his/her review, the president shall notify the faculty member of his/her decision, which, if contrary to the committee's recommendation shall be accompanied by a statement of the reasons. If the faculty member is terminated or suspended as a result of the president's decision, the faculty member may appeal the president's action to the Chancellor pursuant to TBR Policy 1:02:11:00. Review of the appeal shall be based upon the record of hearing. If upon review of the record, the Chancellor notes objections regarding the termination and/or its proceedings, the matter will be returned to the president for reconsideration, taking into account the stated objections, and, at the discretion of the president, the case may be returned to the hearing committee for further proceedings.

PRESIDENTS QUARTERLY MEETING

DIRECTORS QUARTERLY MEETING

May 2014

DATE: Presidents Meeting (May 20, 2014)
Directors Meeting (May 28, 2014)

AGENDA ITEM: Faculty Promotion at Universities Policy: 5:02:02:20

ACTION: Action Item

PRESENTER: Vice Chancellor Tristan Denley

BACKGROUND INFORMATION:

Promotion in rank is recognition of past achievement of the individual being considered for promotion. In addition, the advancement in rank is recognition of future potential and a sign of confidence that the individual is capable of even greater accomplishments and of assuming greater responsibilities. The policy of the Tennessee Board of Regents is to make promotions strictly on consideration of merit tempered by university and fiscal considerations. The purpose of this policy is to help ensure that promotions are made objectively, equitably, impartially, and as a recognition of merit in line with the following policy guidelines.

Purpose

Promotion in rank is recognition of past achievement of the individual being considered for promotion. In addition, the advancement in rank is recognition of future potential and a sign of confidence that the individual is capable of even greater accomplishments and of assuming greater responsibilities. The policy of the Tennessee Board of Regents is to make promotions strictly on consideration of merit tempered by university and fiscal considerations. The purpose of this policy is to help ensure that promotions are made objectively, equitably, impartially, and as a recognition of merit in line with the following policy guidelines.

Definitions

For the purposes of this policy, research/scholarship/creative activities and service/outreach will be defined as follows.

- Teaching - Teaching applies to any strategy in which information is imparted so that others may learn, and may include, but is not limited to, a variety of techniques including instruction, student advising and/or mentoring, development of course materials and courseware, and development of innovative approaches to instruction.
- Research/Scholarship/Creative Activities - Research applies to the studious inquiry, examination, or discovery that contributes to disciplinary and interdisciplinary bodies of knowledge. Research/scholarship/creative activities may include, but are not limited to, disciplinary and interdisciplinary activities that focus on the boundaries of knowledge, field-based scholarship, creative activities (e.g., film-making, performances, or other artistic creations), and the development of cutting-edge teaching approaches.
- Service/Outreach - Service applies to involvement within the community as defined by the university's role and mission; service to the university; and service within the bounds of the applicant's academic discipline and budgeted assignment.

A more detailed description of these activities and the criteria to be applied in assessing performance in these three areas may be found in Sections IV and VII of Policy No. 5:02:03:60, "Policy on Academic Tenure for the Tennessee Board of Regents Universities."

Policy/Guideline

I. Introduction

- A. The president of each university is responsible for the master staffing plan of the university.
 1. In developing such a plan, the president will consider the fiscal impact of each promotion recommended to the Board; i.e., resources allocated and distributed to the university.

II. The Evaluation Process

- A. The guidelines which follow provide a general plan for documenting the evaluation process for promotion at each university.
 1. However, each university must develop specific promotion criteria which all units of that university will follow.
 2. The university's policy must, at a minimum, satisfy the criteria established by these general System guidelines, but may also be more rigorous than the criteria stated herein.
 3. The policy should be written to distinguish between functional areas of instruction, research/scholarship/creative activities and service/outreach and should contain sections that clearly outline promotional procedures, as well as opportunities for appeal of negative decisions.
- B. Once the university has developed its policy complete with process and appellate procedures, it must be forwarded to the Tennessee Board of Regents for review and approval.
 1. The university's promotion policy will be submitted via the Chancellor to the Committee on Personnel of the Board for review and recommended action.
 2. From the Committee, the university's policy will be referred to the Board for appropriate action.
 3. Upon Board approval, the university policy becomes a part of Board of Regents Policy.

III. Academic Ranks

- A. The following are criteria that distinguish between academic ranks.
 1. Instructor
 - a. [Demonstrated ability in instruction and student development.](#)
 - ~~a. [Demonstrated ability in instruction and/or service, and/or research.](#)~~
 - b. Master's degree from an accredited institution in the instructional discipline or related area.
 - c. [Evidence of good character, mature attitude, and professional integrity.](#)
 2. [Senior Instructor](#)
 - a. [Documented evidence of high quality teaching and contribution to student development.](#)
 - b. [Master's degree from an accredited institution in the instructional discipline or related area.](#)
 - c. [Evidence of good character, mature attitude, and professional integrity.](#)
 3. [Master Instructor](#)
 - a. [Documented evidence of teaching excellence and superior contribution to student development](#)
 - b. [Master's degree from an accredited institution in the instructional discipline or related area.](#)

- c. [Evidence of good character, mature attitude, and professional integrity.](#)

2.4. Assistant Professor

- a. Earned doctorate or terminal degree from an accredited institution in the instructional discipline or related area.
- b. Evidence of potential ability in instruction, and/or service, and/or research.
- c. Evidence of good character, mature attitude, and professional integrity.

3.5. Associate Professor

- a. Earned doctorate or terminal degree from an accredited institution in the instructional discipline or related area.
- b. Documented evidence of high quality professional productivity which may lead to national recognition in the academic discipline, and/or consonant with the goals of the university and of the academic unit to which the faculty member belongs.
- c. Documented evidence of ability in instruction and/or service and/or research.
- d. Evidence of good character, mature attitude, and professional integrity.

4.6. Professor

- a. Earned doctorate or terminal degree from an accredited institution in the instructional discipline or related area.
- b. Documented evidence of sustained high quality professional productivity and national recognition in the academic discipline or sustained high quality professional productivity in the academic discipline that is consonant with the goals of the university and of the academic unit to which the faculty member belongs.
- c. Documented evidence of teaching excellence and superior contribution to student development or superior scholarly or creative activity will contribute to the positive record of the candidate for advancement to the rank of professor. Since there is no higher rank, promotion to professor is taken with great care and requires a level of achievement beyond that required for associate professor. This rank is not a reward for long service; rather it is recognition of superior achievement within the discipline with every expectation of continuing contribution to the university and the larger academic community.
- d. Evidence of good character, mature attitude, and professional integrity, and a high degree of academic maturity and responsibility.

IV. Exceptions to Minimum Rank Qualifications

- A. The minimum rank qualifications should be met in every recommendation regarding appointment to academic rank and for promotion in academic rank.
 - 1. Exceptions to the minimum rank qualifications can be recommended by the president of a university; however, such exceptions are not favored and should be granted only upon a showing of a candidate's exceptional merit and/or other extraordinary circumstances, such as an objective need to deviate from these minimum qualifications in filling positions and/or retaining otherwise qualified faculty within certain academic disciplines.
 - 2. Petitions for exceptions to promotional criteria may include consideration of the appropriateness of the degree or extraordinary qualities that the candidate may possess.
 - a. The equivalent work experience credit may include relevant teaching experience or other experiences such as experience gained as an administrator, counselor, librarian, journeyman, or the like.
 - b. When evaluating college level instruction, research/scholarship/creative activities, and service, the university may make its own determination whether or not the number of years of experience from another university is to be accepted in total or discounted in some manner.

V. Terminal Degree Designation

- A. The Board will use national discipline standards to determine which degrees are considered to be “terminal” within each discipline and will provide each university with a list that delineates these degrees.
- B. Each university may request blanket exceptions to these standards by classification based upon its mission and hiring practice.
- C. Each university may also petition the Board for “equivalent work experience credit” when a candidate has not obtained a terminal degree, but has a record of extraordinary achievement in a given field.
 - 1. The equivalent work experience credit may include relevant teaching experience or other experiences such as experience gained as an administrator, counselor, librarian, journeyman, or the like.

VI. Promotion Criteria

- A. The academic units of the universities must develop written guidelines with specific criteria for evaluating the faculty in teaching, research and service. The departmental guidelines cannot be less rigorous than TBR or university guidelines.
- B. These guidelines should be distributed to all new faculty members and should be easily available at all times, preferably via the Web. Whenever the guidelines are revised, the faculty should be notified of the availability of the revised guidelines.

- C. Guidelines should use the following general criteria as minimum requirements.
1. Teaching
 - a. Evaluation of instruction shall be based on the following criteria with the each unit assigning varying degrees of weight to each criterion. Deficiencies in some criteria may be counterbalanced by superiority in others.
 - . Evaluation by department/division chairperson, and appropriate dean.
 - . Evaluation of curriculum and/or program development; development of instructional techniques (including development of on-line and computer assisted course development), etc.
 - . Promote involvement in student research, scholarship, and creative activities.
 - . Evaluation of the individual's performance in the advisement of students.
 - . Evaluation of the quality of the individual's performance in graduate and undergraduate student mentoring.
 - . Evaluation of published works in the teaching area; documentation of teaching methodology that may be shared with colleagues.
 - . Honors and recognition for contributions to teaching.
 - . A record that indicates that the individual has remained current in his/her field of specialization and effective in instructional methodology.
 - . Evaluation by peers, especially those in the same academic area (as appropriate for the individual university.)
 - . Student Evaluation of the teaching performance.
 2. Research/Scholarship/Creative Activities
 - a. Promotion to associate or full professor requires review of a candidate's record of scholarly activity by qualified peers.
 - b. Evaluation of research shall be based on the following criteria, with the academic units of the university assigning varying degrees of weight to each criterion. Deficiencies in some criteria should be counterbalanced by superiority in others.
 - . The publication of research in refereed journals or refereed online publications is a reliable indication of scholarly ability. Consonant with the goals of the university, documented evidence

of national recognition may be considered the most important criterion in evaluating scholarship for promotion to full professor. Consonant with the goals of the university, evidence of potential for national recognition may be considered the most important criterion evaluating scholarship for promotion to associate professor.

- . Books published by reputable firms and articles in refereed journals, reviewed by recognized scholars, are more significant than those that are not subjected to such rigorous examination. It should be emphasized that quality is more important than quantity.
- . Written reviews and evaluations by qualified external peers, either in person or aided by other forms of reports, or both, are appropriate for performances, compositions, and other artistic creations.
- . Professional scholarly papers presented at international, national, or regional meetings may be appropriate.

