



TENNESSEE BOARD OF REGENTS
Thursday, June 17, 2021
Committee Meetings
8:00 AM – 11:30 AM (Central)

I. Committee on External Affairs

1. Government Relations Update
2. Advancement Update
3. Marketing and Digital Strategy Update
4. Campus Safety and Security Update

II. Committee on Finance and Business Operations

1. Minutes of the June 11, 2021 Special Called Meeting of the Finance and Business Operations Committee that Includes Consideration for Approval of Staff Recommendation for Maintenance Fees, Mandatory Fees and Non-mandatory Fees for Academic Year 21-22
2. Consideration for Approval of Funding for Operations for the 2021 – 2022 Fiscal Year and Approval of the Finalized (estimated) Budgets for the 2020-2021 Fiscal Year
3. Consideration for Approval of the Capital Budget Requests for the 2022-23 FY
4. New TBR Policy 7.04.00.00 Parking and Traffic

III. Committee on Workforce Development

1. Update on the Center for Workforce Development Projects
2. Meeting Industry Needs to Workforce Plan - Indigo Ag, Inc.

IV. Committee on Personnel and Compensation

1. Consent Agenda
 - a. Proposed Revisions to TBR Policy 5.01.00.00 General Personnel
 - b. New Employee Discipline Policy
 - c. Proposed Revisions to TBR Policy 7.01.00.00 Firearms and Other Weapons
2. Approval of the June 1, 2021 Special Called Meeting of the Personnel and Compensation Committee that Includes Action taken on Compensation Strategies
3. Tenure and Promotion Recommendations at Tennessee Colleges of Applied Technology
4. Tenure and Promotion Recommendations at Community Colleges
5. Faculty Promotional Increases
6. Institutional Requests for Amended Compensation Plans
7. Review and Approval of Institutional Requests for Compensation Plan Payments from the State Salary Increase Pool
8. Executive Incentive Payments
9. Approval of President Emeritus Contracts
10. Approval of Faculty Emeritus
11. Evaluation of the Chancellor

V. Committee on Academic Policies and Programs and Student Life

1. Consent Agenda
 - a. Proposed Revisions to TBR Policy 2.03.01.01 Undergraduate Academic Retention & GPA Standards
 - b. Proposed Revisions to TBR Policy 6.03.00.00 Sexual Misconduct
 - c. Proposed Revisions to TBR Policy 1.06.00.05 Procedures for Cases Subject to the Uniform Administrative Procedures Act
 - d. Proposed Revisions to TBR Policy 3.02.00.01 Student Conduct and Disciplinary Procedures
2. Proposed Program Terminations, Modifications, and New Technical Program Implementations for TCATs
3. Accreditation Report
 - a. Community Colleges
 - b. Tennessee Colleges of Applied Technology
 - c. Resources



TENNESSEE BOARD OF REGENTS
Quarterly Board Meeting
Friday, June 18, 2021 - 8:30 a.m. (CDT)
Agenda

- I. Minutes
 - A. March 25, 2021 Regular Session Board Meeting
- II. Report of Interim Action
- III. Report of the Committees
 - A. Report of the Academic Policies and Programs Committee Meeting on June 17, 2021
 - B. Report of the External Affairs Committee Meeting on June 17, 2021
 - C. Report of the Workforce Development Committee Meeting on June 17, 2021
 - D. Report of the Audit Committee Meeting on June 1, 2021
- IV. Report of the Regents Award for Excellence in Philanthropy
- V. Report of the Chancellor
 - HEERF Funding Update
- VI. Unfinished Business
 - A. Consider and Act on the 2015-25 Strategic Plan Midcycle Review
- VII. New Business
 - A. Report of the Finance and Business Operations Committee Meeting on June 17, 2021 that Includes the Report of the Special Called Meeting of the Finance and Business Operations Committee held on June 11, 2021 that Includes Approval of Tuition and Maintenance Fees; Approval of the Funding for Operations for the 2021– 2022 Fiscal Year and Finalized Budgets for the 2020-21 Fiscal Year; Approval of Capital Budget Requests for the 2021-2022 Fiscal Year; and, Approval of New Parking and Traffic Policy
 - B. Report of the Personnel and Compensation Committee Meeting on June 17, 2021, that Includes Faculty Promotional Increases, Approval of the System Compensation Plan Recommendations, President Emeritus Contracts, Chancellor’s Evaluation, New and Revised Personnel Policies, and the Report of the Special Called Meeting of the Personnel and Compensation Committee held on June 1, 2021 that Includes Compensation Strategies
 - C. Rulemaking
 - 1. Report from the June 15, 2021 Rulemaking Hearing
 - 2. Contested Case Procedures Under the Uniform Administrative Procedures Act (New)
 - 3. Parking and Traffic (New)
 - 4. Student Conduct and Disciplinary Procedures (Amended)
 - 5. Title IX Compliance/Sexual Misconduct (New)
 - D. Notice of Proposed Changes to the Bylaws
 - E. Review and Consider Criteria for the President of Dyersburg State Community College
 - F. Review and Consider Building Naming Request from Northeast State Community College
 - G. Resolution of Appreciation for Faculty Regent Kenneth Goldsmith
 - H. Resolution of Appreciation for Student Regent William McElyea
 - I. Election of the Vice Chairman for 2021-2022



**TENNESSEE BOARD OF REGENTS
Quarterly Board Meeting
June 17 and 18, 2021**

EXECUTIVE SUMMARY

Thursday, June 17, 2021

A. COMMITTEE ON EXTERNAL AFFAIRS

1. GOVERNMENT RELATIONS UPDATE

The first session of the 112th Tennessee General Assembly convened January 9, 2021. Vice Chancellor McCormick will provide an up-to-date summary of the current legislative climate for state legislation affecting TBR and higher education.

The Tennessee Board of Regents Office of External Affairs Government Relations Department continues to monitor legislation that may affect Tennessee public higher education.

2. ADVANCEMENT UPDATE

The Committee will be provided with an update of activities in the Strategic Advancement Department to include the Foundation.

- Cummins has recently met with officials at McGavock High School in Nashville and TCAT Nashville as well as the STEM Academy at East High School in Memphis and TCAT Memphis regarding their Technical Education in Communities (TEC) program. Cummins is planning to make announcements in Memphis on September 21 and in Nashville on September 22. Cummins hopes to expand this statewide in the future.
- The Foundation has raised \$22,700 in donations had been received through online giving since it started in November 2020. A total of \$11,605 had been collected for TCAT Online Giving Day (May 5). TCAT Knoxville had raised \$8,500 of this total.

Scholarship Updates

- ***Sam H. Odom Scholarship*** – Distributed 34 scholarships totaling \$34K in Fall 2020 and Spring 2021.
- ***James Berdet Brown Scholarship*** – Distributed 20 scholarships totaling \$6,000.
- ***Dr. Allana Hamilton Memorial Scholarship*** – Received a total \$40,100 to date, which included \$25K from the Ayers Foundation, \$1,130 in personal checks and \$2,500 in pledges.

Executive Summary – June 2021 Quarterly Meeting

3. **MARKETING & DIGITAL STRATEGY UPDATE**

The Committee will receive an overview of marketing strategies that span the next several months and into the fall. The purpose of these strategies is to raise awareness of TBR colleges to assist campuses with enrollment strategies. These marketing efforts take into account the uncertainty that the COVID-19 pandemic has caused in many families when making decisions on education as well as communicating to the public TBR colleges are an essential gear in Tennessee's economic engine.

4. **CAMPUS SAFETY AND SECURITY UPDATE**

Vice Chancellor McCormick will provide an update on TBR Campus Safety and Security initiatives. The Community College Police Chiefs continue to meet virtually every month. These meetings fulfill System concerns of happenings, support, and provide training topics every month. Status of the THEC and Department of Homeland Security campus tours for Safety and Security Assessments will be provided. Dr. McCormick will also give an update on the Associate Vice Chancellor for TBR Campus Safety/TCAT Police Chief position.

B. **COMMITTEE ON FINANCE AND BUSINESS OPERATIONS**

1. **MINUTES OF THE JUNE 11, 2021 SPECIAL CALLED MEETING OF THE FINANCE AND BUSINESS OPERATIONS COMMITTEE THAT INCLUDES CONSIDERATION FOR APPROVAL OF STAFF RECOMMENDATIONS FOR MAINTENANCE FEES, MANDATORY FEES AND NON-MANDATORY FEES FOR ACADEMIC YEAR 21-22**

Minutes from the special called meeting on June 11, 2021 will be distributed in advance of the meeting.

2. **CONSIDERATION OF FOR APPROVAL OF FUNDING FOR OPERATIONS FOR THE 2021-2022 FISCAL YEAR AND APPROVAL OF FINALIZED (ESTIMATED) BUDGETS FOR 2020-2021 FISCAL YEAR**

Under Board policy, the original budget for each fiscal year is known as the *Proposed Budget* and is prepared in the spring of each year. This budget is based on the level of state funds recommended in the Governor's proposed budget as well as early estimates of factors such as enrollment growth, and availability of federal funds. The *Proposed Budget* is normally submitted to the Board for approval at the June Board meeting.

The final budget submitted for each fiscal year is the *Estimated Budget*. It includes final adjustments to the current year budget and is the budget against which final year-end actual amounts are compared. It is prepared, submitted, and considered by the Board at the same time as the *Proposed Budget* for the upcoming fiscal year.

Regarding the LGI's budgets, the FOCUS Act requires that to ensure the ability to satisfy both contractual obligations to the Tennessee State School Bond Authority and obligations to that authority's bondholders, the Tennessee Board of Regents shall have authority over, and shall give final approval to, the operating budget of each LGI.

Executive Summary – June 2021 Quarterly Meeting

The purpose of this agenda item is to consider for approval both the recommended *Estimated Budgets* for FY 2020-21 and the recommended *Proposed Budgets* for FY 2021-22. As part of approval of the Proposed Budgets for FY 2021-22, staff recommends that the Board authorize the Chancellor to take actions necessary to implement the approved budgets.

3. CONSIDERATION FOR APPROVAL OF THE CAPITAL BUDGET REQUESTS FOR THE 2022-23 FY

The Committee will consider approval of the Capital Maintenance Budget Request for fiscal year 2022-23. Detailed information will be distributed to Committee members in advance of the meeting.

4. NEW TBR POLICY 7.04.00.00 PARKING AND TRAFFIC

As previously explained, TBR needs to implement draft Rule 0240-01-06, Traffic and Parking (the “Rule”) for legal compliance reasons. This new policy implements the Rule.

The Board must consider all comments received from the public at the June 15, 2021, Rulemaking Hearing and any written comments submitted in advance of the Rulemaking Hearing. As of June 2, 2021, TBR had received one written comment suggesting (1) that the nature of the maximum fines be explicit and (2) for purposes of transparency and open government, that the Board consider the amount of institutional fines following a chance for public comment. Those revisions are included in the attached version of the policy. If more comments are received at the Rulemaking Hearing, the Board may make changes to the draft Rule based on those comments, and the final version of this policy may need to be revised to be consistent with the Rule.

Unless decided otherwise by the Board, a vote to approve this policy:

- (1) Is contingent on the Board approving the Rule;
- (2) Delegates to General Counsel the authority to make changes to this policy to conform to the final version of Rule as approved by the Board; and
- (3) Includes an effective date that is simultaneous with the effective date of the Rule.

C. COMMITTEE ON WORKFORCE DEVELOPMENT

1. UPDATE ON THE CENTER FOR WORKFORCE DEVELOPMENT PROJECTS

President Puryear will review current workforce development projects and activities, including apprenticeships, campus workforce initiatives, and the Governor’s Correctional Education Initiative.

2. MEETING INDUSTRY NEEDS TO WORKFORCE PLAN – INDIGO AG, INC.

Tennessee’s strong agricultural sector accounts for 9% of the state’s economy. The Center for Workforce Development had an opportunity to coordinate workforce needs, academic credentials and dual enrollment to meet the needs of the agriculture industry. President Puryear will feature a multimedia presentation highlighting TBR campus development of agronomy programs for Indigo Ag, Inc.

D. COMMITTEE ON PERSONNEL AND COMPENSATION

Executive Summary – June 2021 Quarterly Meeting

1. CONSENT AGENDA

A. Proposed Revisions to TBR Policy 5.01.00.00 General Personnel

The Committee will consider approval of proposed revisions to the General Personnel Policy -5.01.00.00. The General Personnel Policy has not had major revisions since 2013. The recommended changes to the General Personnel policy include:

- Inclusion of employment at will language, elimination of employment contracts;
- Moving the part-time instructional faculty rates to an exhibit, so they may be updated as needed;
- Clarification of additional compensation for additional administrative duties and return to faculty;
- Inclusion of sample calculation for transitioning from a 12-month administrative position to a 9-month faculty position during the academic year;
- Reference to new Employee Disciplinary Policy;
- Clarification on Budget Reduction Actions.

B. New Employee Discipline Policy

The Committee will consider approval of proposed new employee discipline policy. The Employee Disciplinary policy is a new proposed policy. The intent is to provide a fair and equitable means to address the unsatisfactory work performance or work-related behavior, including gross misconduct, of employees (other than faculty and other instructional personnel) who have completed any required initial probationary period. To provide fair and uniform procedures including due process if required by law, to correct, discipline, or terminate employees for unsatisfactory work performance or work-related behavior or for gross misconduct.

C. Proposed Revisions to TBR Policy 7.01.00.00 Firearms and Other Weapons

The Committee will consider for approval the proposed revisions to the TBR Policy 7.01.00.00, Firearms and Other Weapons. The proposed policy revisions are:

1. Section I.A. is amended to state that permit-less/constitutional carry legislation does not apply to TBR property.
2. Section II.A.8.g. is removed so that full-time employees who are permitted to carry a firearm on campus are now permitted to carry it in a state-owned vehicle. The rationale is that the change will increase safety by allowing employees who are required to drive a campus vehicle, e.g., maintenance staff, to keep the firearm on their person at all times.
3. Section II.B. is amended to clarify that an employee need not have a permit to keep a firearm secured in the employee's vehicle.
4. Rather than referencing a "handgun carry permit," the revised policy references a "handgun carry permit/enhanced handgun carry permit" to reflect current terminology in T.C.A. § 39-17-1351.

Unless decided otherwise by the Board, a vote to approve the policy revisions includes an effective date of July 1, 2021.

Executive Summary – June 2021 Quarterly Meeting

2. APPROVAL OF THE MINUTES FROM THE JUNE 1, 2021 SPECIAL CALLED MEETING OF THE PERSONNEL AND COMPENSATION COMMITTEE THAT INCLUDES ACTION TAKEN ON COMPENSATION STRATEGIES

The Committee will consider approval of the minutes from the June 1, 2021 special called meeting of the Personnel and Compensation Committee that includes action taken on compensation strategies.

3. TENURE AND PROMOTION RECOMMENDATIONS AT TENNESSEE COLLEGES OF APPLIED TECHNOLOGY

The Committee will be asked to act on recommendations for granting promotion and tenure to eligible faculty members. A list of the faculty being recommended for promotion and tenure is shown as Attachment A-1 and B-1 respectively.

The recommendations and supporting documents were submitted by the TCAT presidents and were certified by them as having been processed through the approved institutional procedures. They have been reviewed by the Board staff and are endorsed for favorable consideration by the Personnel Committee.

A summary of the tabulations regarding promotion and tenure recommendations for each TCAT has been prepared by the staff. The sixty-three (63) faculty recommended for promotion represent 10.5% of the TCAT instructional staff. There are no (0) faculty members receiving tenure recommendations for this cycle. Tabulation tables for promotion and tenure are shown as Attachments A-2 and B-2 of the materials. Other observations of interest are listed below.

PROMOTIONS:

The sixty-three (63) promotions are divided into these categories: thirty-seven (37) to Instructor (second rank); twenty (20) to Senior Instructor (third rank); five (5) to Master Instructor (fourth rank); and one (1) to Master Instructor II (highest rank).

TENURE:

With approval of these instructional staff, the total tenured faculty for the TCATs is 11%.

4. TENURE AND PROMOTION RECOMMENDATIONS AT COMMUNITY COLLEGES

The Committee will be asked to approve recommendations for promotion and tenure of faculty serving at the community colleges. Eighty-three (83) faculty members are recommended for tenure. This is an increase from the previous year of sixty-seven (67) recommendations for tenure.

One hundred ninety-two (192) faculty members are recommended for promotion. The number of promotions increased by sixteen (16) from 2020-21.

5. FACULTY PROMOTIONAL INCREASES

The Committee will be asked to approve recommendations for faculty promotional increases. A total of one-hundred-ninety-two (192) faculty members are recommended for promotion at the

Executive Summary – June 2021 Quarterly Meeting

community colleges. At the TCATs, sixty-three (63) faculty members are recommended for promotion. The recommendations are made within the requirements of TBR policies on tenure and promotion.

The recommendation and supporting documents were submitted to the Board by the community colleges and TCATs, and were certified by them as having been processed through the approved institutional procedures. TBR staff has verified the proposed ranks of the individuals submitted for promotion by the institutions and ensured a corresponding increase for those that were eligible was submitted, or an exception noted.

6. INSTITUTIONAL REQUESTS FOR AMENDED COMPENSATION PLANS

In accordance with TBR Guideline P-043 Compensation, the following institution submitted a revised compensation plan to the System Office for review:

Institution

Southwest Tennessee Community College

Summary of Changes

Amendment to the existing compensation plan to index salary ranges to address changes in market, as well as reduce the number of salary ranges with a broader range for each level.

The new or revised compensation plans were reviewed within the System Office by a committee of four (4) individuals from the following offices: Finance, Academic Affairs, and two (2) individuals from Human Resources. The Committee reviewed the proposed plan for methodology, market data being used, equity, consistency, completeness, and clarity. After review of the proposed plan, the Committee respectively recommends Board approval of the proposed revisions of the compensation plan.

7. REVIEW AND APPROVAL OF INSTITUTIONAL REQUESTS FOR COMPENSATION PLAN PAYMENTS FROM THE STATE SALARY INCREASE POOL

At the June 1, 2021 special called meeting, the Personnel & Compensation Board Committee authorized a compensation strategy that included using the state provided portion of a 2% salary pool to be used for employee increases effective July 1, 2021. The increases could be for additional across-the board increases, to assist in funding the college compensation plan, or faculty promotions, or some combination of the three.

For those colleges providing the full amount as an across the board increase, nothing further was required. For those colleges wanting to use some or all of the state funding for their compensation plans or faculty promotions, they have submitted a proposal for review and approval.

Staff has received and evaluated compensation salary increase proposals from the following three (3) institutions:

- Jackson State Community College
- Motlow State Community College
- Nashville State Community College

Executive Summary – June 2021 Quarterly Meeting

The Committee will be asked to consider these compensation increases as outlined.

8. EXECUTIVE INCENTIVE PAYMENTS

The Executive Performance Incentive Plan was approved at the Board's June 2013 Meeting. It was created at the request of Board Members to address the gap between the average market salaries for the presidents, directors and Chancellor and the current compensation level for these officials. In the current compensation plan the salaries for the Chancellor and institutional leaders are set at 90% of the market average for comparable positions. The Plan provides an opportunity for the leaders to earn up to the market value of their respective position on an annual basis, based on institutional and individual performance. The incentive does not add to the base salary for the position, and will be recalculated each year. No incentive payments were made last year due to the unknown state of the economy and employees not receiving raises.

Participants in the plan include the presidents of the community colleges and Tennessee Colleges of Applied Technology (TCATs) and the Chancellor.

The incentive amount is equal to ten percent (10%) of the market average salary for comparable positions and is divided into two components: the metric based allowance equal to 85% of total incentive amount and a discretionary allowance equal to 15% of the total incentive amount. The primary incentive measurement for Community College Presidents is the change in weighted formula outcomes at each institution. The change in total weighted outcomes for the system is calculated in a similar manner and used to calculate the weighted outcome growth allowance amount for the Chancellor. The incentive measurement amount for the TCAT Presidents is based on five (5) outcomes, weighted equally: program completion rate; job placement rate; private giving; expanded offerings, and expanded enrollment.

RECOMMENDATION

Pursuant to the Plan, recommendations for incentive pay are brought before the Committee for review and approval. Recommendations of the Committee, if any, are presented to the full Board for action. The Plan requires an individual to be employed in one of the eligible positions at the time the payments are approved and have satisfactory performance to be eligible to receive incentive pay.

To assist the Committee, System staff have calculated the total incentive that is possible for each eligible position, and the total incentive payment recommended.

The Committee will be asked to consider for approval the Executive Performance Incentive Pay for the presidents and Chancellor, as presented.

9. APPROVAL OF PRESIDENT EMERITUS CONTRACTS

Per requirements to be compensated as President Emeritus (T.C.A. § 8-36-714) and TBR Policy 5.01.03.00, Retirement, those serving as President Emeritus must file a report for the previous year's work (approved by the sitting President), and a copy of the contract for the next fiscal year's work,

Executive Summary – June 2021 Quarterly Meeting

for approval by the Board. **Renewal of contracts is subject to availability of institutional funding.** Attached are the certification of work forms for 2020-2021 and contracts for 2021-22 submitted for Board review and approval for the following:

Dr. Jack Campbell – Walters State Community College
Dr. Nathan Essex – Southwest Tennessee Community College
Dr. Frank Glass – Motlow State Community College
Dr. Rebecca Hawkins – Columbia State Community College
Dr. Walter Nelms – Jackson State Community College
Dr. William Locke – Northeast State Community College
Dr. Wade Powers – Northeast State Community College (Report only)
Volunteer State Community College (Report only)

Please note that Dr. Powers has opted not to seek a contract for 2021-22.

10. APPROVAL OF FACULTY EMERITUS

The following faculty emeritus candidates are being recommended to the Board for consideration and approval:

Cleveland State Community College

- Sonia Alejandra Hoffer, Assistant Professor of Spanish, 2003-2018

Volunteer State Community Colleges

- Ondis Bible, Associate Professor of Mathematics, 1977-2020
- Chuck Conrad, Associate Professor of Mathematics, 1993-2021
- Jeff Kent, Professor of Biology, 1995-2021
- Kathy Johnson, Associate Professor of Mathematics, 1994-2020

11. EVALUATION OF THE CHANCELLOR

Pursuant to Board policy, a performance review of the Chancellor is required every two years. The evaluation is to be conducted by a committee of at least four members appointed by the Vice Chair. Vice Chair Reynolds requested the Personnel and Compensation Committee review the feedback and make a recommendation to the Board.

The purpose of this agenda item will be consideration by the Committee of the Chancellor's performance review.

E. COMMITTEE ON ACADEMIC POLICIES AND PROGRAMS AND STUDENT SUCCESS

1. CONSENT AGENDA

Executive Summary – June 2021 Quarterly Meeting

a. PROPOSED REVISIONS TO TBR POLICY: 2.03.01.01 UNDERGRADUATE ACADEMIC RETENTION GPA STANDARDS (*Associate Vice Chancellor Heidi Leming*)

The Board will hear a report concerning revisions to TBR Policy 2.03.01.01 This policy establishes minimum criteria for undergraduate academic retention standards at the community colleges under the governance of the Tennessee Board of Regents. Revisions to the policy have been unanimously supported by the Academic Affairs and Student Affairs Subcouncils at their spring quarterly meeting and the President’s Council at their May meeting. Proposed changes in the policy are to alignment policy with institutional student academic progress (SAP) processes that all 13 community colleges uniformly follow.

The policy has previously been approved by the Academic and Student Affairs Subcouncil on February 3-4, 2021. It was approved by the Presidents at the quarterly meeting on May 5, 2021.

b. PROPOSED REVISIONS TO TBR POLICY: 6.03.00.00 SEXUAL MISCONDUCT (*General Counsel Brian Lapps*)

The attached draft policy includes minor revisions to conform to draft Rule 0240-02-10. Title IX Compliance (the “Rule”). The substantive revisions to policy clarify (1) the meaning of “preponderance of the evidence” and other matters regarding burden of proof and (2) the process for determining when allegations will be investigated consistent with the Sexual Misconduct Policy and when they will be investigated and/or resolved pursuant to another policy.

Because of the length of this policy and the minor nature of the changes, only a “tracked changes” version is provided.

Because the Board will consider all comments received from the public at the June 15, 2021, Rulemaking Hearing and may make changes to the draft Rule based on those comments, the final version of this policy may need to be revised to be consistent with the Rule.