3. Service/Outreach and Professional Activities

- a. Evaluation of the service component should be based on performance in three areas:
 - . Public service to the community as defined by the university's role and mission;
 - . Service to the university; and service within the bounds of the applicant's academic discipline; and
 - . Budgeted assignment.
- b. Evaluation should be based on all three areas although it is realized that differences in emphases may exist. The academic units of the university shall have the responsibility for determining the emphasis as well as the responsibility for determining specific criteria based on the individual's aspect of work. Evaluation shall be based on the following criteria, with the academic units of the university to which the faculty member belongs assigning varying degrees of weight to each criterion. These criteria should include: community service programs, public service consultation, university, committee and administrative responsibilities, and active contributions to professional associations. In each case, documentation of the evaluation process and criteria shall be as complete as possible. Specific

evaluative criteria may be developed using the following as guidelines:

- . A description of the candidate's position that permits evaluation of performance in relation to assigned and budgeted duties. This should include a statement of the mission or purpose of the position and the objective(s) of the nominee's service unit, as well as the specific assigned tasks and responsibilities of the nominee.
 - . An evaluation of the candidate's effectiveness, as judged by his or her impact on individuals, groups, or organizations served. This should include indices of the success of his/her service, in terms of improvement of communities, programs, operating agencies, production processes, or management practices. It should also include indications of client satisfaction with the service provided by the nominee, and of the magnitude and complexity of his/her work (as opposed to perfunctory activity that does not lead to useful results).
 - . An appraisal of the candidate's local, regional and national stature. Although the achievement of national stature is sometimes difficult for public service faculty whose activities are primarily directed to groups within the State, the public service professional should take advantage of every opportunity to project his/her accomplishments among peers on a local, regional, and national basis. Service/outreach work is sometimes not publishable. The results may be in the form of direct consultations, planning reports, or instructional time directed largely to the recipients of university service programs. But certain aspects of service work are suitable for publication in professional journals. For example, unique techniques developed to motivate clients, or new approaches to the transfer and application of knowledge, would be of interest to peers in other public service programs across the nation.
4. General Process Guidelines at University Level
- a. So that the decision process can be as objective as possible, each recommendation (forwarded from the

department to a higher administrative level in the university) should be accompanied by complete and careful documentation of the candidate's teaching performance, and/or public service contributions, and/or research. Although the areas of instruction, public service, and research are all considered important, certain exceptions may exist where evaluation may occur in one or the other area exclusively. In these cases, as well as in the general case, appropriate supervisory personnel shall clearly and adequately document the facts which justify the individual's promotion. The initiating unit may, if it deems it desirable, include information relative to the candidate's research activities, publication record, exceptional administrative performance, or other types of contributions. Additional procedures may be used by each university with approval of the Tennessee Board of Regents. For example, the university may wish to establish an interdisciplinary, university-level promotion review committee to review the individual unit recommendations.

5. General Process Guidelines at Board Level

- a. A list of promotional recommendations should be forwarded by the president of the university to the Chancellor for his/her review. The Chancellor's recommendation will be forwarded to the Committee on Personnel and their recommendation forwarded to the Board.

PRESIDENTS QUARTERLY MEETING

DIRECTORS QUARTERLY MEETING

May 2014

DATE: Presidents Meeting (May 20, 2014)
Directors Meeting (May 28, 2014)

AGENDA ITEM: Faculty Appointments at Universities Policy: 5:02:07:10

ACTION: Action Item

PRESENTER: Vice Chancellor Tristan Denley

BACKGROUND INFORMATION:

The purpose of this policy is to establish the criteria and process regarding faculty appointments at universities governed by the Tennessee Board of Regents.

Purpose

The purpose of this policy is to establish the criteria and process regarding faculty appointments at universities governed by the Tennessee Board of Regents.

Policy/Guideline

I. Introduction

- A. The following constitutes the types of faculty appointments that can be made in Tennessee Board of Regents' universities including temporary, tenure-track, tenure, clinical-track, research, and coordinator appointments.

II. Types of Appointments

- A. Temporary Appointments are appointments for a specific purpose for a time appropriate to that purpose or for an unspecified period, which appointments may be terminated according to the terms of the contract of employment or appointment.

1. Temporary appointments ordinarily should be used only for lecturers, adjunct or part-time faculty, faculty employed to replace regular faculty on leave of absence, and faculty employed pursuant to grants or for projects funded in whole or in part by non-appropriated funds.
2. In addition, temporary appointments may be used for faculty employed on the basis of state appropriated funds in departments, divisions, or other academic units where the permanent and continued need for the position has not been established, provided that such appointments normally should not be in excess of three academic years.
3. After that, the position can be re-advertised, and the instructor can apply again and be hired if he/she is the best candidate.
4. Appointments of faculty members supported by more than fifty percent (50%) grant fund, or other soft money sources, may be approved by the university presidents for periods in excess of three years.

4.5. Temporary instructional faculty at instructor, master instructor or senior instructor rank may be appointed to a three-year contract. Such a contract may be renewed after any satisfactory performance review.

5.6. Other extensions of temporary appointments for periods in excess of three (3) years require the approval of the Chancellor.

- B. Tenure-track Appointments are appointments for regular full-time faculty with academic rank, and may be for the academic or fiscal year.

1. Tenure-track appointments are for faculty who are employed in a probationary period of employment prior to consideration for tenure.
 2. Tenure-track appointments shall not include any right to permanent or continuous employment, shall not create any manner of legal right, interest, or expectancy of renewal or any other type of appointment, and shall be subject to annual renewal by the institution.
- C. Tenure Appointments are appointments of full-time faculty who have been awarded tenure by the Board pursuant to the provisions of this policy.
1. To protect academic freedom, tenure appointments include the assurance of continued employment for the academic year for an indefinite period, subject to expiration, relinquishment, or termination of tenure as hereinafter provided.
 2. Such appointments do not include assurance of continued employment at any specified salary, position, or employment during summer sessions or intersessions.
- D. Clinical-track Appointments are full-time faculty appointments; are non-tenurable appointments for a fixed term; are renewable; permit promotion in rank; and permit conversion of the appointment to tenure-track at any time prior to but not later than the expiration of the first three-year term, depending on funding availability and faculty performance.
1. In instances where the appointment is converted to tenure-track, the three (3) years served in the Clinical-track appointment, at the discretion of the president, may be credited toward the individual's probationary status.
 2. Faculty in this classification participate in the academic programs by providing professional services, by exposing students to their professional expertise, and by directing students' educational experiences in clinical/professional settings where the faculty members practice.
 3. Clinical-track appointments may be supported, in whole or in part, by appropriated funds or funding from grants or contracts, from clinical practice or clinical/professional facilities, or from other sources.
- E. Research-track Appointments are full-time faculty appointments; are non-tenurable for fixed terms; are renewable; permit promotion in rank; and permit conversion of the appointment to tenure track at any time prior to but no later than the expiration of the first three-year term, depending on funding availability and faculty performance.
1. In instances where the appointment is converted to tenure-track, the three (3) years served in the Research-track appointment, at the discretion of the president, may be credited toward the individual's probationary status.

2. Faculty in this classification participate in the academic programs by conducting independent research projects and by mentoring students involved in the research process.
 3. Research-track appointments may be supported, in whole or in part, by appropriated funds or funding from grants or contracts, or other sources.
- F. Coordinator Appointments are non-tenurable, renewable appointments for fixed terms.
1. Coordinators teach and provide administrative services within the academic departments.
 2. They devote a preponderance of their time to faculty responsibilities including, but not limited to, teaching, advising, and student mentoring.
 3. Coordinators may also have responsibility for administering special academic projects, systems support, and other administrative services.

PRESIDENTS QUARTERLY MEETING

DIRECTORS QUARTERLY MEETING

May 2014

DATE: Presidents Meeting (May 20, 2014)
Directors Meeting (May 28, 2014)

AGENDA ITEM: Undergraduate Academic Retention Standards
Minimum Criteria for Institutional Academic Fresh Start Policy
TBR Policy 2:03:01:01

ACTION: Action Item

PRESENTER: Vice Chancellor Tristan Denley

BACKGROUND INFORMATION:

"Academic Fresh Start" is a plan of academic forgiveness which allows undergraduate students who have experienced academic difficulty to make a clean start upon returning to college after an extended absence. The Academic Fresh Start allows eligible students to resume study without being penalized for his/her past unsatisfactory scholarship and signals the initiation of a new QPA/GPA to be used for determining academic standing.

TBR Policy 2:03:01:01
Subject: Undergraduate Academic Retention Standards
Minimum Criteria for Institutional Academic Fresh Start Policy

Minimum Criteria for Institutional Academic Fresh Start Policies

"Academic Fresh Start" is a plan of academic forgiveness which allows undergraduate students who have experienced academic difficulty to make a clean start upon returning to college after an extended absence. The Academic Fresh Start allows eligible students to resume study without being penalized for his/her past unsatisfactory scholarship and signals the initiation of a new QPA/GPA to be used for determining academic standing.

Readmitted students who were formally enrolled in the institution as well as transfer students who meet institutional requirements for admission and who have been separated from all institutions of higher education for a minimum of four (4) years are eligible for Fresh Start status. Institutional policies governing the readmission of former students and admission of transfer students must be in compliance with TBR policy 2:03:00:00 (Admissions). This policy requires that the "transfer 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. (2:03:00:00, page 11 of 16)."

Each institution may establish an Academic Fresh Start provision which must meet the following minimum criteria:

Student Requirements

- (1) Separation from all collegiate institutions for at least four (4) years.
- (2) Anytime after the readmission or admission as a degree-seeking student, file a formal application to the office as defined by the institution's catalogue requesting the Academic Fresh Start and describing an academic plan.

Terms of the Academic Fresh Start

- (1) Once the student has satisfied the above requirements, the institution may grant the Academic Fresh Start. The student may be granted a Fresh Start only once.
- (2) The student's permanent record will remain a record of all work; however, courses taken and previously failed will be excluded from the calculation of the QPA/GPA. Courses with a D grade will also be excluded from the calculation when a grade of C or better is required in the student's current major. QPA, GPA and credit hours will reflect courses for which passing grades were earned and retained.

- a) Retained grades will be calculated in the Fresh Start QPA/GPA.
- b) Courses with D or F grades must be repeated at the institution when they are required in the student's current major. All remaining courses for the current degree objectives must be completed at the institution. No transient credit will be accepted after invoking Academic Fresh Start.
- c) The application of retained credit toward degree requirements will be determined by the requirements currently in effect at the time the academic renewal status is conferred on the student. Specific program regulations must also be met.
- d) Previously satisfied Assessment and Placement Program (COMPASS) requirements will not be forfeited.

(3) Upon degree admission, Fresh Start applicants who did not satisfy COMPASS requirements at the time of previous enrollment and whose academic plan includes completion of a college-level English or mathematics course must meet current Academic Assessment and Placement Program (COMPASS) requirements regarding enrollment in college English and mathematics courses.

(4) The student's transcript will note that the Fresh Start was made and the date of the Fresh Start.

(5) The student will apply for the Fresh Start with the understanding that all TBR institutions will honor a Fresh Start provision granted at another TBR institution. The student should also signify understanding that non-TBR institutions may not accept the QPA/GPA as it is calculated with the Fresh Start.

(6) This policy is independent of financial aid regulations. Financial aid requirements at the time of application will apply. Therefore, a Fresh Start applicant should check with his/her financial aid counselor for guidance.

PRESIDENTS QUARTERLY MEETING

DIRECTORS QUARTERLY MEETING

May 2014 2014

DATE: Presidents Meeting (May 20, 2014)
Directors Meeting (May 28, 2014)

AGENDA ITEM: Recommended Revisions to Policy 4:01:04:00 – Solicitation and
Acceptance of Gifts

ACTION: Voice Vote

PRESENTER: Dale Sims

BACKGROUND INFORMATION:

The following revisions are being recommended to Policy 4:01:04:00:

Section 1.F.2.a.6.

Add “The cost of accepting or keeping a gift in accordance with donor restrictions should not cost more than the benefit of the gift.”

This new language was added to ensure the cost of a gift does not exceed the gift’s benefit.

Solicitation and Acceptance of Gifts:

4:01:04:00

Policy/Guideline Area

Business and Finance Policies

Applicable Divisions

TCATs, Community Colleges, Universities

Purpose

The purpose of this policy is to establish responsibilities and procedures regarding the solicitation and acceptance of gifts to the institutions governed by the Tennessee Board of Regents.