Unless decided otherwise by the Board, a vote to approve this policy:

- (4) Is contingent upon the Board approving the Rule;
- (5) Delegates to General Counsel the authority to make changes to this policy to conform to the final version of Rule as approved by the Board; and
- (6) Includes an effective date for Community Colleges of August 16, 2021 and for TCATs of August 26, 2021.

c. PROPOSED REVISIONS TO TBR POLICY: 1.06.00.05 PROCEDURES FOR CASES SUBJECT TO THE UNIFORM ADMINISTRATIVE PROCEDURES ACT (*General Counsel Brian Lapps*)

As previously explained, TBR needs to implement Rule 0240-01-05, Contested Case Procedures (the “Rule”) for legal compliance reasons and to better defend the results of contested case hearings. Upon implementation of the Rule, TBR will use the formal

Executive Summary – June 2021 Quarterly Meeting

processes of the Administrative Procedures Division (APD) in the Secretary of State's Office. The actual process of the hearing will remain similar to the current, but rarely used, processes under existing TBR policy. The major change is that TBR will use administrative judges from APD to preside over contested cases in most circumstances.

The attached draft policy is an almost complete replacement of the current policy, and thus only a clean copy is attached.

Because the Board will consider all comments received from the public at the June 15, 2021, Rulemaking Hearing and may make changes to the draft Rule based on those comments, the final version of this policy may need to be revised to be consistent with the Rule.

Unless decided otherwise by the Board, a vote to approve this policy:

- (1) Is contingent on the Board approving the Rule;
- (2) Delegates to General Counsel the authority to make changes to this policy to conform to the final version of Rule as approved by the Board; and
- (3) Includes an effective date of this policy that is simultaneous with the effective date of the Rule.

d. PROPOSED REVISIONS TO TBR POLICY: 3.02.00.01 STUDENT CONDUCT AND DISCIPLINARY PROCEDURES (*General Counsel Brian Lapps*)

The attached draft policy includes major revisions to conform to and implement draft Rule 0240-02-03, Student Conduct and Disciplinary Sanctions (the "Rule"). The revised policy introduces more detail and specificity, both substantively and procedurally, into the current processes. The revised policy also removes the ability for institutions to make substantive alterations or additions to the policy. Both a clean copy and a version tracking changes to the policy are attached.

Because the Board will consider all comments received from the public at the June 15, 2021, Rulemaking Hearing and may make changes to the draft Rule based on those comments, the final version of this policy may need to be revised to be consistent with the Rule.

Unless decided otherwise by the Board, a vote to approve this policy:

- (1) Is contingent upon the Board approving the Rule;
- (2) Delegates to General Counsel the authority to make changes to this policy to conform to the final version of Rule as approved by the Board; and
- (3) Includes an effective date for Community Colleges of August 16, 2021 and for TCATs of August 26, 2021.

2. PROPOSED TCAT NEW PROGRAM IMPLEMENTATIONS, MODIFICATIONS, AND TERMINATIONS FOR TCATS (*Assistant Vice Chancellor Tachaka Hollins*)

Twenty-seven (27) program proposals are being presented for the Committee's review and approval. These proposals will allow the Technical Colleges to be more responsive to the needs of students, businesses, and industries.

Executive Summary – June 2021 Quarterly Meeting

Seven (7) academic actions were submitted by a TCAT institution to the Vice Chancellor for approval based on section C of the TBR Policy: 2:01:02:00, requiring only notification to the Vice Chancellor. Appropriate documentation to support the need was provided.

3. ACCREDITATION SUMMARY REPORT AND OVERVIEW 2019-2020

(Executive Vice Chancellor Russ Deaton)

The Annual Accreditation Report and Overview summarizes all activity for the academic year 2019-2020 on regional and program accreditation. The report also provides information on all non-accreditable programs that go through either the Program Review or the Academic Audit process. A summary of all activity is provided along with a more detailed accounting of all accreditation and quality assurance activity.

FRIDAY, JUNE 18, 2021

I. MINUTES

A. Minutes from the March 25, 2021 Regular Session Board Meeting

The Board will consider approving minutes from the March 25, 2021 regular session of the Board.

II. REPORT OF INTERIM ACTION

This report serves as a record of business transacted by the Office of the Chancellor since the previous meeting of the Board. A copy of the report is enclosed in the materials.

III. REPORT OF THE COMMITTEES

The Board will consider approving the minutes of the following committee meetings:

- A. Report of the Academic and Policies Programs Committee on June 17, 2021
- B. Report of the External Affairs Committee Meeting on June 17, 2021
- C. Report of the Workforce Development Committee Meeting on June 17, 2021
- D. Report of the Audit Committee Meeting on June 1, 2021

IV. REPORT OF THE REGENTS AWARD FOR EXCELLENCE IN PHILANTHROPY

Recipients of the Regents award for Excellence in Philanthropy are selected based on their generous giving of their time, resources, influence on volunteers to become involved in fundraising, active promotion of higher education, leadership in philanthropy, exceptional civic responsibility, and integrity. The Board will receive a report on the following awards presented in the last quarter:

Barry and Lucy Stephenson

Executive Summary – June 2021 Quarterly Meeting

Barry and Lucy Stephenson accepted the prestigious 2020 Regents Award for Excellence in Philanthropy as nominated by Roane State Community College. The award was presented by Regent Danni Varlan during Roane State's 2020 College of the Year Celebration on March 29, 2021.

The Ford Family

John and Debbie Ford accepted the 2021 Regents Award for Excellence in Philanthropy on behalf of the Ford Family as nominated by Dyersburg State Community College. The award was presented by Regent Nisha Powers Dyersburg State's Donor Recognition Dinner on June 3, 2021.

The Town of Smyrna

The Town of Smyrna was nominated by Motlow State Community College for the 2020 Regents Award for Excellence in Philanthropy. Their award will be presented by Regent MaryLou Apple during Motlow State's biannual Foundation meeting on June 10, 2021.

V. REPORT OF THE CHANCELLOR

- HEERF Funding Update

VI. UNFINISHED BUSINESS

A. Consider and Act on the 2015-25 Strategic Plan Midcycle Review

In December 2019, TBR began a mid-cycle review of its 2015-2025 Strategic Plan, a process that was paused for several months due to the COVID-19 pandemic. Once the process restarted in fall 2020, TBR staff continued engagement with a Steering Committee, which included representatives within and external to TBR, the Board itself, and numerous external partners from across education, industry, and philanthropy. The process culminates in the revised Strategic Plan, drafts of which have been discussed and shared with the Board previously, that will guide the Board's work through the duration of the 10-year cycle. The essence of the Plan is still Tennessee's long-standing goal to achieve 55 percent of its adult population with a postsecondary credential. The revised plan captures the evolving nature of TBR's mission and work, especially now that the governance changes wrought by the FOCUS Act of 2016 have taken root, as well as the fact that the effects of the pandemic are still shaping our system, colleges, students, faculty, and staff. The plan is presented as an interactive infographic to be housed on TBR's website.

VII. NEW BUSINESS

A. REPORT OF THE FINANCE AND BUSINESS OPERATIONS COMMITTEE MEETING ON JUNE 17, 2021, THAT INCLUDES APPROVAL OF TUITION AND MAINTENANCE FEES; APPROVAL OF THE FUNDING FOR OPERATIONS FOR THE 2021-2022 FISCAL YEAR AND FINALIZED BUDGETS FOR THE 2020-2021 FISCAL YEAR; APPROVAL OF CAPITAL BUDGET REQUESTS FOR THE 2021-2022 FISCAL YEAR; AND, APPROVAL OF A NEW PARKING AND TRAFFIC POLICY

The Board will be asked to consider approving the minutes from the Finance and Business Operations Committee on June 17, 2021 that includes approval of tuition and maintenance fees, approval of the funding

Executive Summary – June 2021 Quarterly Meeting

for operations for the 2021-2022 fiscal year and finalized budgets for the 2020-2021 fiscal year, approval of capital budget requests for the 2021-2022 fiscal year and approval of new parking and traffic policy.

B. REPORT OF THE PERSONNEL AND COMPENSATION COMMITTEE MEETING ON JUNE 17, 2021, THAT INCLUDES FACULTY PROMOTIONAL INCREASES, APPROVAL OF THE SYSTEM COMPENSATION PLAN RECOMMENDATIONS, PRESIDENT EMERITUS CONTRACTS, CHANCELLOR’S EVALUATION, NEW AND REVISED PERSONNEL POLICIES, AND THE REPORT OF THE SPECIAL CALLED MEETING OF THE PERSONNEL AND COMPENSATION COMMITTEE HELD ON JUNE 1, 2021 THAT INCLUDES COMPENSATION STRATEGIES

The Board will be asked to consider approving the minutes from the Personnel and Compensation Committee Meeting on June 17, 2021 that includes faculty promotional increases, approval of the system compensation plan recommendations, president emeritus contracts, Chancellor’s evaluation, new and revised personnel policies, and the report of the special called meeting of the Personnel and Compensation Committee held on June 1, 2021 that includes compensation strategies.

C. RULEMAKING

1. Report from the June 15, 2021 Rulemaking Hearing

Information not available as of submittal deadline.

2. Contested Case Procedures Under the Uniform Administrative Procedures Act (New)

“Contested case” hearings under the Uniform Administrative Procedures Act (“UAPA”) are offered when the government seeks to take away a “property interest” and in certain other circumstances. Students who are being suspended or dismissed for disciplinary reasons typically have an option of a contested case hearing. Contested case hearings are more limited for employees. Contested case hearings are not as formal as court proceedings, but there are similarities, which include prehearing discovery, a hearing with a judge, live testimony under oath, direct and cross examination, and a written decision. These are rare at TBR institutions. Nevertheless, the Office of General Counsel believes that TBR needs a rule on this subject.

TBR is proposing to use the formal processes and procedures of the Administrative Procedures Division (“APD”) in the Secretary of State’s Office. TBR will typically use administrative judges from APD to preside over contested cases, but because APD is not legally required to accept TBR cases, the draft rule provides other options as permitted by statute.

3. Parking and Traffic (New)

This is a new chapter. The current parking and traffic rules are contained in Chapter 0240-02-03, Student Conduct and Disciplinary Procedures. Because the rules being proposed apply to the general public, and not just students, TBR seeks to create a new chapter of general applicability. These rules provide more detail and specificity than the current rules. They contemplate each campus setting its own fines and having its own appeal procedures.

The attached draft adopts recommendations from a written comment received June 1, 2021. The comment suggested being more specific about the amounts of fines, and in the interests of transparency and open government, having the Board, instead of the Chancellor, establish the levels of fines at an open meeting that provides the ability for the public to comment.

Executive Summary – June 2021 Quarterly Meeting

4. Student Conduct and Disciplinary Procedures (Amended)

These are revised rules. The rules explain who meets the definition of a student, in what circumstances the rules apply, offenses for which disciplinary action may be imposed, the potential sanctions, the procedures for implementing disciplinary action, and the means of appealing decisions.

The attached draft adopts recommendations from a written comment received June 1, 2021. The comment suggested that the rules be more specific about a reference to Title IX Compliance, clarify that the offense of “Observation Without Consent” can be the basis of criminal liability as well as student disciplinary sanctions, and add an offense of “Indecent Exposure.”

5. Title IX Compliance/Sexual Misconduct (New)

This is a new chapter. These rules are based on the TBR Sexual Misconduct policy and designed to require as few changes as possible to that policy. The rules, like the Sexual Misconduct policy, are based on federal Title IX regulations and implement the requirements of those regulations.

D. NOTICE OF PROPOSED CHANGES TO BYLAWS

In accordance with Article VII of the Board’s Bylaws, notice of a proposed change to the Bylaws is being provided so that the Board may consider and vote on the proposed changes at its quarterly meeting in September 2021.

The proposed change is to delete Section V.1.F. of the Bylaws, which is part of the “Duties of the President” section and currently provides: “The president shall make an annual report to the Board, through the Chancellor, of the work and condition of the institution under his or her control.”

The proposed removal of Section V.1.F. is not intended to alter the current means of providing information to the Board or to limit the Board’s ability to request information. Rather, removal of the language is proposed because annual reporting is outdated in light of the current, more regular means by which the Chancellor and TBR staff provide the Board with information about institutions, including through periodic reports at Committee and Board meetings; dashboards related to student enrollment, retention, and graduation; and information accessible on TBR and institutional websites.

At the September 2021 meeting, conforming changes to the applicable TBR policy regarding Annual Reports by the Presidents will also be proposed.

E. REVIEW AND CONSIDER CRITERIA FOR THE PRESIDENT OF DYERSBURG STATE COMMUNITY COLLEGE

President Karen Bowyer has announced her plans to retire on December 31, 2021. The Board will be asked to review and consider criteria for the president of Dyersburg State Community College. After the Board’s action, the selection criteria will be used to advertise the president’s position in a nationwide search. Executive search firm, Greenwood/ Asher, will assist the search committee in finding candidates to fill the position.

Executive Summary – June 2021 Quarterly Meeting

F. REVIEW AND CONSIDER BUILDING NAMING REQUEST FROM NORTHEAST STATE COMMUNITY COLLEGE

The Northeast State Community College Building Naming Committee was recently charged with considering requests to name the College's current Faculty Office Building in memory of Dr. Allana R. Hamilton. Dr. Hamilton, or "Lana" as she preferred to be addressed, devoted almost 26 years to Northeast State Community College, its students, faculty and staff. She made significant contributions in a variety of ways throughout her time at the College. She was initially hired by Northeast State as an Adjunct Faculty member and, over the span of 26 years at the College, advanced to several positions, including: Full-time Instructor, Tenured Assistant Professor, Associate Professor, and Vice President for Academic Affairs. Lana educated and influenced hundreds of Northeast State students, preparing them for their future careers in East Tennessee and beyond. Lana's colleagues have shared stories about her exceptional commitment to her students and her "servant leadership style". They write about how she led by example and was always willing to roll up her sleeves and help – no job was too big or too small. She served as a mentor to students and staff; she was always willing to help people better themselves. Lana was invested in the success of others and her influence will remain with the College for many years to come.

The Naming Committee requests approval to name the Faculty Office Building at Northeast State Community College – "Lana Hamilton Hall" in remembrance of Lana's commitment to education, lifelong learning, and community service, as well as, the commitment she had to Northeast State's mission, vision, and values.

G. RESOLUTION OF APPRECIATION FOR FACULTY REGENT KENNETH GOLDSMITH

The Board will consider approving a resolution of appreciation for Faculty Regent Kenneth Goldsmith for his service as Faculty Regent to the Tennessee Board of Regents.

H. RESOLUTION OF APPRECIATION FOR STUDENT REGENT WILLIAM McELYEA

The Board will consider approving a resolution of appreciation for Student Regent William McElyea for his service as Student Regent to the Tennessee Board of Regents.

I. ELECTION OF VICE CHAIRMAN FOR 2021-2022

The Board will receive nominations and elect the Vice Chairman for 2020-2021.

MINUTES
TENNESSEE BOARD OF REGENTS
REGULAR SESSION

March 25, 2021

The Tennessee Board of Regents met virtually via Microsoft Teams in regular session on March 25, 2021. Vice Chair Emily Reynolds, presiding, called the meeting to order.

Vice Chair Reynolds congratulated 2021 College of the Year winners Columbia State Community College and TCAT Shelbyville.

At the instruction of Vice Chair Reynolds, Board Secretary Sonja Mason called the roll. The following members were present. In accordance with T.C.A. § 8-44-108(c)(3), members were asked two questions when calling the roll. First, could the Regent simultaneously hear and speak with others participating in the meeting? Second, were there any other people present in the room with the Regent? The following members were present and all responded yes to the first question and no to the second question.

Dr. MaryLou Apple
Mr. Miles Burdine
Mr. Greg Duckett
Mr. Mark George
Mr. Mark Gill
Dr. Kenneth Goldsmith
Ms. Yolanda Greene
Mr. Joey Hatch
Commissioner Charles Hatcher
Regent Emily House
Mr. William McElyea
Ms. Nisha Powers
Ms. Wanda Reid
Ms. Emily Reynolds
Ms. Danni Varlan
Mr. Weston Wamp
Mr. Tom White (joined the meeting later)

A quorum was present. Members who were not able to participate in the meeting were Governor Bill Lee and Commissioner Penny Schwinn.

Vice Chair Reynolds explained the meeting was being held in recognition of the need to limit personal contact during the COVID-19 pandemic and in keeping with executive orders related to the pandemic. The matters to be considered require timely action that is required prior to the ability for a quorum to meet in person safely.

Vice Chair Reynolds called for a motion to declare the necessity to meet electronically. Regent Burdine provided the motion with Regent Varlan providing a second. Motion carried by roll call vote.

I. MINUTES

Minutes of the December 10, 2020, regular session Board meeting were provided to all Board members for review prior to the quarterly Board meeting. Regent Greene moved to adopt the minutes. Regent Burdine provided a second. The motion carried by roll call vote.

II. REPORT OF INTERIM ACTION

Vice Chair Reynolds called upon Chancellor Tydings, who presented the Report of Interim Action for the Board's approval. The report serves as a record of business transacted by the Office of the Chancellor since the previous meeting of the Board. Regent Duckett moved to accept the report. Regent Apple provided a second to the motion. The motion passed by roll call vote. A copy of the Report is attached to the official copy of the Minutes as Appendix A.

III. REPORT OF THE COMMITTEES

The Board considered approval of the March 9, 2021 meeting of the Audit Committee. Regent Hatch moved to adopt the minutes. Regent Burdine provided a second. The motion passed by roll call vote. A copy of the minutes from the Audit Committee and background materials are attached to the official copy of the Minutes as Appendix B.

IV. NEW BUSINESS

A. CONSENT AGENDA

The following items were presented for review and approval on the consent agenda:

- Review and Approve Revisions to TBR Policy 2.03.00.00 – Admissions at the Community Colleges
- Review and Consider 2020-21 Faculty Emeritus Recommendations for Community Colleges

A copy of the policy and faculty emeritus recommendations for the community colleges are attached to the official copy of the Minutes as Appendix C and Appendix D.

Regent Varlan moved approval of both consent agenda items. Regent Hatch provided a second. Motion passed by roll call vote.

B. INFORMATIONAL REPORTING

1. External Affairs Update

Vice Chancellor Kim McCormick gave an update that included a summary of the legislation being tracked by TBR Government Relations with an overview of legislation that could potentially impact TBR and higher education.

2. State Budget Update

Vice Chancellor Danny Gibbs provided an overview of the status of the State Budget recommendations for the Tennessee Board of Regents for FY 2021-2022. The recommendations reviewed were from the governor's original state budget proposal. The governor's administration had not yet released its budget amendments.

3. Center for Workforce Development Update

President Carol Puryear gave the Board a review of current workforce development projects and activities that included an update on the following:

- State ECD projects including apprenticeships, correctional workforce, the Electric Vehicle Task Force, and campus success stories.
- The TNTrained "New Energy, New Year, New Workforce" Virtual Conference scheduled for April.

4. Strategic Plan Update

Executive Vice Chancellor Russ Deaton reported the Tennessee Board of Regents began initial work on potential revisions to the 2015-2025 Strategic Plan in December 2019, though work was paused at the outbreak of the pandemic. In October 2020, TBR restarted its work with Steering Committee meetings and subsequent conversations with key partners and constituencies around the state. Dr. Deaton presented an update on the strategic planning process that included a review of recent Steering Committee meetings, board member workshops and other conversations, as well as the potential themes for the Strategic Plan review. A draft version of an interactive infographic that can serve as the vehicle for presenting the strategic plan was shared. A copy of the draft infographic is attached to the official copy of the Minutes as Appendix E.

5. Student Access, Retention and Success

Executive Vice Chancellor Russ Deaton reported the effects of COVID-19 on TBR student access, retention, and success have been profound. At fall 2020 enrollment census, community colleges experienced a 12 percent enrollment decline, while TCATs had more modest decreases at approximately two percent. The conclusion of the fall semester provides the opportunity to see the full effects of enrollment via an end of semester analysis, that includes shorter term courses throughout the fall semester that were not part of the initial census analysis, as well as course grade distributions. Both will provide a more complete picture of enrollment in the fall 2020 semester.

Final fall 2020 enrollment data indicates that institutions were able to enroll roughly 1,400 additional students beyond the 14th day census date. While this has helped to close the enrollment deficit, fall 2020 headcount was still 10 percent lower than fall 2019 headcount.

Preliminary spring 2021 enrollment data provides another opportunity to examine census enrollment, which indicates that headcount and full-time equivalent enrollment continue to be lower than in prior years. In addition, the analysis will include preliminary fall-to-spring retention rates for the 2020 first time freshman class, as well as updated graduation rates through fall 2020. Dr. Deaton presented preliminary enrollment demographic patterns for spring 2021, including trends in dual enrollment, adult learners, and the enrollment of recent high school graduates.

C. DISCUSSION – DRAFT RULEMAKING

General Counsel Brian Lapps reported at the Committee Chairs Meeting on March 9, 2021, the Board Members received information relating to Rulemaking and an explanation of the rules under consideration. The following information was provided prior to the Committee Chairs meeting and is reproduced for the Board's convenience. This matter is being presented for further discussion with no action requested at this time. Mr. Lapps anticipates requesting approval of the draft rules discussed below at the June, 2021 Board meeting.

Background for Rulemaking

The Uniform Administrative Procedures Act contemplates that state agencies, including the Board of Regents, issue rules when implementing standards of "general applicability." TBR most commonly makes rules for matters related to students and the general public. The General Assembly has made statutory changes that require increased rulemaking for TBR.

The rulemaking process includes the following steps.

- (1) The Subcouncils and the Presidents Council review and comment.
- (2) The Board is asked for review and input (Committee Chairs Meeting on March 3, 2021 and Board of Regents Meeting on March 25, 2021).
- (3) The Attorney General's Office is asked to review the draft rules for legality.
- (4) Drafts are sent to the Joint Government Operations Committee Chairs and select members for review and comment so that they have a chance to comment prior to Step 11.
- (5) A Notice of Rulemaking Hearing (including a solicitation of written comments) must be posted with Secretary of State at least 52 days prior to the Rulemaking Hearing.
- (6) A Rulemaking Hearing is held (either by Board or designee) to receive comments.
- (7) TBR administration provides a written response to the comments.
- (8) The Board considers any comments and votes on whether to adopt the rules. This must be done in a meeting separate from the Rulemaking Hearing.
- (9) The rules are filed with the Secretary of State and become effective 90 days after filing.
- (10) After filing, but prior to becoming effective, the Attorney General must approve rules for legality.
- (11) After filing (usually 45-60 days), the Joint Government Operations Committee holds a hearing.
- (12) The rules go into effect.

Draft Rules

TBR is in the process of drafting four rules. These new and revised rules are driven, in large part, by statutory changes that require TBR to adapt the manner in which the TBR System has historically balanced rules and policies. Whereas TBR's rules, especially with respect to student conduct issues, provide that campuses shall issue policies that may be different from the rules, the statutory structure no longer permits campus policies to take precedence over rules. Campuses will still have policies, but they will track the rules.

1. *Procedures for Conducting Hearings in Accordance with the Contested Case Provisions of the Uniform Administrative Procedures Act, Chapter 0240-01-05.*

“Contested case” hearings under the Uniform Administrative Procedures Act (“UAPA”) are offered when the government seeks to take away a “property interest” and in certain other circumstances. Students who are being suspended or dismissed for disciplinary reasons typically have an option of a contested case hearing. Contested case hearings are more limited for employees. Contested case hearings are not as formal as court proceedings, but there are similarities, which include prehearing discovery, a hearing with a judge, live testimony under oath, direct and cross examination, and a written decision. These are rare at TBR. Nevertheless, OGC believes that TBR needs to have a rule to replace existing TBR Policy 1.06.00.05.

Although TBR may create its own processes for contested case hearings, as at least two universities have done or are doing, TBR is proposing to use the formal processes and procedures of the Administrative Procedures Division (“APD”) in the Secretary of State’s Office. TBR will typically use administrative judges from APD to preside over contested cases, but because APD is not legally required to accept TBR cases, the draft rule provides other options as permitted by statute.

2. *Parking and Traffic, Chapter 0240-01-06.*

This is a new chapter. The current parking and traffic rules are contained in Chapter 0240-02-03, Student Conduct and Disciplinary Procedures. Because the proposed rules apply to the general public, and not just students, TBR seeks to create a new chapter of general applicability. These proposed rules provide more detail and specificity than the current rules, but similar to what the University of Memphis has enacted, they do not provide as much procedural detail as the student conduct and disciplinary procedures rules. They contemplate each campus, after getting approval from the Chancellor, to set its own level of fines. Each campus would have its own appeal procedures, too.

3. *Student Conduct and Disciplinary Procedures, Chapter 0240-02-03.*

These rules explain who meets the definition of a student, in what circumstances the rules apply, conduct for which disciplinary action may be imposed, the potential sanctions, the procedures for implementing disciplinary action, and the means of appealing decisions.