As cited in Board Policy (No. 1:02:02:00, Duties of the Board), T.C.A. § 49-8-203 provides:

Board shall have the power to receive donations of money, securities, and property from any source on behalf of the institutions..., which gifts shall be used in accordance with the conditions set by the donor.

The Board considers the solicitation and acceptance of gifts to be appropriate administrative responsibilities of institutional presidents and directors, and therefore delegates to the presidents and directors the authority to solicit and accept gifts in accordance with the provisions of this policy.

Policy/Guideline

I. General Statement

- A. The Board recognizes the vital importance of gifts to institutional development.
- B. Gifts of real and personal property from individuals and organizations often benefit institutions by making possible the accomplishment of objectives for which support from other sources is limited or unavailable.

- C. Gifts also often represent a means by which the donor may contribute to an aspect of postsecondary education that is of particular interest to the donor.
- D. The Board authorizes and encourages the institutions to solicit and accept gifts for purposes that are consistent with their missions.
- E. All activities related to the solicitation and acceptance of gifts shall be implemented in a manner which serves the mutual interests of the donors and institutions.
- F. To this end, each institution shall develop policies and procedures which incorporate the following provisions.

1. Solicitation of Gifts

- a. The president/director shall designate the campus official(s) authorized to approve and conduct activities for the purpose of soliciting gifts to the institution.
- b. Criteria and procedures for soliciting gifts shall be established which clearly define appropriate activities and the campus approval process.
- c. Solicitation of gifts which may require a commitment of institutional resources must be approved by the president/director.

2. Acceptance of Gifts

- a. The president/director is authorized to accept gifts on behalf of the institution, subject to the following conditions:
 - (1) Only the Board may accept a gift if board acceptance is a condition set by the donor;
 - (2) Only the Chancellor and Board may accept gifts of real property or any permanent interest in real property, and title must be conveyed to the Board on

behalf of the institution; in the name of the Tennessee Board of Regents for the use and benefit of the institution.

(3) Any acquisition of real property by gift or devise which obligates the institution, Tennessee Board of Regents or State of Tennessee to expend State of Tennessee funds for capital improvements or continuing operating expenditures shall be approved by the State Building Commission in accordance with T.C.A. § 4-15-102(d)(2) prior to acceptance by the Chancellor and Board. Any such Deed transferring title to the Tennessee Board of Regents shall not be recorded until the State Building Commission has approved the acceptance of the gift property.

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(4) Gifts with conditions that ultimately will require consideration by the Board or Chancellor must be approved by the Chancellor prior to acceptance (e.g., gifts to support the initiation of a new academic program or capital improvement project); and

(5) Gifts of property subject to an indebtedness must be approved by the Chancellor prior to acceptance.

(6) The cost of accepting or keeping a gift in accordance with donor restrictions should not cost more than the benefit of the gift.

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- b. The president/director may recommend approval by the Chancellor or Board prior to acceptance of any gift.
- c. The president/director may delegate to a campus official or officials his/her authority to accept gifts on behalf of the institution; however, institutional policies must identify the specific types of gifts that may be accepted by the designated official(s). The acceptance of all gifts is subject to confirmation by the president/director.
- d. Corporate stock given to an institution may be sold by the institution through or in consultation with a registered security broker within 60 days of receipt of the stock

certificate, and the sale may be executed by the president/director or a designated representative.

- e. Appropriate procedures must be established for acknowledging acceptance of gifts and for ensuring compliance with conditions set by the donors and in compliance with IRS regulations.

3. Records and Reporting

- a. Adequate records of all gifts shall be maintained by the institution in accordance with accepted accounting procedures to allow a proper audit trail.
- b. A summary of all gifts to the institution during a fiscal year shall be included in the institution's annual report to the Board, as required by Board Policy (No. 1:02:10:00, Annual Reports).

4. Foundations

- a. For purposes of distinguishing institutional gifts and related procedures from those of foundations established pursuant to Board Policy (No. 4:01:07:02, Foundations):
 - (1) The institution may not accept gifts specifically intended for the foundation, and only gifts specifically intended for a foundation may be accepted by a foundation.
 - (2) In general, institutional resources may not be used to meet conditions of gifts to a foundation; however, exceptions may be approved by the president or the Chancellor in accordance with the provisions of this policy on acceptance of gifts.
 - (3) The institution must maintain records of gifts to the institution separate from those of gifts to the foundation.

- (4) The institution shall report gifts to foundations in the summary of gifts during a fiscal year to be included in its annual report, as provided in this policy in b. under Records and Reporting.

Sources

TBR Meeting, September 30, 1983; September 21, 1990; TBR Meeting, March 15, 1991; TBR Meeting March 20, 1992; TBR Meeting March 30, 2007.

PRESIDENTS QUARTERLY MEETING

DIRECTORS QUARTERLY MEETING

May 2014 2014

DATE: Presidents Meeting (May 20, 2014)
Directors Meeting (May 28, 2014)

AGENDA ITEM: Recommended Revisions to Policy 4:03:03:00 – General Travel

ACTION: Voice Vote

PRESENTER: Dale Sims

BACKGROUND INFORMATION:

The following revisions are being recommended to Policy 4:03:03:00:

Section I.C.2.

- Delete language “the major portion” and replace with “greater than 50%.”

This revision was to define what constitutes a major portion of an employee’s working time.

Section I.F.2.

- Delete “unless the amount exceeds the maximum shown on the Addendum.”
- Reword the first sentence with “Receipts are not required.”

This revision was made because there are not any maximums on the addendum for taxi fares, tolls and ferry fees.

Section I.G. 1-4

- Delete language 1-4. Replace with new language:

“Internet travel sites such as Expedia, Travelocity or Kayak can be utilized to purchase single travel services such as an airline ticket. Internet travel sites cannot be used to purchase a package of one or more travel services. Purchases of travel packages that combine services such as lodging, airline, or vehicle rentals are not allowed. These package deals do not usually provide sufficient itemized pricing for each service purchased and therefore do not allow for proper comparison to CONUS or conference rates as required by policy.”

This revision was made because of the inconsistency of prices on Expedia, Travelocity and Kayak for package deals and the lack of itemized pricing.

Section II.D.1.

- Housekeeping changes were made.

Section III.B.4.

- Housekeeping changes were made.

Section III.C.1.

- Change “regular coach fare” to “standard coach fare.”

This revision was made to be in compliance with TCA.

Section III.C. 3.

- Add new language:

“Baggage fees will be allowed when necessary. A receipt is required for reimbursement.”

This language was added to clarify that a receipt is required for baggage fees.

Section III.C.4.

- Add new language:

“Charges for trip insurance are not reimbursable. The State of Tennessee is self-insured and does not purchase separate insurance and therefore will not reimburse for insurance purchases made for trips.”

This language was added to clarify that trip insurance is not allowable.

Section III.E.1.e.

- Add the following section:

e. Reimbursement Rates-Courtesy Vehicle

(1) If a staff member has a “courtesy vehicle” 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.

Section III. G.2

- Add the following language:

“The State of Tennessee is self-insured and does not purchase separate insurance and therefore will not reimburse for insurance purchases made for trips.”

This language was added to clarify that trip insurance is not allowable.

Section IV. C.

- Add new section:

Out of Country Lodging

“Lodging expenses incurred while out of the country will be reimbursed at actual expenses with receipts”

This language was added to separate out of country lodging in the policy.

Section V. B.

- Add new section:

Out of Country Meals

“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.”

This language was added to separate out of country meals in the policy.

Section V. 10.&11.

- Housekeeping changes were made.

Section VII A.1.

- Housekeeping changes were made.

Section VII A.2.

- Add new language:

“Where adequate controls have been implemented to minimize risks associated with travel claim (such as the risk that duplicate claims will be submitted or alterations made to original claim subsequent to approval by approving authority), travel claims may be submitted for payment electronically.”

This language was added to ensure that electronic travel claims have adequate controls.

Section VII. A.3.

- Housekeeping changes were made.

Section VIII.C.2.

- Housekeeping changes were made.

General Travel: 4:03:03:00

Policy/Guideline Area

Business and Finance Policies

Applicable Divisions

TCATs, Community Colleges, Universities, System Office

Purpose

The following policy applies to the travel of all employees of the institutions 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, or Board expense. Specific provisions of the policy also address the travel of Board members, pursuant to T.C.A. § 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 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 except in instances of team/group travel.

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.

All travel must be consistent with the educational, research, and professional needs of the TBR System. Employees must conduct all travel with integrity, in compliance with applicable laws, policies, and procedures, and in a manner that excludes considerations of personal advantage.

Employees must exercise good judgment and conduct all aspects of travel in a cost-efficient manner.

Policy/Guideline

I. General Provisions

- A. 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 II.
- B. Travel which may be authorized, and pursuant to which expenses may be reimbursed, shall be limited to the following:
 - 1. Travel which is necessary for the proper execution of official System business, or in justifiable pursuit of an institution's educational and research objectives; or
 - 2. Travel to meetings and conferences of a professional nature which will increase the attending employee's usefulness to the System.
- C. 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.
 - 1. The official station of an employee shall be designated by the appointing authority.
 - 2. It is normally expected that the official station is that location at which the employee spends the major portion **greater than 50%** of his or her working time.

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3. 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.

4. Reimbursable mileage begins at the location at which the employee receives the call.

D. 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.

1. Expenses for meals will be allowed when overnight travel is required outside the county of the employee's official station or residence.

2. En route lodging will be allowed for only one day each way on trips of long duration.

3. 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.

4. The lodging expense will not be considered en route lodging if it does not add an additional day of lodging expense.

a. 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. Then the employee spends the night, continues the drive the next morning and 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.

E. 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.

F. Reimbursement for travel expenses shall only be allowed for actual expenses incurred, subject to the maximum limitations shown on the Addendum.

1. Receipts must accompany claims for reimbursement for all expenses exceeding the amount cited on the Addendum.

2. ~~The exceptions to this rule are~~ **Receipts are not required** for meals, taxi fares, tolls and ferry fees, with no receipt required unless the amount exceeds the maximum shown on the Addendum.

3. Lodging receipts are required and must itemize room charges and taxes. No expenses shall be reimbursed until after travel has been completed.

G. ~~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.~~

1. ~~Documentation should be provided to substantiate the conformance with set rates as established in CONUS and in the general travel policy.~~

2. ~~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.~~

3. ~~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.)~~

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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.

4. The employee is responsible for abiding by rates as approved by TBR.

G. "Internet travel sites such as Expedia, Travelocity or Kayak can be utilized to purchase single travel services such as an airline ticket. Internet travel sites cannot be used to purchase a package of one or more travel services. Purchases of travel packages that combine services such as lodging, airline, or vehicle rentals are not allowed. These package deals do not usually provide sufficient itemized pricing for each service purchased and therefore do not allow for proper comparison to CONUS or conference rates as required by policy."

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II. Authorization of Travel

A. Approving Authorities

1. The president or director or his or her designees shall have authority to approve travel by employees of the various institutions.
2. The Chancellor or his or her designees shall have authority to approve travel by employees of the Board.
3. Authorization for travel by a student, regardless of the destination, shall be approved by the president or director of the institution or his or her designee.

B. In-State Travel

1. All employees ~~must~~ should obtain prior written authorization for in-state travel by the employee's appropriate approving authority, except as noted in item 2 below.
2. 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.

3. Employees whose employment requires frequent in-state travel may obtain blanket authorization in writing for such travel.