The chapter being proposed contains both a “clean” version and also a “tracked changes” version at the end of the document. The proposed revisions introduce more detail and specificity, both substantively and procedurally, into the current rules. The proposed rules also remove the ability for institutions to make substantive alterations or additions to the rules.

4. *Title IX Compliance, Chapter 0240-02-1.*

This is a new chapter. The rule is based on the TBR Sexual Misconduct policy and is designed to require as few changes as possible to that policy. Although the rule looks very different than the policy, that is largely due to formatting requirements. Minimal changes to the Sexual Misconduct Policy will be needed, as demonstrated by the tracked changes version of the policy, which is included in these materials. (The Board will not be asked to vote on changes to the Sexual Misconduct Policy until it votes on the rule.)

The rule, like the Sexual Misconduct policy, is based on federal Title IX regulations and implements the requirements of those regulations.

General Counsel Lapps noted he would be presenting this to the Board for a vote at the June Board meeting. A copy of the draft rules is attached to the official copy of the Minutes as Appendix F.

D. NEW BUSINESS – ACTION ITEMS

1. Recommendation for the President of TCAT McKenzie and Paris

Chancellor Tydings made a recommendation to appoint Mr. Willie Huffman as the next President of TCATs Paris and McKenzie, effective April 1, 2021, for the Board’s approval. Regent Gill moved approval of the appointment, and Regent Hatch provided a second. Motion passed by roll call vote. Mr. Huffman was present to address the Board. He thanked the Board for their confidence in him and appreciates the opportunity to serve in this capacity.

2. Resolution of Appreciation for President Brad White

Vice Chair Reynolds called on Regent Duckett to present the resolution of appreciation for the service of President Brad White to the Tennessee Board of Regents. Regent Duckett moved adoption of the resolution, and Regent White provided a second. Motion passed by roll call vote. A copy of the resolution is attached to the official copy of the Minutes as Appendix G.

3. Review and Consider Criteria for the President of Volunteer State Community College

Chancellor Tydings reported Volunteer State Community College President Jerry Faulkner would be retiring effective August 31, 2021. She presented search criteria for the President of Volunteer State Community College for the Board’s consideration and approval. Regent Hatch moved approval of the criteria, and Regent Burdine provided a

second. Motion passed by roll call vote. A copy of the criteria is attached to the official copy of the Minutes as Appendix H.

4. Review and Consider Criteria for the President of TCAT McMinnville

Chancellor Tydings reported TCAT McMinnville President Warren Laux retired effective July 6, 2020, and TCAT Murfreesboro Vice President Nathan Garrett was appointed interim president. She presented search criteria for the President of TCAT McMinnville for the Board's consideration and approval. Regent Varlan moved approval of the criteria, and Regent Duckett provided a second. Motion passed by roll call vote. A copy of the criteria is attached to the official copy of the Minutes as Appendix I.

5. Multiple Measures for Learning Support Pilot

Executive Vice Chancellor Russ Deaton gave a report on the Multiple Measures for Learning Support Pilot. TBR Learning Support policy 2.03.00.02 establishes methods to determine a student's readiness for college-level coursework in writing, reading, and math. According to this policy, students can be placed into or out of a remedial learning support course through one of four assessment metrics: the ACT, SAT, ACCUPLACER, or by completing SAILS competencies. A student must satisfy cut scores in at least one of these placement methods to bypass learning support courses.

In March 2020, Chancellor Flora Tydings approved a pilot effort to allow the addition of high school GPA as an assessment method for placement, alongside other measures included in TBR policy 2.03.00.02. Due to the COVID-19 pandemic, placement testing was limited in 2020, and some students were unable to take tests that traditionally determined placement. Additionally, the use of *multiple measures* for placement, including high school GPA, is recognized nationally as an innovative best practice.

In summer and fall 2020, entering TBR community college students with a high school GPA of 3.6 or higher were able to bypass learning support courses, regardless of their test scores. At three colleges, students were able to provisionally bypass learning support if their high school GPA was between 2.8 and 3.6. Early outcomes for these students show that success rates in gateway math, English, and reading courses remained high for students in the multiple measures pilot.

The purpose of this agenda item is to consider the extension of the multiple measures pilot through the 2021-2022 academic year. The staff recommends that the Board approve extension of the pilot in order to allow students' learning support placement to be determined by high school GPA alongside traditional measures. The extension of this pilot will allow for further research into outcomes for students whose placement was determined based on their high school GPA.

As proposed, the learning support cut scores for summer 2021, fall 2021, and spring 2022 would include the current assessments as outlined in TBR Learning Support policy 2.03.00.02, Exhibit 2 as well as high school GPA.

Subject Area	ACT	SAT	ACCUPLACER	SAILS	High School GPA Pilot
Writing	18	490	250	Completing SAILS competencies	3.60 or higher*
Reading	19	500	250	Completing SAILS competencies	3.60 or higher*
Math	19	500	250	Completing SAILS competencies	3.60 or higher*

*At three colleges, students with high school GPAs from 2.8 to 3.59 were able to provisionally place out of learning support. These colleges were required to develop and implement a monitoring plan for students admitted into college-level coursework without learning support courses.

Regent Gill moved to approve the extension of the multiple measures pilot through the 2021-2022 academic year, and Regent White provided a second. Motion passed by roll call vote.

6. Approval of Proposed Program Terminations, Modifications, and New Technical Program Implementations for the Tennessee Colleges of Applied Technology

Assistant Vice Chancellor Tachaka Hollins presented the following program proposals for the members' review and consideration. There were fourteen (14) program proposals presented. There were one-hundred forty-seven (147) program proposals presented for Hybrid Delivery. These proposals seek to add a hybrid delivery mode to their existing program inventory to address delivery modality in a post-pandemic environment. Several schools proposed to add hybrid delivery to traditional instruction permanently. Recently, the Council on Occupational Education (COE) informed schools of the option to have programs approved as traditional and hybrid instruction. The hybrid modality does not impact fiscal resources, personnel, space, or equipment. A hybrid program makes available less than 50% of its required instructional hours via distance education. The COE temporary waiver for distance education instruction expires on June 30, 2021. Also, Dr. Hollins presented six (6) program modifications for the Board's review and approval.

Regent Burdine noted a correction to the TCAT Elizabethton Building Construction Technology program proposal. The delivery location should have been reported as the Northeast State Campus in Elizabethton, Tennessee.

Regent White moved to approve the program proposals with the correction noted by Regent Burdine. Regent Varlan seconded the motion. The motion carried by roll call vote. A copy of the program proposals as approved is attached to the official copy of the Minutes as Appendix J.

7. Review and Consider New TBR Policy 7.04.00.00 – Programs for Minors on Campus

General Counsel Lapps presented new TBR Policy 7.04.00.00 (Programs for Minors on Campus) for review and approval. He noted the revisions are an attempt to increase the safety of minors participating in college programs by requiring background checks, training, and monitoring of employees and volunteers who interact with minors. This type of policy has become common in recent years. It is geared toward college-sponsored programs and events for the general public (as opposed to members of the public coming onto campus for public events). Please note that it does not apply to dual enrollment, middle college, or other students enrolled in the college courses. Major features include:

1. College-wide coordinator is responsible for ensuring compliance by programs;
2. Structure to conduct background checks;
3. Training for covered adults;
4. Exceptions if authorized by the President (and still subject to some protections);
5. Reporting requirements; and
6. Parameters on minors accompanying students and employees to campus, and requirements for supervising such minors.

The policy would be effective September 1, 2021 to give the colleges time to implement the policy.

Regent Hatch moved to approve the new policy with Regent Apple providing a second. Motion passed by roll call vote. A copy of the policy is attached to the official copy of the Minutes as Appendix K.

8. Review and Consider Proposed Changes to the Bylaws

General Counsel Lapps reported a notice of proposed changes to the Bylaws was provided to the Board at its meeting on December 10, 2020 in accordance with Article VII of the Board's Bylaws. The Board was asked to consider the following proposed changes: (1) to change the name of the Economic and Community Development Committee to Workforce Development Committee; and (2) to refer to the newly revised 12th Edition of Robert's Rules of Order instead of the previous version.

Regent Varlan moved to approve the bylaw changes with Regent Duckett providing a second. Motion carried by roll call vote. A copy of the revised Bylaws is attached to the official copy of the Minutes as Appendix L.

9. Review and Consider Standing Resolution Delegating Authority for Rulemaking Hearings

General Counsel Lapps presented a draft resolution delegating authority for Rulemaking Hearings to the TBR General Counsel. He noted the following regarding the hearings:

- General Counsel, with assistance from the Board Secretary, would conduct hearing.

- These are typically routine functions.
- Rulemaking Hearings must be separate from the Board meeting to consider rules.
- Board retains authority to approve rules.
- Board may revoke delegation at any time.

Regent Varlan moved approval of the resolution, and Regent Apple provided a second. Motion carried by role call vote. A copy of the resolution is attached to the official copy of the Minutes as Appendix M.

VII. ADJOURNMENT OF THE MEETING

Vice Chairman Reynolds noted the next meeting would be held virtually on Thursday and Friday, June 17 and 18, 2021.

There being no further business to come before the board, the meeting was adjourned.

Respectfully submitted,



Sonja F. Mason, Board Secretary

Flora W. Tydings, Chancellor

Emily J. Reynolds, Vice Chair



TO: Members of the Tennessee Board of Regents

FROM: Flora W. Tydings

DATE: June 18, 2021

SUBJECT: REVISED - Interim Action Report – Second Quarter

The following constitutes a record of business transacted by the Office of the Chancellor since the previous regular quarterly meeting of the Board of Regents under the authority of Article VIII of the Bylaws, which grants to the Chancellor interim authority to act on behalf of the Board. Pending any questions, the actions are recommended for Board consideration and confirmation.

I. Personnel Actions – Tennessee Board of Regents Staff

Appointments:

- Jaci Whitaker, Administrative Assistant I for Student Success; Effective 5/3/21
- Amy Collins, Financial Aid Associate; Effective 6/1/21

Reclassifications:

- Heather Brown, Administrative Assistant III to Director of Operations; Effective 6/1/21
- Jessica Jarrett, Student Associate to Coordinator, Training and Compliance; Effective 6/1/21
- Danyelle Osborne, Procurement and Travel Associate to Procurement Diversity Coordinator; Effective 6/1/21
- Chuck Grimes, Coordinator for Government Relations to Director of Operations for External Affairs; Effective 7/1/21
- Carol Tomlinson, Administrative Assistant III to Coordinator for External Affairs; Effective 7/1/21

Promotions:

- Danny Gibbs, Vice Chancellor to Executive Vice Chancellor for Business and Finance; Effective 7/1/21
- Kay Hume, Business and Systems Analyst (PT) to Database Administrator; Effective 4/19/21

- Kim McCormick, Vice Chancellor to Executive Vice Chancellor for External Affairs; Effective 7/1/21
- Andrew Stevens, Coordinator, Training and Compliance to Specialist – Student, Office of Student Success; Effective 6/1/21

Degree Attainment: None

Certified Admin. Prof:

- Anita Jansen; Effective 5/1/21
- Tammy Ray; Effective 5/1/21
- Theresa Whitton; Effective 5/1/21

Retirement:

- Brenda McCall, SAILS Field Coordinator; Effective 6/30/21
- Jack “Wayne” Pugh, Associate General Counsel; Effective 6/30/21
- Jennifer Thompson, Director of Content; Effective 7/6/21

Separations:

- Joy Rich, Director of Experiential Learning; Effective 4/30/21
- Krysten Velloff, Assistant Vice Chancellor for Government Relations; Effective 6/4/21
- Mettie Holmes, PT SAILS Field Coordinator; Effective 6/30/21
- Malcolm Offutt, Contracts and Reporting Associate; Effective 6/30/21
- Chris Shannon, Accountant; Effective 6/30/21

Increases: Vice Presidents and Other Executives: Attachment A

Appointments: Vice President and Other Executives: Attachment B

II. ACCEPTANCE OF GIFTS AND GRANTS

III. CONSTRUCTION PROJECTS:

- State Building Commission Activities: Attachment C
- Summary of Construction Contracts: Attachment D

IV. APPROVAL OF CONTRACTS AND AGREEMENTS: Attachment E

V. TCAT ACADEMIC ACTIONS – INTERIM APPROVALS: Attachment F

**TBR System-wide
Vice Presidents and Executive Level Increases**

Institution	Name	Position	Effective Date	Type of Increase	Increase	New Salary
CISCC	Alisha Fox	VP of Finance and Chief Operating Officer	7/1/21	Equity	\$9,940.00	\$115,000.00