Commented [BS5]: •Language regarding blanket travel authorizations should be clarified. For instance, for an employee who travels frequently to TBR, is a written blanket authorization required? Can a blanket travel authorization be verbal? If the intent is no, shouldn't the policy state this? What types of in-state travel can be included on blanket travel authorizations? Can an employee who frequently travels to TBR and/or multiple institutions be included on the same blanket travel authorization? (IA)

C. Out-of-State Travel

1. All employees must obtain prior written authorization for out-of-state travel, which must be approved by the employee's appropriate approving authority.
2. 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.
3. 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.
 - a. This exception applies for trips which do not exceed 50 miles into another state.
4. Employees whose employment requires frequent out-of-state travel may obtain blanket authorization in writing for such travel.

D. All Other Travel

1. Authorization for travel by an employee to Alaska, Hawaii, and all out-of-country travel shall be subject to approval by the president, or designee.
2. 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).
3. Authorization for travel to Alaska, Hawaii and all out-of-country travel by an employee of a college of applied technology shall be subject to approval by the Vice Chancellor of Colleges of Applied Technology.

Commented [BS6]: Consider a separate section for Out of Country Travel for meals/lodging, etc. Information for out of country travel is buried in other sections. Possibly add language in the "Out-of-State lodging" section that indicates out of country lodging requires actual receipts. (IA)

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III. Transportation

A. General

1. 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.
2. 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.
 - a. 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.
 - b. In no instance shall mileage claimed for reimbursement exceed actual miles traveled.

B. Mode of Transportation

1. Transportation for employees traveling singly should be by common carrier (air, train, or bus) whenever practical.
2. 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.
3. 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.

4. 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; ~~lesser of the standard mileage rate or comparable cost of commercial transportation including taxi fares and/or limousine charges.~~

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C. Common Carrier Travel

1. When travel is by common carrier, the fare must not exceed the ~~regular~~ standard coach fare charged the general public, and advantage must be taken of round trip rates when available.

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2. The employee's copy of the ticket, or an acceptable receipt, must be submitted for reimbursement of common carrier expenses.

~~2.3. Baggage Fees will be allowed when necessary. A receipt is required for reimbursement.~~

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~~3.4. Charges for trip insurance are not reimbursable. The State of Tennessee is self-insured and does not purchase separate insurance, and therefore will not reimburse for insurance purchases made for trips.~~

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D. Chartered Aircraft

1. Generally, faculty and staff (including group travel and athletics) whose duties require travel will use commercial ground and air carriers or an institutional automobile.
2. 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).
3. 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.

E. Automobile Travel

- 1. 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
 - (1) When transportation is by a state-owned automobile, tolls, parking, gasoline and storage expenses are allowable.
 - (2) 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.

- (3) 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.
- (4) Such expenditures must be of an emergency nature when immediate service is required and access to a state facility is not possible.
- (5) 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

- (1) Use of a personally-owned automobile must be authorized.
- (2) Mileage reimbursement rates are provided on the Addendum.
- (3) The authorized mileage allowance includes all operating expenses such as gas, oil, and repairs precluding any separate claim for such items.
- (4) Employees may use reputable websites to determine point-to-point and/or vicinity mileage.
- (5) Commuter Mileage
 - (a) Procedures for calculating mileage are based on the fact that the State is prohibited from reimbursing employees for normal commuting mileage.
 - (b) 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.

- (c) 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.
 - (d) 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.
 - (e) 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.
- (1) 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.
 - (2) 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.

Reimbursement Rates-Courtesy Vehicle

- d. If a staff member has a "courtesy vehicle" due to his or her association with the institution, the maximum rate allowed will be the rate allowed under the Tennessee Board of

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Regents General Travel Policies and Procedures, less
seven cents per mile.

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F. Limousine and Taxi Service

1. When travel is by common carrier, reasonable limousine and taxi fares will be allowed for necessary transportation.
2. Bus or limousine service to and from airports will be used when available and practical.
3. After arrival at destination, necessary taxi fares for traveling between hotels or lodging and meeting or conference will be allowed.
4. No receipt is required for reimbursement of reasonable taxi fares.

G. Car Rentals at Destination

1. 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.
2. Charges for insurance for rented automobiles are not reimbursable. The State of Tennessee is self-insured and does not purchase separate insurance, and therefore will not reimburse for insurance purchases made for rental vehicles.
3. Whenever possible, employees should refuel before returning vehicles.

Commented [BS14]: Should the policy indicate that employees should document that car rental at the destination is the most economical form of transportation? (IA)

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H. Tolls and Ferry Fees

1. Reasonable tolls and ferry fees will be allowed when necessary.
2. No receipt is required for reimbursement of tolls and ferry fees.

I. Daily Parking Fees

1. Daily parking fees for those employees working in downtown offices will not be allowed.

2. 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).

3. 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.

4. Receipt is required if the fee exceeds the maximum indicated per day (see Addendum).

J. 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.

K. If travel is by common carrier, the employee will be reimbursed for expenses in traveling to and from the common carrier including related parking expenses.

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

IV. Lodging

A. In-State Lodging

1. Lodging expenses incurred within the state while on authorized travel will be reimbursable to the maximum shown on the Addendum.

B. Out-of-State Lodging

1. Lodging expenses incurred out of the state while on authorized travel will be reimbursable to the maximum shown on the Addendum.

2. 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).
3. 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.
4. Most destinations for out-of-state travel fall within the list of exceptions.
5. En route lodging will be allowed for only one day each way on trips of long duration.

a. En route lodging will only be allowed in cases when the approved and most direct or expeditious mode of travel will require more than ten (10) hours of continuous travel. (Refer to Section I.D.2-4 for explanation of en route lodging expenses.)

C. Out of Country Lodging

a. 1. Lodging expenses incurred while out of the country will be reimbursed at actual expenses with receipts.

D. Additional Lodging Expenses

1. Sales taxes on lodging costs will be reimbursable.
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 or conference website.
3. 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.

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Commented [BS17]: •The policy indicates that "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 the brochure offers multiple rates, should language be added to clarify the reimbursement is allowed at the lowest rate listed in the conference brochure? (LA)

4. 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- E. Shared Lodging

1. 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.
2. 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.
3. If a room is shared with other than a state employee, actual cost subject to the maximum in the Addendum will be allowed.
4. The receipt for the entire amount should be submitted with the expense account.

V. Meals

A- In-State and Out-of-State Meals

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

5. ~~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.~~

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6. The M&I rates for out-of-state travels are the same as those for federal employees, and are available on the General Services Administration's web site.

7. As with lodging, there is a standard rate for the continental United States (CONUS), and a list of exceptions.

8. 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.

9. Reimbursement for M&I for the day of return shall be three-fourths of the M&I rate applicable to the preceding calendar day.

10. 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.

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Per Diem Rates	Three-Fourths Calculations
\$46	\$34.50
\$51	\$38.25
\$56	\$42
\$61	\$45.75
\$66	\$49.50
\$71	\$53.25

11. The following table may be used to determine reimbursement for a single meal, when appropriate.

12. Reimbursement for meals will not be permitted when overnight travel is not involved.

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In-State and Out-of State of Tennessee

Meals and Incidental – Allocated by Meal

Per Diem	\$46	\$51	\$56	\$61	\$66	\$71
Breakfast	\$7	\$8	\$9	\$10	\$11	\$12
Lunch	\$11	\$12	\$13	\$15	\$16	\$18
Dinner	\$23	\$26	\$29	\$31	\$34	\$36
Incidentals	\$5	\$5	\$5	\$5	\$5	\$5

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

B. Out of Country Meals

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43. 1. 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.

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~~B.~~ C. Official Banquets

1. When the expenses for an official banquet of a meeting or conference are in excess of the meal allowance, the excess will be allowed provided a receipt or proper explanation of the charge is submitted.

~~G.~~ Business Meals

1. See Policy 4:07:00:00 for criteria on reimbursing business meals.

VI. Miscellaneous Expenses

~~A.~~ Personal Expenses

1. Expenses for entertainment (employee or others), laundry, tips and gratuities, etc., are personal expenses and will not be reimbursed in excess of the incidental portion of the M&I rate.

~~B.~~ Telephone, Internet and Fax Expenses

1. Charges for long distance telephone calls, internet, and/or fax on official business will be allowed.
2. Charges for necessary local calls on official business will be allowed.

~~C.~~ Registration Fees

1. 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.

~~D.~~ Handling Fees

1. Fees for the handling of equipment or promotional materials will be allowed up to the maximum indicated (see Addendum).

VII. Claims

~~A.~~ The standard form for claims for travel expenses approved by the President, director or Chancellor shall be used for reimbursement of expenses.

1. 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.

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2. All signatures on travel claims must be original or electronic in accordance with TBR policy. Where adequate controls have been implemented to minimize risks associated with travel claim (such as the risk that duplicate claims will be submitted or alterations made to the original claim subsequent to approval by approving authority), travel claims may be submitted for payment electronically via email.

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3. Receipts for appropriate expenses must be submitted with the claim for reimbursement attached to the form.

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4. Expenses for books, supplies, postage, and other items that do not constitute actual traveling expenses should not be included in the claim form.

5. Claims for reimbursement for travel expenses should be submitted no later than thirty (30) days after completion of the travel.

VIII. Travel Advances

A. General

1. 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.
2. Advances to employees for anticipated travel expenses may be made under the circumstances hereinafter described as
 - a. Permanent travel advances; and
 - b. Temporary travel advances except as provided in Section IX.C.
3. All travel advances must be approved by the president or director or his or her designees for employees of the institutions, and the Chancellor for employees of the Board.

B. Permanent Travel Advances

1. 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.
2. 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.
3. 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.

C. Temporary Travel Advances

1. 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.
2. An amount equal to 80% of the estimated ~~expenditures will be allowed as an advance, however, no advance less than \$100 will be made.~~ out of pocket expenditures will be allowed as an advance, however, no advance less than \$100 will be made.
3. 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.

D. Payroll Deduction Authorization

1. 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

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advance from any salary owed the employee in the event of termination of employment or failure to submit a travel claim.

2. This deduction from payroll should be used as a last resort only in the event all other efforts to collect the advance have failed.

E. Expense Claim

1. Upon return, the employee should submit an expense claim detailing his or her actual expenditures. This claim should show the total expenses incurred.
2. The advanced amount should be subtracted from this total.
3. A voucher should then be prepared requesting the additional amount due the employee.
4. 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.
5. In the latter instance, the expense account claim should be forwarded to the business office with notification to file it with the advance request.

F. Non-business Expenses

1. You are eligible for reimbursement of travel expenses if your trip was entirely business related.
2. If your trip was primarily for business and, while at your business destination, you extended your stay, made a personal side trip, or had other personal activities, you can obtain reimbursement for only your business related travel expenses.

3. These expenses include the travel costs of getting to and from your business destination but do not include additional lodging, parking, and per diem for the days not required for the business travel.
4. Additional days are not considered business related unless they are necessary to provide rest or sleep required for you to properly perform your duties.

IX. Corporate Credit Cards for Travel

- ~~A.~~ General – Individual institutions and/or the Board Office may arrange for corporate credit cards to assist with travel expenses.
- ~~B.~~ 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.
- ~~C.~~ Advances - Travel advances, permanent or temporary, shall not be issued to:
 1. Any employee who is issued a corporate card; or
 2. Any employee who is designated but chooses not to apply for a corporate card; or
 3. Any employee who has had his/her corporate card cancelled or was refused a card based on the vendor's credit requirements.
 - a. Institutions may make individual exceptions to the above provisions when the circumstances are determined to warrant such exception.
- ~~D.~~ Reimbursement - Reimbursement for travel expenses shall only be allowed for actual business expenses incurred, subject to the provisions of Section I.F, and the maximum limitations shown on the Addendum.
- ~~E.~~ 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.

- F. 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.

X. Exceptions

A. General

1. 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.
2. 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 Colleges of Applied Technology, respectively.
3. Two areas of standing exceptions to the policy are provided below.
 - a. Exception No. 1
 - (1) Provisions for travel contained in this Exception Number One shall be applicable only to the Chancellor and his or her immediate staff, presidents and directors of institutions, and System employees traveling in their company.

(2) This exception corresponds with Exception Number Three of the Comprehensive Travel Regulations. All provisions of Sections I through IX of this policy shall be applicable unless superseded by the following.

(a) 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.

(b) 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.

b. Exception No. 2

(1) 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.

(a) 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.

Addendum

1. Tennessee Board of Regents General Travel Policy

1. This Addendum provides the specific expenses considerations cited in the general travel policy.

1. 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.
2. The following shall remain in effect from and after October 1, 2013, until revised by the Chancellor.
3. The Board delegates to the Chancellor the authority to increase TBR travel rates commensurate with any rate increases approved by the State of Tennessee.

2. General Reimbursement Rates

1. Standard mileage rate – Rate approved by the Dept. of Finance and Administration.
2. Maximum parking fees without receipt - \$ 8.00 per day
3. Fees for handling of equipment or promotional materials - \$ 20.00 per hotel

3. Out-of-State Reimbursement Rates

1. Employees are to utilize the U.S. General Services Administration CONUS (Continental United States) rates provided by the federal government.
2. The CONUS rates are located on the U.S. Government's web page at www.gsa.gov/
3. Use the CONUS standard rates for all locations within the continental United States not specifically shown on the web page as a listed point.

4. In-State Travel Reimbursement Rates

1. Level I Counties and Cities
 1. Davidson County

Day of Departure and Return	Maximum Lodging	Maximum Meals and Incidentals
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Day of Departure and Return	Maximum Lodging	Maximum Meals and Incidentals
75% of M&I	\$122.00 + tax	\$66.00

2. Level II Counties and Cities

1. a. 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)

Day of Departure and Return	Maximum Lodging	Maximum Meals and Incidentals
75% of M&I	\$102.00 + tax	\$46.00

3. Level III Counties and Cities

1. All other counties and cities not listed above

Day of Departure and Return	Maximum Lodging	Maximum Meals and Incidentals
75% of M&I	\$83.00 + tax	\$46.00

5. Standard Out-of-Country Rates

Day of Departure and Return	Maximum Lodging	Maximum Meals and Incidentals
Actual expense or 75% of M&I	Actual expense	Actual expense or \$71.00

6. Special Rates Under Exception One

1. This exception applies to the Tennessee Board of Regents' Chancellor and his or her immediate staff, presidents and directors of institutions, 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.

1. Out-Of State Reimbursement Rates

1. Employees are to utilize the U.S. General Services Administration CONUS (Continental United States) rates provided by the federal government.
2. The CONUS rates are located on the U.S. Government's web page at www.gsa.gov/
3. Use the CONUS standard rates for all locations within the continental United States not specifically shown on the web page as a listed point.

2. In-State Travel Reimbursement Rate

1. Level I Counties and Cities
 1. Davidson County

Day of Departure and Return	Maximum Lodging	Maximum Meals and Incidentals
Actual expense or 75% of M&I	\$127.00 + tax	\$66

2. Level II Counties and Cities

1. 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)

Day of Departure and Return	Maximum Lodging	Maximum Meals and Incidentals
75% of M&I	\$107.00 + tax	\$46

3. Level III Counties and Cities

1. All other counties and cities not listed above.

Day of Departure and Return	Maximum Lodging	Maximum Meals and Incidentals
75% of M&I	\$88.00 + tax	\$46

7. Special Rates Under Exception Two

1. 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.

1. Out-of State Reimbursement Rates

1. 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 www.gsa.gov/
2. Use the CONUS standard rates for all locations within the Continental United States not specifically shown on the web page as a listed point.

2. In-State Travel Reimbursement Rates

1. Level I Counties and Cities

1. Davidson County

Day of Departure and Return	Maximum Lodging	Maximum Meals and Incidentals
Actual expense or 75% of M&I	\$142.00 + tax	\$66

2. Level II Counties and Cities

1. 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)

Day of Departure and Return	Maximum Lodging	Maximum Meals and Incidentals
Actual expense or 75% of M&I	\$122.00 + tax	\$46

3. Level III Counties and Cities

1. All other counties and cities not listed above.

Day of Departure and Return	Maximum Lodging	Maximum Meals and Incidentals
75% of M&I	\$103.00 + tax	\$46

Sources

TBR 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; June 29, 2007; September 28, 2007; March 28, 2008. October 1, 2008 (Interim Action); October 1, 2009 (Interim Action); Board Meeting September 24, 2010; December 9, 2010, June 24, 2011; October 13, 2011 (Interim Action); June 28, 2012; June 21, 2013; October 1, 2013 (Interim Action).

Related Policies

- [Athletic and Other Group Travel](#)
- [Business Meals](#)

Contact

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The Tennessee Board of Regents (TBR) is one of the nation's largest higher education systems, governing 46 post-secondary educational institutions. The TBR system includes six universities, 13 two-year colleges and 27 colleges of applied technology, providing programs to more than 240,000 students across the state.

The TBR is an AA/EEO employer and does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities. Full Non-Discrimination Policy.

PRESIDENTS QUARTERLY MEETING

DIRECTORS QUARTERLY MEETING

May 2014

DATE: Presidents Meeting (May 20, 2014)
Directors Meeting (May 28, 2014)

AGENDA ITEM: Revisions of Policy 3:05:01:00 Classifying Students In-State & Out-of-State for Paying College or University Fees & Tuition & for Admission Purposes

ACTION: Information Item

PRESENTER: Mary G. Moody

BACKGROUND INFORMATION:

At the June 2014 Board Meeting the Board will consider approval of revisions to Policy 3:05:01:00 Classifying Students In-State & Out-of-State for Paying College or University Fees & Tuition & for Admission Purposes.

A. On July 1, 2014 Public Chapter 745 of the 2014 Tennessee Public Acts will become effective. The new law allows TBR institutions the ability to grant U.S. citizens, who are the children of undocumented aliens and have graduated from high school in Tennessee classification as in-state for fee and tuition purposes.

The following revisions are proposed to reflect the statutory requirements of PC745:

1. Delete the language in Section I, subsection C in its entirety and substitute new language.
2. Delete the language in Section I, subsection D in its entirety and substitute new language.
3. Insert new Section I, subsection E language.
4. Re-designate previous Section I, subsection D as subsection F, delete the previous language in its entirety and substitute new language.

B. Add language to Section II, Subsection E. clarifying the continuance of in-state tuition waivers granted to border county students who transfer from a community college to a TBR university.

C. On July 1, 2014 Public Chapter 612 of the 2014 Tennessee Public Acts will become effective for the school year 2014-2015. The Act allows Veterans In-State classification

for fees and tuition, subject to statutory requirements set forth in the ACT by the addition of Section II, Subsection L.

Regulations for Classifying Students In-State & Out-of-State for Paying College or University Fees & Tuition & for Admission Purposes: 3:05:01:00

Policy/Guideline Area

Student Policies

Applicable Divisions

Community Colleges, Universities

Purpose

It is the intent that the public institutions of higher education in the State of Tennessee shall apply uniform rules, as described in these regulations and not otherwise, in determining whether students shall be classified "in-state" or "out-of-state" for fees and tuition purposes and for admission purposes.

Definitions

- Public higher educational institution - shall mean a university or community college supported by appropriations made by the Legislature of this State.
- Residence - shall mean continuous physical presence and maintenance of a dwelling place within this State, provided that absence from the State for short periods of time shall not affect the establishment of a residence.
- Domicile - shall mean a person's true, fixed, and permanent home and place of habitation; it is the place where he or she intends to remain, and to which he or she expects to return when he or she leaves without intending to establish a new domicile elsewhere. Undocumented aliens cannot establish domicile in Tennessee, regardless of length of residence in Tennessee.

- Emancipated person - shall mean a person who has attained the age of eighteen years, and whose parents have entirely surrendered the right to the care, custody, and earnings of such person and who no longer are under any legal obligation to support or maintain such deemed "emancipated person."
- Parent - shall mean a person's father or mother. If there is a non-parental guardian or legal custodian of an un-emancipated person, then "parent" shall mean such guardian or legal custodian; provided, that there are not circumstances indicating that such guardianship or custodianship was created primarily for the purpose of conferring the status of an in-state student on such un-emancipated person.
- Continuous enrollment - shall mean enrollment at a public higher educational institution or institution of this State as a full-time student, as such term is defined by the governing body of said public higher educational institution or institutions, for a normal academic year or years or the appropriate portion or portions thereof since the beginning of the period for which continuous enrollment is claimed. Such person need not enroll in summer sessions or other such inter-sessions beyond the normal academic year in order that his or her enrollment be deemed continuous, notwithstanding lapses in enrollment occasioned solely by the scheduling of the commencement and/or termination of the academic years, or appropriate portion thereof, of the public higher educational institutions in which such person enrolls.

Policy/Guideline

- I. Rules for Determination of Status
 - A. Every person having his or her domicile in this State shall be classified "in-state" for fee and tuition purposes and for admission purposes.
 - B. Every person not having his or her domicile in this State shall be classified "out-of-state" for said purposes.

- C. The domicile of an un-emancipated person is that of his or her parent, **except as provided in section E of this rule.**
- D. Un-emancipated students of divorced parents shall be classified "in-state" when one parent, regardless of custodial status, is domiciled in Tennessee, **except as provided in section E of this rule.**
- E. **A student is classified "in-state" for fee and tuition purposes if the student is a citizen of the United States, has resided in Tennessee for at least one (1) year immediately prior to admission and has:**
 - 1. **Graduated from a Tennessee public secondary school;**
 - 2. **Graduated from a private secondary school that is located in this state;**
or
 - 3. **Earned a Tennessee high school equivalency diploma.**
- F. The spouse of a student classified as "in-state" shall also be classified as "in-state", **subject to the requirements of T.C.A. Title 4, Chapter 58.**

II. **Out-of-State Students who are Not Required to Pay Out-of-State Tuition**

- A. An un-emancipated, currently enrolled student shall be reclassified out-of-state should his or her parent, having theretofore been domiciled in the State, remove from the State. However, such student shall not be required to pay out-of-state tuition nor be treated as an out-of-state student for admission purposes so long as his or her enrollment at a public higher educational institution or institutions shall be continuous.
- B. An un-emancipated person whose parent is not domiciled in this State but is a member of the armed forces and stationed in this State or at Fort Campbell pursuant to military orders shall be classified out-of-state but shall not be required to pay out-of-state tuition. Such a person, while in continuous attendance toward the degree for which he or she is currently

enrolled, shall not be required to pay out-of-state tuition if his or her parent thereafter is transferred on military orders.