**TBR System-wide
Vice Presidents and Executive Level Appointments**

Institution	Name	Position	Salary	Effective Date
CISCC	Dr. John Squires	Executive Director of Advancement and Planning	\$98,000.00	6/1/21
CoSCC	Joni Lenig	VP for Academic Affairs	\$125,000.00	5/1/2021
JSCC	Don Myers	Interim Director of Institutional Research	\$74,000.00	4/15/21
TCAT McKenzie	Jan Latimer	Vice President	\$81,544.00	7/1/21

Tennessee Board of Regents
 Summary of State Building Commission Actions
 March 11, 2021 - May 13, 2021

Date	SBC Number	Institution	Project	Value	SBC Action
3/11/2021					Chancellor Tydings introduced Garry Askew with Bauer Askew Architecture. Mr. Askew stated that the project is in budget and on schedule for substantial completion of December 2022. State Building Commission – March 11, 2021 Page 6 of 32 Lieutenant Governor McNally asked about the impact on the nursing program in Dickson. Mr. Askew stated that one side of the building will be the Columbia State nursing program and the other side will be the TCAT nursing program. Lieutenant Governor McNally asked if the TCAT program in Dickson will be closed. Chancellor Tydings stated that this project is for the Williamson County location and they are relocating to this location and closing a leased location which is not very good. The students will have the opportunity to go from TCAT to the Columbia State program if they desire. Lieutenant Governor McNally asked if there is still a need for a nursing program in Dickson. Chancellor Tydings stated that this project is separate and will not impact the TCAT Dickson program which will remain at its current location. The Commission
	166/015-01-2012	CoSCC	Williamson County Center Relocation	81,010,000	approved the EDP as presented by Bauer Askew Architecture
	166/033-01-2018	SWCC	Union & Macon Cove Plumbing Updates	99,266	Rec'vd report C.O. #8 @ 5.95%
	166/074-01-2021	TCAT-Murfreesboro	Lobby and Student Lounge Improvements	100,000	Approved project utilizing an Agency Consultant for design
	166/001-04-2012	TSU	Master Plan	616,470	Approved a revision in project budget and funding
	166/021-01-2020	MSCC	Classroom Upgrades for Art and Theater	925,000	Approved a revision in project budget and funding
	166/027-04-2018	RSCC	Baseball and Softball Complex Improvements	1,480,000	Approved a revision in project budget and funding
4/8/2021					Approved a revision in project funding (increase in designer fee and decrease in Admin. & Misc. to address project phasing)
	166/001-10-2018	TSU	Perimeter Road Design and Construction	500,000	Approved a revision in project funding (increase in designer fee and decrease in Admin. & Misc. to address project phasing)
	166/033-01-2017	SWCC	Mechanical System Updates	1,550,000	Misc. to address project phasing)
5/13/2021					
	166/027-02-2019	RSCC	HVAC Corrections	38,056	Rec'vd report C.O. #2 @ 11.84%
	166/027-04-2018	RSCC	Baseball & Softball Complex Improvements	184,045	Rec'vd report C.O. #4 @ 16.74%
	166/033-01-2018	SWCC	Union & Macon Cove Plumbing Updates	910	Rec'vd report C.O. #9 @ 0.05%
	21-01-012	TCAT-Memphis	Easement	Mutual Benefit	Approved disposal by easement with waiver of advertisement and appraisals
	21-03-013	NeSCC	Easement	FMV	Approved disposal by easement with waiver of advertisement and one appraisal
	166/012-02-2020	TCAT-Chattanooga	TCAT Chattanooga Advanced Manufacturing Building	21,900,000	Approved awarding a contract to the best evaluated proposer for CM/GC (Hoar Construction, LLC)

Tennessee Board of Regents
 Summary of State Building Commission Executive Subcommittee
 March 22, 2021 - May 24, 2021

March 22, 2021 Executive Subcommittee Meeting

DSCC SBC #166/017-01-2019	Revision in Budget and Funding to award	Approved a revision in project budget and funding to award a contract (increase of \$35,000)	OFD/Campus to coordinate transaction
VSCC SBC #166/025-01-2020	Revision in Funding	Approved a revision in project funding (increase in MACC, decrease in movable equipment)	OFD/Campus to coordinate transaction
TSU SBC #166/001-03-2020	Designer Selection	Approved selection of I.C. Thomasson Associates, Inc. as designer for the project.	OFD prepares Designer Agreement and continues with project
SWCC Transaction No. 21-01-900	Disposal	Approved disposal by lease with waiver of appraisals	OFD/STREAM to coordinate transaction
SWCC Transaction No. 21-02-904	Disposal - Lease	Approved disposal by lease with waiver of advertisement and appraisals	OFD/STREAM to coordinate transaction

April 19, 2021 Executive Subcommittee Meeting

SWCC
SBC #166/033-01-2016

Revision in Funding

Approved a revision in project funding (decrease in Admin. & Misc. and Commissioning, increase in MACC and Designer Fee to complete final phase)

OFD/Campus to coordinate transaction

May 24, 2021 Executive Subcommittee Meeting

RSCC
SBC #166/027-02-2018

Revision in Budget and Funding

Approved a revision in project budget and funding (increase of \$16,100)

OFD/Campus to coordinate transaction

PSCC
SBC #166/032-02-20019

Revision in Scope

Approved a revision in scope

OFD/Campus to coordinate transaction

VSCC
SBC #166/025-001-2021

Designer Selection

Approved selection of HFR, Inc. as designer for the project.

OFD prepares Designer Agreement and continues with project

CONSTRUCTION CONTRACTS AWARDED 03/01/2021 - 06/01/2021
Contracts totaling \$25,073,569

<u>Designer</u>	<u>Contractor</u>	<u>Contract Sum</u>	<u>Awarded</u>	<u>Project Number</u>	<u>Institution/ Project Name</u>
OGCB, Inc.	OSB Services, LLC	381,500.00	03/17/2021	166/017-01-2019	DSCC Boiler Systems Updates
McGehee Nicholson Burke Architects, P.C.	Terry Bell Construction, LLC	127,571.00	03/18/2021	166/017-01-2018A	DSCC Science Building Interior Updates - Phase II
I.C. Thomasson Associates, Inc.	S. M. Lawrence Company, Inc.	574,580.00	03/22/2021	166/003-05-2015A	APSU HVAC Replacement
Binkley Garcia Architecture, LLC	Drakes Creek Builders, LLC	148,307.00	03/23/2021	166/025-01-2020	VSCC IT Suite Updates
Hethcoat and Davis, Inc.	Sessions Paving Company, Inc.	124,385.00	04/02/2021	166/001-10-2018A	TSU Tigerbelle & 37th Avenue
OGCB, Inc.	Metro Mechanical Contractors, Inc.	208,594.00	04/02/2021	166/007-03-2015B	UoM Updates
Allen & Hoshall, Inc.	Mid South Business Construction, LLC dba MSB Cc	1,374,100.00	04/14/2021	166/019-01-2019A	JSCC McWherter HVAC Updates - Phase 2
I.C. Thomasson Associates, Inc.	CHC Mechanical Contractors, Inc.	227,337.00	04/22/2021	166/001-09-2018A	TSU McMinnville Campus
Hefferlin + Kronenberg Architects PLLC	Polk & Associates Construction, Inc.	330,000.00	04/22/2021	166/001-07-2019	TSU Multiple Building Repairs
Shaw & Shanks Architects, PC	Eskola, LLC	844,420.00	04/30/2021	166/023-01-2020	Walters SCC Sevier Co Re-roof
Fisher + Associates	BurWil Construction Company, Inc.	18,941,944.00	05/11/2021	166/005-09-2017CM	ETSU Renovation
OGCB, Inc.	Barnes & Brower, Inc.	1,653,051.00	05/24/2021	166/007-05-2017B	UoM HVAC Updates
Johnson + Associates Architects, Inc.	Collier Roofing Co., Inc.	137,780.00	05/28/2021	166/001-03-2017A	TSU Cafeteria & Entrance Canopy



 BOARD TRANSMITTAL

MEETING: June 2021 Quarterly Board Meeting

SUBJECT: Interim Action Contracts Report

DATE: June 8, 2021

PRESENTER: N/A (Interim Action Report)

PRESENTATION REQUIREMENTS: None

ACTION REQUIRED: No Action Required

STAFF'S RECOMMENDATION: N/A

The Interim Action Contracts Report provides a listing of the contracts approved beginning March 1, 2021 and ending May 31, 2021.

During the reporting period, a total of 204 contracts were approved at the System Office. An overview is provided below:

	Contract Amendments	Clinical Affiliations	Dual Services	Professional Services	Service Agreements	Other
	17	56	38	11	10	72

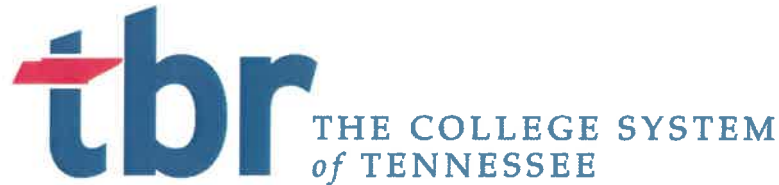
Tennessee Board of Regents Contracts Approved March 1, 2021, through May 31, 2021