- C. A person whose domicile is in a county of another state lying immediately adjacent to Montgomery County, or whose place of residence is within thirty (30) miles of Austin Peay State University shall be classified out-of-state but shall not be required to pay out-of-state tuition at Austin Peay State University.
- D. A person whose domicile is in Mississippi County, Arkansas, or either Dunlin County or Pemiscot County, Missouri and who is admitted to Dyersburg State Community College shall not be required to pay out-of-state tuition.
- E. A person, who is not domiciled in Tennessee, but has a bona fide place of residence in a county which is adjacent to the Tennessee state line and which is also within a 30 mile radius (as determined by THEC) of a city containing a two year TBR institution, shall be classified out-of-state, but admitted without tuition. The two year institution may admit only up to three percent (3%) of the full-time equivalent attendance of the institution without tuition. (THEC may adjust the number of the non-residents admitted pursuant to this section every three (3) years.) (See T.C.A. 49-8-102)

1. Students originally admitted to a TBR community college authorized to grant a border county waiver of out-of-state tuition are not entitled to that waiver at any other TBR institution, except as provided in subsection 2.

2. The waiver of out-of-state tuition granted to a border county student at an admitting institution will follow the student ONLY from a community college to a TBR university if the student transfers from the community college after successfully completing an associate's degree UNLESS this condition is waived by the community college as being in the student's best interest; provided, in any case the student

**must complete the general education requirement at the TBR
community college.**

- F. Part-time students who are not domiciled in this State but who are employed full-time in the State, or who are stationed at Fort Campbell pursuant to military orders, shall be classified out-of-state but shall not be required to pay out-of-state tuition. This shall apply to part-time students who are employed in the State by more than one employer, resulting in the equivalent of full-time employment.
- G. Military personnel and their spouses stationed in the State of Tennessee who would be classified out-of-state in accordance with other provisions of these regulations will be classified out-of-state but shall not be required to pay out-of-state tuition. This provision shall not apply to military personnel and their spouses who are stationed in this State primarily for educational purposes.
- H. Dependent children who qualify and are selected to receive a scholarship because their parent is a law enforcement officer, fireman, or emergency medical service technician who was killed or totally and permanently disabled while performing duties within the scope of their employment shall not be required to pay out-of-state tuition. (T.C.A. § 49-4-704)
- I. Active-duty military personnel who begin working on a college degree at a TBR institution while stationed in Tennessee or at Fort Campbell, Kentucky, and who are transferred or deployed prior to completing their degrees, can continue to completion of the degrees at that same institution without being required to pay out-of-state tuition, as long as he/she completes at least one (1) course for credit each twelve (12) month period after the transfer or deployment. Exceptions may be made in cases where the service member is deployed to an area of armed conflict for periods exceeding twelve (12) months.
- J. Students who participate in a study abroad program, when the course/courses in the study abroad program is/are the only course/courses for which the student is registered during that term, shall not be required to pay out-of-state tuition.

K. Students who are awarded tuition waiver scholarships for participation in bona fide campus performance-based programs, according to established guidelines, shall not be required to pay out-of-state tuition.

L. A veteran enrolled in any TBR institution of higher education in this state shall not be required to pay out-of-state tuition or any out-of-state fee, if the veteran:

1. Has not been dishonorably discharged from a branch of the United States armed forces or the national guard;
2. Is eligible for Post-9/11 GI Bill benefits or Montgomery GI Bill benefits;
and
3. Enrolls in the TBR institution, after satisfying all admission requirements, within twenty-four (24) months after the date of discharge as reflected on the veteran's certificate of release or discharge from active duty, Form DD-214, or an equivalent document.

a. To continue to qualify for in-state tuition and fees, a veteran shall:

(1) Maintain continuous enrollment as defined by the TBR institution at which the veteran is enrolled; and

(2) Within one (1) year of enrolling in the TBR institution:

(a) Register to vote in this state; or

(b) Demonstrate by objective evidence intent to be a resident of this state by obtaining at least two (2) of the following:

(i) A Tennessee driver license;

(ii) A Tennessee motor vehicle registration;

(iii) Proof of established employment in the state; or

(iv) Other documentation clearly evidencing domicile or residence in the state, as determined by the Tennessee Higher Education Commission.

II. Honors Programs

- A. Each institution will establish policies regarding out-of-state tuition scholarships for students selected for admissions into formal honors programs at the institution.

III. Presumption

- A. Unless the contrary appears from clear and convincing evidence, it shall be presumed that an emancipated person does not acquire domicile in this State while enrolled as a full-time student at any public or private higher educational institution in this State, as such status is defined by such institution.

IV. Evidence to be Considered for Establishment of Domicile

- A. If a person asserts that he or she has established domicile in this State he or she has the burden of proving that he or she has done so. Such a person is entitled to provide to the public higher educational institution by which he seeks to be classified or reclassified in-state, any and all evidence which he or she believes will sustain his or her burden of proof. Said institution will consider any and all evidence provided to it concerning such claim of domicile but will not treat any particular type or item of such evidence as conclusive evidence that domicile has or has not been established.

V. Appeal

- A. The classification officer of each public higher educational institution shall be responsible for initially classifying students "in-state" or "out-of-state". Appropriate procedures shall be established by each such institution by which a student may appeal his or her initial classification.

VI. Effective Date for Reclassification

- A. If a student classified out-of-state applies for in-state classification and is subsequently so classified, his or her in-state classification shall be effective as of the date on which reclassification was sought.
- B. However, out-of-state tuition will be charged for any quarter or semester during which reclassification is sought and obtained unless application for reclassification is made to the admissions officer on or before the last day of registration of that quarter or semester.

VII. Effective Date

- A. These regulations supersede all regulations concerning classification of persons for fees and tuition and admission purposes previously adopted by the State Board of Regents, and having been approved by the Governor, become effective July 1, 1983, or upon their becoming effective pursuant to the provisions of T.C.A. Section 4-5-101 et seq. as amended.

Sources

TBR Meetings, December 13, 1974; February 21, 1975, March 21, 1986, September 16, 1988; June 29, 1990; June 24, 1994; March 30, 2001; December 7, 2001; December 5, 2003; June 30, 2006.

Regulations for Classifying Students In-State & Out-of-State for Paying College or University Fees & Tuition & for Admission Purposes: 3:05:01:00

Policy/Guideline Area

Student Policies

Applicable Divisions

Community Colleges, Universities

Purpose

It is the intent that the public institutions of higher education in the State of Tennessee shall apply uniform rules, as described in these regulations and not otherwise, in determining whether students shall be classified "in-state" or "out-of-state" for fees and tuition purposes and for admission purposes.

Definitions

- Public higher educational institution - shall mean a university or community college supported by appropriations made by the Legislature of this State.
- Residence - shall mean continuous physical presence and maintenance of a dwelling place within this State, provided that absence from the State for short periods of time shall not affect the establishment of a residence.
- Domicile - shall mean a person's true, fixed, and permanent home and place of habitation; it is the place where he or she intends to remain, and to which he or she expects to return when he or she leaves without intending to establish a new domicile elsewhere. Undocumented aliens cannot establish domicile in Tennessee, regardless of length of residence in Tennessee.

- Emancipated person - shall mean a person who has attained the age of eighteen years, and whose parents have entirely surrendered the right to the care, custody, and earnings of such person and who no longer are under any legal obligation to support or maintain such deemed "emancipated person."
- Parent - shall mean a person's father or mother. If there is a non-parental guardian or legal custodian of an un-emancipated person, then "parent" shall mean such guardian or legal custodian; provided, that there are not circumstances indicating that such guardianship or custodianship was created primarily for the purpose of conferring the status of an in-state student on such un-emancipated person.
- Continuous enrollment - shall mean enrollment at a public higher educational institution or institution of this State as a full-time student, as such term is defined by the governing body of said public higher educational institution or institutions, for a normal academic year or years or the appropriate portion or portions thereof since the beginning of the period for which continuous enrollment is claimed. Such person need not enroll in summer sessions or other such inter-sessions beyond the normal academic year in order that his or her enrollment be deemed continuous, notwithstanding lapses in enrollment occasioned solely by the scheduling of the commencement and/or termination of the academic years, or appropriate portion thereof, of the public higher educational institutions in which such person enrolls.

Policy/Guideline

- I. Rules for Determination of Status
 - A. Every person having his or her domicile in this State shall be classified "in-state" for fee and tuition purposes and for admission purposes.
 - B. Every person not having his or her domicile in this State shall be classified "out-of-state" for said purposes.

- C. The domicile of an un-emancipated person is that of his or her parent, except as provided in section E of this rule.
- D. Un-emancipated students of divorced parents shall be classified "in-state" when one parent, regardless of custodial status, is domiciled in Tennessee, except as provided in section E of this rule.
- E. A student is classified "in-state" for fee and tuition purposes if the student is a citizen of the United States, has resided in Tennessee for at least one (1) year immediately prior to admission and has:
 - 1. Graduated from a Tennessee public secondary school;
 - 2. Graduated from a private secondary school that is located in this state; or
 - 3. Earned a Tennessee high school equivalency diploma.
- F. The spouse of a student classified as "in-state" shall also be classified as "in-state", subject to the requirements of T.C.A. Title 4, Chapter 58.

II. Out-of-State Students who are Not Required to Pay Out-of-State Tuition

- A. An un-emancipated, currently enrolled student shall be reclassified out-of-state should his or her parent, having theretofore been domiciled in the State, remove from the State. However, such student shall not be required to pay out-of-state tuition nor be treated as an out-of-state student for admission purposes so long as his or her enrollment at a public higher educational institution or institutions shall be continuous.
- B. An un-emancipated person whose parent is not domiciled in this State but is a member of the armed forces and stationed in this State or at Fort Campbell pursuant to military orders shall be classified out-of-state but shall not be required to pay out-of-state tuition. Such a person, while in continuous attendance toward the degree for which he or she is currently

enrolled, shall not be required to pay out-of-state tuition if his or her parent thereafter is transferred on military orders.

- C. A person whose domicile is in a county of another state lying immediately adjacent to Montgomery County, or whose place of residence is within thirty (30) miles of Austin Peay State University shall be classified out-of-state but shall not be required to pay out-of-state tuition at Austin Peay State University.
- D. A person whose domicile is in Mississippi County, Arkansas, or either Dunlin County or Pemiscot County, Missouri and who is admitted to Dyersburg State Community College shall not be required to pay out-of-state tuition.
- E. A person, who is not domiciled in Tennessee, but has a bona fide place of residence in a county which is adjacent to the Tennessee state line and which is also within a 30 mile radius (as determined by THEC) of a city containing a two year TBR institution, shall be classified out-of-state, but admitted without tuition. The two year institution may admit only up to three percent (3%) of the full-time equivalent attendance of the institution without tuition. (THEC may adjust the number of the non-residents admitted pursuant to this section every three (3) years.) (See T.C.A. 49-8-102)

1. Students originally admitted to a TBR community college authorized to grant a border county waiver of out-of-state tuition are not entitled to that waiver at any other TBR institution, except as provided in subsection 2.

2. The waiver of out-of-state tuition granted to a border county student at an admitting institution will follow the student ONLY from a community college to a TBR university if the student transfers from the community college after successfully completing an associate's degree UNLESS this condition is waived by the community college as being in the student's best interest; provided, in any case the student must complete the general education requirement at the TBR community college.

- F. Part-time students who are not domiciled in this State but who are employed full-time in the State, or who are stationed at Fort Campbell pursuant to military orders, shall be classified out-of-state but shall not be required to pay out-of-state tuition. This shall apply to part-time students who are employed in the State by more than one employer, resulting in the equivalent of full-time employment.

- G. Military personnel and their spouses stationed in the State of Tennessee who would be classified out-of-state in accordance with other provisions of these regulations will be classified out-of-state but shall not be required to pay out-of-state tuition. This provision shall not apply to military personnel and their spouses who are stationed in this State primarily for educational purposes.

- H. Dependent children who qualify and are selected to receive a scholarship because their parent is a law enforcement officer, fireman, or emergency medical service technician who was killed or totally and permanently disabled while performing duties within the scope of their employment shall not be required to pay out-of-state tuition. (T.C.A. § 49-4-704)

- I. Active-duty military personnel who begin working on a college degree at a TBR institution while stationed in Tennessee or at Fort Campbell, Kentucky, and who are transferred or deployed prior to completing their degrees, can continue to completion of the degrees at that same institution without being required to pay out-of-state tuition, as long as he/she completes at least one (1) course for credit each twelve (12) month period after the transfer or deployment. Exceptions may be made in cases where the service member is deployed to an area of armed conflict for periods exceeding twelve (12) months.

- J. Students who participate in a study abroad program, when the course/courses in the study abroad program is/are the only course/courses for which the student is registered during that term, shall not be required to pay out-of-state tuition.

K. Students who are awarded tuition waiver scholarships for participation in bona fide campus performance-based programs, according to established guidelines, shall not be required to pay out-of-state tuition.

L. A veteran enrolled in any TBR institution of higher education in this state shall not be required to pay out-of-state tuition or any out-of-state fee, if the veteran:

1. Has not been dishonorably discharged from a branch of the United States armed forces or the national guard;
2. Is eligible for Post-9/11 GI Bill benefits or Montgomery GI Bill benefits; and
3. Enrolls in the TBR institution, after satisfying all admission requirements, within twenty-four (24) months after the date of discharge as reflected on the veteran's certificate of release or discharge from active duty, Form DD-214, or an equivalent document.

a. To continue to qualify for in-state tuition and fees, a veteran shall:

(1) Maintain continuous enrollment as defined by the TBR institution at which the veteran is enrolled; and

(2) Within one (1) year of enrolling in the TBR institution:

(a) Register to vote in this state; or

(b) Demonstrate by objective evidence intent to be a resident of this state by obtaining at least two (2) of the following:

(i) A Tennessee driver license;

(ii) A Tennessee motor vehicle registration;

(iii) Proof of established employment in the state; or

(iv) Other documentation clearly evidencing domicile or residence in the state, as determined by the Tennessee Higher Education Commission.

II. Honors Programs

A. Each institution will establish policies regarding out-of-state tuition scholarships for students selected for admissions into formal honors programs at the institution.

III. Presumption

A. Unless the contrary appears from clear and convincing evidence, it shall be presumed that an emancipated person does not acquire domicile in this State while enrolled as a full-time student at any public or private higher educational institution in this State, as such status is defined by such institution.

IV. Evidence to be Considered for Establishment of Domicile

A. If a person asserts that he or she has established domicile in this State he or she has the burden of proving that he or she has done so. Such a person is entitled to provide to the public higher educational institution by which he seeks to be classified or reclassified in-state, any and all evidence which he or she believes will sustain his or her burden of proof. Said institution will consider any and all evidence provided to it concerning such claim of domicile but will not treat any particular type or item of such evidence as conclusive evidence that domicile has or has not been established.

V. Appeal

A. The classification officer of each public higher educational institution shall be responsible for initially classifying students "in-state" or "out-of-state". Appropriate procedures shall be

established by each such institution by which a student may appeal his or her initial classification.

VI. Effective Date for Reclassification

- A. If a student classified out-of-state applies for in-state classification and is subsequently so classified, his or her in-state classification shall be effective as of the date on which reclassification was sought.
- B. However, out-of-state tuition will be charged for any quarter or semester during which reclassification is sought and obtained unless application for reclassification is made to the admissions officer on or before the last day of registration of that quarter or semester.

VII. Effective Date

- A. These regulations supersede all regulations concerning classification of persons for fees and tuition and admission purposes previously adopted by the State Board of Regents, and having been approved by the Governor, become effective July 1, 1983, or upon their becoming effective pursuant to the provisions of T.C.A. Section 4-5-101 et seq. as amended.

Sources

TBR Meetings, December 13, 1974; February 21, 1975, March 21, 1986, September 16, 1988; June 29, 1990; June 24, 1994; March 30, 2001; December 7, 2001; December 5, 2003; June 30, 2006.

PRESIDENTS QUARTERLY MEETING

DIRECTORS QUARTERLY MEETING

May 2014

DATE: Presidents Meeting (May 20, 2014)
Directors Meeting (May 28, 2014)

AGENDA ITEM: Proposed Revisions to: TBR Policy 5:01:01:11– Days of
Administrative Closing

ACTION: Requires Vote

PRESENTER: Dale Sims, Vice Chancellor for Business and Finance

BACKGROUND INFORMATION:

The policy currently states an employee not scheduled to work will not be paid for the closing. An explanation of what was meant by “scheduled to work” was included within the policy.

Specifically:

Employees who were previously approved for leave for the duration of the emergency closing will be considered not scheduled to work and will be charged the appropriate leave.

Employees who were previously approved for leave for a portion of the emergency closing will be considered not scheduled to work for the portion of the time that was approved as leave. The employee will be considered scheduled to work for the remainder of the closing.

This definition is consistent with the practice for other state employees and UT employees.

Proposed revisions are attached.

Days of Administrative Closing 5:01:01:11

Policy/Guideline

I. Administrative Closing Days Declared in Advance

A. Administrative Closing Days with Pay

1. In addition to the seven holidays granted in TBR Policy 5:01:01:10, six administrative closing days shall be designated as time off from work with pay for regular full-time and part-time employees.
2. Certain days, such as the Friday after Thanksgiving Day and those during the week of Christmas when classes are not in session, may be designated as days of administrative closing each year by the Presidents/Directors, with the approval of the Chancellor.

II. Emergency Closing

A. At times it may be necessary for the President or Director to declare specific hours as emergency closing as the result of inclement weather or other emergency situations.

1. In such cases, regular full-time and part-time employees on the active payroll who are scheduled to work during the declared times of closing will be granted time off from work with pay.
2. Employees who are not scheduled to work will not be paid for the emergency closing.
3. Employees who were previously approved for leave for the duration of the emergency closing will be considered not scheduled to work and will be charged the appropriate leave.
4. Employees who were previously approved for leave for a portion of the emergency closing will be considered not scheduled to work for the portion of the time that was

approved as leave. The employee will be considered scheduled to work for the remainder of the closing.

- B. If an emergency closing has not been declared due to inclement weather and an employee is prevented from reporting to work for his/her normally scheduled working hours, annual leave or leave without pay will be charged; or, the employee may be allowed with institutional approval to make up the time lost.
- C. Regular part-time employees will be affected on a pro rata basis in each of the provisions listed above.

Sources

TBR Meeting September 18, 1992; December 7, 2001 (Approved by Finance and Administration February 4, 2002); December 3, 2004 (Approved by Finance and Administration December 21, 2004); September 25, 2008

PRESIDENTS QUARTERLY MEETING

DIRECTORS QUARTERLY MEETING

May 2014

DATE: Presidents Meeting (May 20, 2014)
Directors Meeting (May 28, 2014)

AGENDA ITEM: Proposed Revisions to: TBR Guideline P-043 – Compensation

ACTION: Requires Vote

PRESENTER: Dale Sims, Vice Chancellor for Business and Finance

BACKGROUND INFORMATION:

The proposed revisions are to clarify reportable and non-reportable increases and update the Guideline consistent with the approval process for appointments in General Personnel 5:01:00:00.

Significant Proposed Changes/Clarification Include:

Consistent with General Personnel Policy, it is recommended that only the following increases would require Board of Regents Approval:

- (1) Any increases for Vice Presidents or other executives reporting directly to the President (academic, business, student affairs, etc.) including all interim appointments.
- (2) Any increases for Directors and chairs of the Centers of Emphasis and Excellence, including interim appointments.
- (3) Increases for any other positions which may be designated by the Chancellor.
- (4) All faculty promotions, included as part of the Committee on Personnel and Compensation Agenda at the Summer Quarterly Board Meeting.

- (5) New or revised compensation plans, included as part of the Committee on Personnel and Compensation Agenda at the Summer Quarterly Board Meeting.
- (6) Compensation plan adjustments, included as part of the Committee on Personnel and Compensation Agenda at the fall Quarterly Board Meeting.
- (7) Additional across the board increases, included as part of the Committee on Personnel and Compensation Agenda at the fall Quarterly Board Meeting.
- (8) Additional bonuses, included as part of the Committee on Personnel and Compensation Agenda at the fall Quarterly Board Meeting.

Proposed revisions are attached.

Compensation: P-043

Purpose

The goal of the Tennessee Board of Regents is to provide all employees compensation consistent with market and satisfactory job performance. This goal is reflected within all TBR Budgets and will be dependent upon budget availability.

Definitions

- Definitions are part of the body of the Guideline, and are found in Section III.

Policy/Guideline

I. Compensation Philosophy

A. The Tennessee Board of Regents desires to have a compensation system which is fair, equitable and accountable to the Board of Regents and the public-at-large.

1. ~~Furthermore,~~ The Board of Regents will consider budget availability in all salary decisions.
2. This guideline will cover compensation transactions at all TBR Institutions and the ~~Central System~~ Office.
3. The same reportable guidelines apply to positions totally supported by restricted or auxiliary funds.

B. Faculty

1. Faculty salaries will be a primary objective and priority in developing and approving the overall system budget.
2. It is the goal of the Board of Regents, within available funds, to provide competitive compensation for faculty, consistent with the market for their discipline and rank at officially recognized peer institutions and consistent with performance.

C. Staff

1. It is the goal of the Board of Regents, within available funds, to compensate staff within the approved compensation plan consistent with market and performance.

II. Definitions

A. Definitions and Human Resource Information System (HRIS) codes for salary increase categories have been provided as follows:

1. Additional Across the Board (ATB) Increase—AATB—Increases across the board recommended in addition to state mandated ATB.
2. Additional Bonus –One time payments recommended as an addition to state mandated bonus. (Will be reported as a group total).
3. Additional temporary duties - Increases associated with the assumption of additional duties on a temporary basis, e.g. stipend.
4. Athletic Increase—AATH—Principles for Compensation Increases:
 - a. TBR encourages all institutions to include athletic coaches and staff as part of the compensation plan for the institution.
 - b. TBR encourages all institutions to award compensation increases for athletic coaches and staff at the same time as other faculty and staff in time for the Fall Quarterly Board meeting.
 - c. TBR recognizes the competitive nature of athletics. Therefore, compensation increases for head coaches, other coaches, and their staff within the same discipline may be approved as exceptions.
 - (1) These compensation increases are considered exceptions to the previously approved compensation guideline. The

Chancellor must review and approve the increases before implementation, if the position reports directly to the President.

(2) A request for approval to pay a supplement for a winning season does not require Chancellor approval.

(3) Contracts must be reviewed by the Office of General Counsel for legality and content. Any changes in salary must be processed according to the guidelines in P-043.

5. Certified Administrative Professional (CAP) – CPSI- Increases of 9% given upon passing of all parts of the CAP examination according to state law.

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6. Counteroffers—COFF—An offer made to retain an employee who has been offered another job. Documentation of the offer must be secured (prior to the counteroffer).