Contract ID	Contract Type	Contractor	Department/Institution	Commodity	Yearly Amt.	System-Wide	Start Date	Current Date	Competitive
105441	Amendment to Existing Contract	D2L, Ltd.	TN Campus	Computer Software License for DOE Students	87,000.00	Yes	1/1/2020	12/31/2021	Yes
105690	Amendment to Existing Contract	Fellowship Travel International Inc.	Student Success	International Student Travel Services	2,000,000.00	Yes	8/1/2017	9/30/2021	Yes
105942	Amendment to Existing Contract	Elsevier	TBR	Evolve Testing Package for TCATs	321,000.00	Yes	1/1/2017	12/31/2021	Yes
106595	Amendment to Existing Contract	Pantheon	External Affairs	Renewal - Computer Software License	57,679.50	Yes	4/1/2020	3/31/2022	Yes
107735	Amendment to Existing Contract	Alcoa City Schools	TCAT Knoxville	Renewal - Cooperative Educational Offerings	0.00	Yes	7/1/2019	6/30/2022	Yes
107819	Amendment to Existing Contract	Union County Public Schools	TCAT Knoxville	Renewal - Cooperative Educational Offerings	0.00	Yes	7/1/2019	6/30/2022	Yes
108291	Amendment to Existing Contract	Eximity	TN Campus	Online Test Proctoring	250,000.00	Yes	1/1/2020	12/31/2021	Yes
108534	Amendment to Existing Contract	Tennessee Higher Education Commission	Academics	Amendment of Grant to change maximum liability	(3,381,000.00)	Yes	7/1/2020	6/30/2021	Yes
108596	Amendment to Existing Contract	Insight Public Sector, Inc.	TBR	Renewal - Computer Hardware and Peripherals	750,000.00	Yes	5/1/2020	4/30/2022	Yes
108864	Amendment to Existing Contract	Department of Labor and Workforce Development	TCAT Knoxville	Renewal - Grant	(2,154,000.00)	Yes	7/1/2020	6/30/2021	Yes
108934	Amendment to Existing Contract	TriStar Health Systems, Inc.	TBR	Amendment to define fields of Study - Clinical Experience	0.00	Yes	10/22/2020	10/21/2022	Yes
109038	Amendment to Existing Contract	SNAP-ON Industrial	TBR	Renewal - Software/Hardware/Supplies Agreement	825,000.00	Yes	9/21/2020	4/13/2022	Yes
109050	Academic Articulation Agreement	Aspen University	MSSC	Cooperative Educational Offerings	0.00	Yes	11/2/2020	11/1/2030	Yes
109083	Special Industry Agreement	Stanley Engineered Fastening	TCAT Dickson	Training	(3,610.00)	Yes	1/13/2021	6/30/2021	Yes
109172	Amendment to Existing Contract	TLD Logistics, Inc.	TCAT Knoxville	Renewal - CD, Training for Truck Driving Students	124,800.00	Yes	12/1/2020	2/28/2022	Yes
109184	Professional Service	University of Texas at Austin	Policy & Strategy	Survey Services	200,000.00	Yes	1/15/2021	1/14/2024	Yes
109185	License Agreement	American Academy Holdings, LLC	TCAT Crump	License Agreement to Curriculum	3,000.00	Yes	2/1/2021	1/31/2022	Yes
109192	Academic Articulation Agreement	Habitat For Humanity - Campbell County Chapter	TCAT Jackson	Practical Experience for Students	0.00	Yes	1/8/2021	12/31/2021	Yes
109218	Clinical Affiliation	Plateau Mental Health Center	TCAT Livingston	Clinical Experience	0.00	Yes	2/15/2021	2/14/2026	Yes
109223	Clinical Affiliation	Pediatric Dental Group and Orthodontics	TCAT Covington	Clinical Experience	0.00	Yes	2/19/2021	2/2/2026	Yes
109230	Amendment to Existing Contract	The Coleridge Initiative Inc.	Policy & Strategy	Amendment to Data Exchange Agreement	0.00	Yes	2/19/2021	2/19/2026	Yes
109232	Service Agreement	DETAILXPERTS Franchise Systems, LLC	TCAT Shelbyville	Janitorial Services	9,907.00	Yes	1/1/2021	12/31/2021	Yes
109233	Grant Agreement	Chattanooga State Community College	Student Success	Grant Subcontract	(2,000.00)	Yes	2/1/2021	6/15/2021	Yes
109235	Grant Agreement	Nashville State Community College	Student Success	Grant Subcontract	(2,000.00)	Yes	2/1/2021	6/15/2021	Yes
109236	Grant Agreement	Chattanooga State Community College	Student Success	Grant Subcontract	(2,000.00)	Yes	2/1/2021	6/15/2021	Yes
109241	Clinical Affiliation	Ascension Saint Thomas Highlands Hospital	TCAT Livingston	Clinical Experience	0.00	Yes	2/10/2021	2/9/2026	Yes
109245	Dual Enrollment Agreement	Christian Community School	TCAT Nashville	Dual Enrollment Agreement	0.00	Yes	8/1/2021	5/31/2022	Yes
109247	Academic Articulation Agreement	Tennessee Department of Corrections	Academics	Correctional Education Initiative	0.00	Yes	2/12/2021	4/12/2024	Yes
109248	Banking Services	Fiserv	SWCC	Credit Card Processing Services	120,000.00	Yes	3/1/2021	12/31/2021	Yes
109258	Clinical Affiliation	Magnolia Regional Health Care	TCAT Jackson	Clinical Experience	0.00	Yes	3/1/2021	2/28/2026	Yes
109259	Grant Agreement	TCAT Ripley	Economic & Community Development	Grant Subcontract - Correction Education Initiative	(32,500.00)	Yes	1/1/2021	5/30/2022	Yes
109261	Grant Agreement	University of Virginia	Policy & Strategy	Grant Subcontract - Post secondary education	(59,000.00)	Yes	1/1/2021	7/31/2021	Yes
109262	Dual Services Extra Compensation	TCAT Whiteville	TCAT Jackson	Teaching	4,795.50	Yes	1/1/2021	6/30/2021	Yes
109263	Clinical Affiliation	C&C Pharmacy	TCAT Newbern	Clinical Experience	0.00	Yes	2/26/2021	2/25/2026	Yes
109264	Professional Service	Townsend Systems	TCAT Whiteville	Fire Alarm System Service	396.00	Yes	1/1/2021	12/31/2026	Yes
109265	Service Agreement	TDS Telecommunications	TCAT Crump	Telecommunications Services	839.76	Yes	3/1/2021	2/28/2023	Yes
109266	Clinical Affiliation	Jefferson Park at Dandridge	TCAT Morristown	Clinical Experience	0.00	Yes	2/26/2021	2/25/2026	Yes
109268	Interagency Agreement	Tennessee Department of Transportation	TCAT Knoxville	Technician Certification Exams for TDOT	(80,000.00)	Yes	5/1/2021	4/30/2022	Yes
109270	Professional Service	Mary Elizabeth Spica	Academics	Workshop/Seminar Services	5,000.00	Yes	3/1/2021	11/1/2021	Yes
109272	Dual Credit Agreement	Anderson County Schools	TCAT Harriman	Dual Enrollment Agreement	0.00	Yes	8/3/2020	6/30/2021	Yes
109273	Dual Credit Agreement	Loudon County Schools	TCAT Harriman	Dual Enrollment Agreement	0.00	Yes	8/3/2020	6/30/2021	Yes
109274	Dual Credit Agreement	Morgan County Schools	TCAT Harriman	Dual Enrollment Agreement	0.00	Yes	8/3/2020	6/30/2021	Yes
109275	Dual Credit Agreement	Roane County Schools	TCAT Harriman	Dual Enrollment Agreement	0.00	Yes	8/3/2020	6/30/2021	Yes
109276	Clinical Affiliation	Dominion Senior Living of Johnson City	TCAT Elizabethton	Clinical Experience	0.00	Yes	3/2/2021	3/1/2026	Yes
109277	Clinical Affiliation	Crockett Medical Clinic	TCAT Ripley	Clinical Experience	0.00	Yes	2/24/2021	2/23/2026	Yes
109280	Dual Services Extra Compensation	TN Dept of Environment and Conservation	TCAT Livingston	Teaching	1,790.32	Yes	3/1/2021	6/30/2021	Yes
109283	Clinical Affiliation	Dyer County Schools	TCAT Ripley	Clinical Experience	0.00	Yes	3/1/2021	3/18/2026	Yes
109287	Clinical Affiliation	AHC Union City	TCAT Ripley	Clinical Experience	0.00	Yes	3/29/2021	3/28/2026	Yes
109288	Clinical Affiliation	Zaidi and Associates	TCAT Ripley	Clinical Experience	0.00	Yes	3/11/2021	3/10/2026	Yes
109289	Clinical Affiliation	Bells Nursing and Rehabilitation Center	TCAT Ripley	Clinical Experience	0.00	Yes	3/11/2021	3/10/2026	Yes
109293	Clinical Affiliation	Hardin Home/Park Rest	TCAT Crump	Clinical Experience	0.00	Yes	3/11/2021	3/10/2026	Yes
109294	Purchase Agreement	Ahead Database	SWCC	Clinical Experience	0.00	Yes	3/11/2021	2/28/2022	Yes
109298	Service Agreement	Unifirst Corporation	TCAT Knoxville	Purchase of Cisco Network Equipment	1,779,752.01	Yes	3/9/2021	7/31/2021	Yes
109299	Clinical Affiliation	Tennova Healthcare	TCAT Knoxville	Uniform/Floor Mat Services	2,200.00	Yes	2/9/2021	2/1/2022	Yes
109302	Clinical Affiliation	Humphreys County School System	TCAT Dickson	Clinical Experience	0.00	Yes	3/15/2021	3/14/2024	Yes
109303	Clinical Affiliation	University Health System	TCAT Knoxville	Clinical Experience	0.00	Yes	3/15/2021	3/14/2026	Yes
109306	Clinical Affiliation	Zoren Pharmacy	TCAT Dickson	Clinical Experience	0.00	Yes	2/1/2021	1/31/2026	Yes
109309	Clinical Affiliation	Frontier Health	TCAT Elizabethton	Clinical Experience	0.00	Yes	3/22/2021	3/21/2026	Yes
109310	Clinical Affiliation	NHC Healthcare	TCAT Elizabethton	Clinical Experience	0.00	Yes	3/18/2021	3/17/2026	Yes
109312	Clinical Affiliation	Tipton County Jail	TCAT Covington	Clinical Experience	0.00	Yes	3/18/2021	3/17/2026	Yes
109313	Service Agreement	ISKME	Academics	Clinical Experience	0.00	Yes	3/22/2021	3/26/2026	Yes
109314	Academic Articulation Agreement	East Tennessee State University	SWCC	Hub for use of Open Educational Resources	19,500.00	Yes	3/22/2021	3/21/2022	Yes
				Dual Enrollment Agreement	0.00	Yes	3/17/2021	3/17/2026	Yes