7. Critical and Special Adjustments—CSAJ—Increases may be granted in extraordinary circumstances to retain a uniquely qualified employee where the institution is in danger of losing the employee and failing to act at this time could result in harm to the institution.

a. Evidence of another job offer is not required; however, the president or director must document the special circumstances which justify the recommended salary increase.

b. Special adjustment increases for employees who assume significant new job responsibilities and whose position title remains the same may be granted. Adjustments of this type are

infrequent and usually relate to significant reorganizations within the campuses. The president or director must document the special circumstances which justify the recommended salary increase.

8. Degree Certification Change Increase –DGCH—Increases for educational achievement, such as completing the requirements for the Bachelors, Masters, and Doctorate programs, or certifications designated by the campus.

9. Equity and Market Adjustments—EQIN— Individual increases intended to mitigate an internal institution inequity or a documented, proven, external inequity.

10. Faculty Promotions—FPRM—Increases associated with faculty promotion recommendations.

11. Merit Increases—MERT—Increases based on the employee's job performance. Requires written documentation and an adequate plan to objectively measure the employee's performance.

12. Non-faculty promotions – PROM- Increases resulting from applying for and being selected to fill a vacant position - or increases which are provided when an employee is assigned to a position in a different class which has a higher pay grade than the employee's previous position, and the assignment is not a result of a reclassification of the employee's existing position. A promotional appointment must occur within the guidelines in TBR P-010.

13. Percent of Employment – CFTE-Increases attributable to an increase in the percent of time worked (such as moving from 75% to

100% time).

14. Reclassifications –RCLS—Increases given when an employee's duties and responsibilities change and may include an appropriate salary and/or title adjustment.

15. Technical Adjustments – OOPS—Technical Adjustments and/or omissions. Any type of salary adjustment or omission to the previously approved salary for the employee.

III. Procedures

A. All reportable salary increases are subject to approval by the Board ~~of Regents.~~

1. Employees receiving a salary increase governed by this Guideline must be informed that the increase is subject to review by the ~~Central-System~~ Office and approval by the Board.

2. Salary increases are not final until approved by the Board, unless otherwise provided for in this Guideline.

~~3. An executive level, informational report will be provided to the Board regarding these salary adjustments.~~

B. Institutions shall develop compensation plans approved by the Board.

These plans will be updated consistent with this policy.

1. ~~The~~ New or revised Compensation Plans that may include merit, equity, and market increases are due to the ~~Central-System~~ Office in the spring.

2. A committee comprised of representatives from Academic Affairs, Finance, Human Resources, and the TCAT Office will review the proposed compensation plans for clarity, and internal and external equity.

3. Once agreed upon at the ~~Central-System~~ Office they are submitted to

the Board Personnel and Compensation Committee for approval at the summer quarterly Board meeting. A guide of what to include in the individual institution compensation plans is available on the TBR Human Resource ~~W~~website.

4. Recommendations for institutional increases under the compensation plans are submitted to the System Office during the summer.

5. Increases pursuant to the plans are approved at the Fall Quarterly Board meeting.

~~C. 3.~~ An executive level, informational Interim Action report will be provided to the Board quarterly regarding these applicable salary adjustments.

1. Any salary increase for the following positions require System Office and Board approval:

a. All Vice Presidents or other executives reporting directly to the President (academic, business, student affairs, etc.) including all interim appointments;

b. Directors and chairs of the Centers of Emphasis and Excellence, including interim appointments;

c. Any other positions which may be designated by the Chancellor.

2. Any of the following increases require System Office and Board approval:

a. Faculty Promotions – Included as part of the Committee on Personnel and Compensation Agenda at the Summer Quarterly Meeting

b. New or Revised Compensation Plans - Included as part of the Committee on Personnel and Compensation Agenda at the Summer Quarterly Meeting

c. Compensation Plan adjustments – Included as part of the Committee on Personnel and Compensation Agenda at the Fall Quarterly Meeting

d. Additional Across the Board Increases - Included as part of the Committee on Personnel and Compensation Agenda at the Fall Quarterly Meeting

e. Additional Bonuses - Included as part of the Committee on Personnel and Compensation Agenda at the Fall Quarterly Meeting

~~The following non-reportable increases will not require Board approval but will be available to the Legislative Budget Analysis Office, as requested. An executive level, informational report will be provided to the Board regarding these salary increases.~~

~~1. Reclassifications~~

~~a. For all EEO 4-7 and for EEO 1-3 with an annual salary of less than \$100,000 and those over \$100,000, but with an increase of less than ten percent (10%)~~

~~b. Degree Certification Adjustments~~

~~D. The following reportable increases will require Board of Regents approval and will be available to the Legislative Budget Analysis Office. An executive level, informational report will be provided to the Board regarding these salary increases.~~

~~1. Reportable increases are:~~

~~a. All Equity and Market Adjustments.~~

~~b. All faculty promotions.~~

~~c. All reclassifications for EEO 1-3 and an annual salary of \$100,000 or above and an increase of more than ten percent (10%)~~

~~(1) Job audits from the HR office are required for these reclassifications.~~

~~d. All special and critical adjustments.~~

~~e. Counteroffers~~

~~f. Merit Adjustments~~

~~2. Plans for merit and equity increases are submitted to the Central Office in the spring for staff review.~~

~~3. Plans for merit and equity increases are then recommended to the Committee on Personnel and Compensation and approved by the Board at the Summer Quarterly Board meeting.~~

~~4. Increases pursuant to the plans are approved at the Fall Quarterly Board meeting.~~

~~5. Faculty promotions are approved at the Quarterly Summer Quarterly Board meeting.~~

~~6. Reclassifications and degree certification increases are included as part of the Interim Action Report of the Chancellor during all Quarterly Board meetings.~~

~~7. Special increases and critical increases are included as part of the Committee on Personnel and Compensation Agenda.~~

III. Definitions

~~A. Definitions for salary increase categories have been provided as follows:~~

- ~~1. Reportable increases are those increases reported to the Board.~~
- ~~2. Reclassifications—RCLS—Increases given when an employee's duties and responsibilities change and may include an appropriate salary adjustment.~~
- ~~3. Degree Certification Change Increase—DGCH—Increases for educational achievement, such as completing the requirements for the Bachelors, Masters, and Doctorate programs, or certifications designated by the campus.~~
- ~~4. Merit Increases—MERT—Increases based on the employee's job performance. Requires written documentation and an adequate plan to objectively measure the employee's performance.~~
- ~~5. Equity and Market Adjustments—EQIN—Increases intended to mitigate an internal institution inequity or a documented, proven, external inequity.~~
- ~~6. Critical and Special Adjustments—CSAJ—Increases may be granted in extraordinary circumstances to retain a uniquely qualified employee where the institution is in danger of losing the employee and failing to act at this time could result in harm to the institution.
 - ~~a. Evidence of another job offer is not required; however, the president or director must provide documentation of the special circumstances which justify the recommended salary increase.~~
 - ~~b. Special adjustment increases for employees who assume significant new job responsibilities and whose position title~~~~

~~remains the same may be granted. Adjustments of this type are infrequent and usually relate to significant reorganizations within the campuses. The president or director must provide documentation of the special circumstances which justify the recommended salary increase.~~

~~7. Additional Across the Board Increase—AATB—Increases across the board recommended in addition to state mandated ATB.~~

~~8. Faculty Promotions—FPRM—Increases associated with faculty promotion recommendations.~~

~~9. Counteroffers—COFF—An offer made to retain an employee who has been offered another job. Documentation of the offer must be secured (prior to the counteroffer).~~

~~10. Athletic Increase—AATH—Principles for Compensation Increases:~~

~~a. TBR encourages all institutions to include athletic coaches and staff as part of the compensation plan for the institution.~~

~~b. TBR encourages all institutions to award compensation increases for athletic coaches and staff at the same time as other faculty and staff in time for the Fall Quarterly Board meeting.~~

~~c. However, TBR recognizes the competitive nature of athletics. Therefore, compensation increases for head coaches, other coaches, and their staff within the same discipline may be approved as exceptions (similar to the existing counteroffer process).~~

~~(1) These compensation increases are considered exceptions to the previously approved compensation guideline. The~~

~~Chancellor must review and approve the increases before implementation. The actual increases are reported to the Board after the fact.~~

~~(2) However, a request for approval to pay a supplement for a winning season~~

~~(if the contract provides for the supplement and the contract has been approved by the Chancellor or designee) does not require a second approval. The campus administrator designated to report the athletic increases to the Board shall be assigned by the President.~~

~~(3) Contracts must be reviewed by the Office of General Counsel for legality and content. Any changes in salary must be processed according to the guidelines in P-043.~~

~~11. Additional Bonus — One time payments recommended as an addition to state mandated bonus. (Will be reported as a group total)~~

~~12. Technical Adjustments — OOPS — Technical Adjustments and/or omissions. Any type of salary adjustment or omission to the previously approved salary for the employee.~~

~~13. Non-reportable increases are those increases that occur and do not require reporting to the Board or the Office of Legislative Budget Analysis:~~

~~a. Non-faculty promotions — Increases resulting from applying for and being selected to fill a vacant position — or increases which are provided when an employee is assigned to a position in a different class which has a higher pay grade than the employee's previous position, and the assignment is not a result of a reclassification of~~

~~the employee's existing position. A promotional appointment must occur within the guidelines in TBR P-010.~~

~~b. Percent of Employment—Increases attributable to an increase in the percent of time worked (such as moving from 75% to 100% time).~~

~~e. Certified Administrative Professional (CAP)—Increases of 9% given upon passing of all parts of the CAP examination according to state law.~~

~~d. Additional temporary duties—Increases associated with the assumption of additional duties on a temporary basis, e.g. stipend. Temporary appointments must occur within the guidelines in TBR P-010.~~

Exhibits

Exhibit 1 - Compensation Approval Matrix (pdf /84.7 KB)

Sources

TBR Meetings: Presidents Meeting May 16, 2006; Presidents Meeting November 8, 2006; Presidents

Meeting February 13, 2007; Presidents Meeting May 12, 2009; Presidents Meeting August 20, 2013.

Compensation Approval Matrix

Row No.	Type of Salary Transaction	Requires Board Notice (Requires prior approval only if noted)	Requires Chancellor's /System Office Approval	Requires President's/ Designee Approval
1	Additional Across the Board Increase	X Prior Board Approval	X	X
2	Bonuses not already provided through an athletic contract (will be reported as a group)	X Prior Board Approval	X	X
3	Faculty Promotions	X Prior Board Approval	X	X
4	New or Revised Compensation Plans	X Prior Board Approval	X	X
5	Compensation Plan Adjustments	X Prior Board Approval	X	X
6	Any individual merit, equity and market, reclassification, counter offer, technical adjustment, or other salary adjustments for vice presidents, executives reporting directly to the President, and directors and chairs of the Centers of Emphasis and Excellence, including interim appointments. Increases provided under the compensation plan do not need individual approval.	X	X	X
7	All legislated across the board increases	X	Follow Budget Guidelines	X
8	Athletic Increases			X
9	Any individual merit, equity and market, reclassification, counter offer, technical adjustment, degree certification, critical and special increase, or other salary adjustments for non-executive positions. Increases provided under the compensation plan do not need individual approval.			X
10	Increases in compensation due to increase in time worked from part-time to full-time or conversions in compensation due to moving from academic year to fiscal year		Follow P-010 Guidelines	X
11	Certified Administrative Professional (CAP) Adjustments, Non-faculty promotions, Changes in percent of employment, and Increases due to additional temporary duties			X
12	Changes in source of funding or grant account resulting in no change in annual salary.			X