109316 Clinical Affiliation	Clarksville Health System, G.P.	TCAT Dickson	Clinical Experience	0.00	4/1/2021	3/31/2024
109318 Clinical Affiliation	Calvary Medical	TCAT Morristown	Clinical Experience	0.00	3/17/2021	3/16/2026
109319 Advertising Agreement	Lamar	TCAT Morristown	Advertising - Bulletin Board	9,750.00	12/28/2020	12/26/2021
109320 Service Agreement	Ideagen IMK Ltd	Internal Audit	Professional Services for Software Installation	2,111.19	3/25/2021	6/30/2021
109321 Clinical Affiliation	Mauzy Regional Hospital & Affiliates	TCAT Hohenwald	Clinical Experience	0.00	3/12/2021	3/11/2024
109325 Dual Services Extra Compensation	TCAT Covington	TCAT Ripley	Teaching	4,500.00	3/30/2021	6/30/2021
109329 Clinical Affiliation	Hardeman Community Health Center	TCAT Whiteville	Clinical Experience	0.00	3/30/2021	3/29/2026
109334 Dual Credit Agreement	Oak Ridge City Schools	TCAT Harriman	Dual Enrollment Agreement	0.00	8/3/2020	6/30/2021
109336 Special Industry Agreement	Knoxville Utilities Board	TCAT Oneida	Training	(28,500.00)	5/1/2021	4/30/2026
109337 Professional Service	Unbelievably Clean, INC.	TCAT Morristown	Janitorial Services	45,360.00	4/1/2021	3/31/2022
109338 Service Agreement	Engage Learning, Inc.	TCAT Knoxville	Subscription - Engage Unlimited	20,518.86	4/7/2021	5/2/2022
109339 Dual Credit Agreement	Mauzy County School System	COSCC	Dual Enrollment Agreement	0.00	7/1/2021	6/30/2026
109340 Dual Credit Agreement	Mauzy County School System	COSCC	Dual Enrollment Agreement	0.00	7/1/2021	6/30/2022
109341 Dual Credit Agreement	Mauzy County School System	COSCC	Dual Enrollment Agreement	0.00	7/1/2021	6/30/2026
109342 Dual Credit Agreement	Mauzy County School System	COSCC	Dual Enrollment Agreement	0.00	7/1/2021	6/30/2026
109343 Dual Credit Agreement	Mauzy County School System	COSCC	Dual Enrollment Agreement	0.00	7/1/2021	6/30/2026
109344 Dual Credit Agreement	Mauzy County School System	COSCC	Dual Enrollment Agreement	0.00	7/1/2021	6/30/2026
109345 Dual Credit Agreement	Mauzy County School System	COSCC	Dual Enrollment Agreement	0.00	7/1/2021	6/30/2026
109346 Service Agreement	Howard Technology Solutions	TCAT Livingston	Structured Cabling Work	52,380.00	4/7/2021	6/30/2021
109348 Clinical Affiliation	Spring Hill Oral and Maxillofacial Surgery Center	TCAT Murfreesboro	Clinical Experience	0.00	5/24/2021	5/23/2026
109350 Dual Credit Agreement	DeKalb County High School	TCAT McMinnville	Dual Enrollment Agreement	0.00	9/1/2021	6/1/2022
109357 Lease Agreement	Phillips Corporation	TCAT Murfreesboro	Facility Use	14,400.00	3/31/2021	3/30/2026
109358 Special Industry Agreement	Thermatic	TCAT Murfreesboro	Training	(3,000.00)	5/4/2021	12/31/2022
109359 Clinical Affiliation	Christian Family Medicine and Pediatrics	TCAT Ripley	Clinical Experience	0.00	4/12/2021	4/11/2026
109361 Academic Articulation Agreement	McKenzie Special School District	TCAT Paris	Dual Enrollment Agreement	0.00	8/2/2021	5/21/2022
109362 Academic Articulation Agreement	Henry County High School	TCAT Paris	Dual Enrollment Agreement	0.00	8/1/2021	5/25/2022
109363 Dual Credit Agreement	Liberty Technology Magnet High School	JSCC	Dual Enrollment Agreement	0.00	7/1/2021	6/30/2022
109365 Clinical Affiliation	Decatur County EMS	TCAT Hohenwald	Clinical Experience	0.00	4/12/2021	4/11/2024
109366 Revenue	U.S. Department of Labor	TCAT Knoxville	Apprenticeship Program	(5,000.00)	4/14/2021	6/30/2022
109367 Dual Services Extra Compensation	TCAT Whiteville	TCAT Jackson	Teaching	2,334.48	5/1/2021	6/27/2021
109368 Dual Services Extra Compensation	TCAT Whiteville	TCAT Jackson	Teaching	2,481.93	5/1/2021	6/27/2021
109370 Dual Services Extra Compensation	TCAT Whiteville	TCAT Jackson	Teaching	2,266.65	5/1/2021	6/27/2021
109371 Clinical Affiliation	Mountain Brook Assisted Living	TCAT Morristown	Clinical Experience	0.00	4/15/2021	4/14/2026
109372 Dual Credit Agreement	Huntingdon Special School District	TCAT Paris	Dual Enrollment Agreement	0.00	8/2/2021	5/27/2022
109375 Professional Service	Building Systems Technology	TCAT Livingston	Fire Alarm Service	3,027.00	4/15/2021	6/30/2021
109382 Grant Agreement	Tennessee Higher Education Commission	JSCC	Grant	(7,014.00)	7/1/2021	8/15/2021
109384 Grant Agreement	Tennessee Higher Education Commission	PSSC	Grant	(21,534.00)	7/1/2021	8/15/2021
109385 Grant Agreement	Tennessee Higher Education Commission	WSSC	Grant	(7,290.00)	7/1/2021	8/15/2021
109386 Grant Agreement	TN Department of Corrections	COSCC	Grant	(14,076.00)	7/1/2021	8/15/2021
109387 Clinical Affiliation	Birth Choice Pregnancy Resource Clinic	TCAT Jackson	Clinical Experience	0.00	6/30/2021	6/29/2026
109388 Professional Service	Howard Technology Solutions	VSSC	Cameras and microphones Installation	241,647.00	4/20/2021	12/31/2021
109389 Grant Agreement	Tennessee Higher Education Commission	CLSCC	Grant	(7,110.00)	7/1/2021	8/15/2021
109390 Grant Agreement	Tennessee Higher Education Commission	NESSC	Grant	(14,292.00)	7/1/2021	8/15/2021
109392 Lease Agreement	Clarksville Montgomery County School System	TCAT Dickson	Lease of Space	0.00	7/1/2021	6/30/2022
109393 Dual Credit Agreement	Dickson County School System	TCAT Dickson	Dual Enrollment Agreement	0.00	7/1/2021	6/30/2022
109396 Dual Credit Agreement	Williamson County Schools	COSCC	Dual Enrollment Agreement	0.00	1/2/2021	6/30/2026
109405 Dual Service	TCAT Whiteville	TCAT Jackson	Teaching	1,870.35	5/5/2021	6/30/2021
109408 Dual Service	Chattanooga State Community College-Lawrence Gundersen	Academics	Teaching	4,795.50	4/26/2021	6/11/2021
109410 Dual Service	Jackson State Community College-Tammy Prater	Academics	Teaching	4,372.88	4/26/2021	6/11/2021
109411 Dual Service	Jackson State Community College-Amanda Carr-Wilcoxson	Academics	Teaching	4,372.88	4/26/2021	6/11/2021
109413 Dual Service	Pellissippi State Community College-Nathaniel Wildener	Academics	Teaching	4,372.88	4/26/2021	6/11/2021
109415 Dual Service	Southwest Tennessee Community College-Jacob Metz	Academics	Teaching	1,176.50	4/26/2021	6/11/2021
109417 Dual Service	Volunteer State Community College-Grady Eades	Academics	Teaching	4,795.49	4/26/2021	6/11/2021
109418 Dual Service	Walters State Community College-Chris Baker	Academics	Teaching	4,411.88	4/26/2021	6/11/2021
109419 Grant Agreement	Tennessee Higher Education Commission	DSSC	Grant	(7,110.00)	7/1/2021	8/15/2021
109424 Lease Agreement	City of Morristown	TCAT Morristown	Lease of Space	14,000.00	1/2/2002	1/1/2022
109427 Dual Services Extra Compensation	Tennessee Board of Regents	ETSU	Teaching	3,837.78	5/17/2021	7/9/2021
109430 Grant Agreement	Tennessee Higher Education Commission	NSCC	Grant	(21,666.00)	7/1/2021	8/15/2021
109432 Dual Credit Agreement	Trousdale County Schools	TCAT Hartsville	Dual Enrollment Agreement	0.00	7/1/2021	6/30/2022
109437 Dual Credit Agreement	Weakley County Board of Education	TCAT McKenzie	Dual Enrollment Agreement	0.00	8/1/2021	7/30/2022
109440 Professional Service	Academic Search Services	HR	Executive Search Services	130,000.00	5/23/2021	5/22/2022
109441 Service Agreement	Carewile Mechanical Contractors, Inc.	TCAT Crossville	Maintenance - Chiller and Cooling Tower	1,574.00	5/1/2021	4/30/2022
109444 Dual Credit Agreement	Glaiborne County Board of Education	TCAT Jacksboro	Dual Enrollment Agreement	0.00	7/1/2021	6/30/2022
109449 Service Agreement	Tom Griscorn	External Affairs	Crisis Response Training	4,000.00	5/4/2020	8/31/2021
109453 Clinical Affiliation	Mike D. Mysinger, DDS Pediatric Dentistry	TCAT Knoxville	Clinical Experience	0.00	6/1/2021	5/31/2026
109466 Dual Service	Northeast State Community College-David Toye	Academics	Teaching	4,411.88	5/3/2021	6/30/2022
109467 Dual Service	Pellissippi State Community College-Nathaniel Wildener	Academics	Teaching	4,372.88	5/3/2021	6/30/2022
109471 Professional Service	The Milner Consulting Group	Student Success	Speaker	5,500.00	6/10/2021	6/10/2021

109472	Professional Service	Harriet Schwartz	Student Success	6/10/2021	5,000.00	6/10/2021	Speaker
109473	Grant Agreement	Tennessee Higher Education Commission	VSCC	7/1/2021	(21,954.00)	8/15/2021	Grant
109479	Grant Agreement	Nashville State Community College	Student Success	5/1/2021	(2,000.00)	10/1/2021	Grant
109480	Grant Agreement	Nashville State Community College	Student Success	5/1/2021	(2,000.00)	10/1/2021	Grant
109490	Special Industry Agreement	American Job Center	TCAT Newbern	5/3/2021	(25,000.00)	6/30/2021	Training
109492	Professional Service	Honorlock, Inc.	TBR	5/15/2021	250,000.00	5/14/2026	Online Test Proctoring Services
109510	Dual Credit Agreement	Crockett County Schools	TCAT Ripley	7/1/2021	0.00	6/30/2022	Dual Enrollment Agreement
109511	Dual Credit Agreement	Ohion County School System	TCAT Newbern	7/1/2021	0.00	6/30/2022	Dual Enrollment Agreement
109512	Dual Credit Agreement	Crockett County School System	TCAT Newbern	7/1/2021	0.00	6/30/2022	Dual Enrollment Agreement
109514	Dual Credit Agreement	Dyersburg City Schools	TCAT Newbern	7/1/2021	0.00	6/30/2022	Dual Enrollment Agreement
109517	Dual Service	East Tennessee State University-Andrew Slap	Academics	4/26/2021	4,411.88	6/11/2021	Teaching
109523	Dual Credit Agreement	Lauderdale County School System	TCAT Newbern	7/1/2021	0.00	6/30/2022	Dual Enrollment Agreement
109524	Service Agreement	Proctorio, Inc.	TBR	5/11/2021	500,000.00	5/10/2022	Online Test Proctoring
109527	Training	GoldSRD	Internal Audit	5/4/2021	4,200.00	6/30/2021	Professional Development Training
109534	Dual Credit Agreement	Jackson-Madison County School District	TCAT Jackson	7/1/2021	0.00	6/30/2022	Dual Enrollment Agreement
109547	Academic Articulation Agreement	TCAT Jackson	JSCC	5/10/2021	0.00	5/9/2031	Dual Enrollment Agreement
109562	Dual Service	Austin Peay State University-Minzi Thomas	Academics	4/26/2021	1,166.10	6/11/2021	Other - Services
109468	Dual Service	Cleveland State Community College-Neil Greenwood	Academics	5/3/2021	4,413.75	6/30/2022	Other - Services
109469	Dual Service	Walters State Community College-Jillian Gorrell	Academics	5/3/2021	5,830.50	6/30/2021	Other - Services
109406	Dual Service	Chattanooga State Community College-Linda Coslett	Academics	4/26/2021	4,372.88	6/11/2021	Other - Services
109407	Dual Service	Cleveland State Community College-Brian Gerber	Academics	4/26/2021	1,177.00	6/11/2021	Other - Services
109409	Dual Service	Jackson State Community College-Abby Lackey	Academics	4/26/2021	1,278.80	6/11/2021	Other - Services
109412	Dual Service	Pellissippi State Community College-Nathan Pavalko	Academics	4/26/2021	4,372.88	6/11/2021	Other - Services
109414	Dual Service	Southwest Tennessee Community College-Thomas King	Academics	4/26/2021	1,166.10	6/11/2021	Other - Services
109416	Dual Service	Volunteer State Community College-Melanie Cochran	Academics	4/26/2021	4,372.87	6/11/2021	Other - Services
109454	Dual Service	Northeast State Community College-James Ramey	Academics	4/26/2021	4,795.51	6/11/2021	Other - Services
109455	Dual Service	Northeast State Community College-David Toye	Academics	4/26/2021	4,411.88	6/11/2021	Other - Services
109456	Dual Service	Nashville State Community College-David Markwell	Academics	4/26/2021	4,411.88	6/11/2021	Other - Services
109457	Dual Service	Nashville State Community College-Landon Mason	Academics	4/26/2021	4,411.88	6/11/2021	Other - Services
109458	Dual Service	Nashville State Community College-Maria Perry	Academics	4/26/2021	4,795.50	6/11/2021	Other - Services
109465	Dual Service	Dyersburg State Community College-Angela Martin	Academics	4/26/2021	4,374.38	6/11/2021	Other - Services
109515	Dual Service	East Tennessee State University-Darryl Carter	Academics	4/26/2021	4,791.51	6/11/2021	Other - Services
109518	Dual Service	East Tennessee State University-Constance Weise	Academics	4/26/2021	4,372.88	6/11/2021	Other - Services
108427	Amendment to Existing Contract	Eclipse LLC (Eimicroft of Murfreesboro)	TCAT Shelbyville	3/2/2021	0.00	2/28/2022	Clinical Experience
108467	Professional Service	Old Fashioned Janitorial	TCAT Shelbyville	3/30/2021	8,820.00	3/29/2022	Other - Services
109220	License Agreement	Adobe, Inc.	TBR	3/28/2021	0.00	3/27/2023	Computer Software License
109423	Amendment to Existing Contract	Regions Bank	Nashville State Community College	4/1/2021	15,000.00	3/31/2026	Banking Service
109349	Clinical Affiliation	Implant and General Dentistry of Middle Tennessee	TCAT Murfreesboro	5/24/2021	0.00	5/23/2026	Clinical Experience
109355	Clinical Affiliation	Boro Endodontics	TCAT Murfreesboro	5/24/2021	0.00	5/23/2026	Clinical Experience
109356	Clinical Affiliation	Smiles from the Hart	TCAT Murfreesboro	5/24/2021	0.00	5/23/2026	Clinical Experience
109360	Clinical Affiliation	Roy Thompson Comprehensive Family Dentistry	TCAT Murfreesboro	5/24/2021	0.00	5/23/2026	Clinical Experience
109462	Dual Service	Kong and Allen Group	Chattanooga State Community College	5/24/2021	0.00	5/23/2026	Memorandum of Understanding
109497	Clinical Affiliation	Lucy Sloan	TCAT Murfreesboro	5/24/2021	0.00	5/23/2026	Clinical Experience
109542	Clinical Affiliation	Mountain View Dental	TCAT Murfreesboro	5/24/2021	0.00	5/23/2026	Clinical Experience
109544	Clinical Affiliation	Hardin County Regional Health Center	TCAT Crump	5/12/2021	0.00	12/31/2021	Clinical Experience
109547	Clinical Affiliation	Lane Dentistry	TCAT Murfreesboro	5/24/2021	0.00	5/23/2026	Clinical Experience
109547	Academic Articulation Agreement	TCAT Jackson	TCAT Jackson	5/10/2021	0.00	5/9/2031	Dual Enrollment Agreement
109550	Clinical Affiliation	Unity Psychiatric Care	TCAT Newbern	5/13/2021	0.00	5/12/2026	Clinical Experience
109551	Clinical Affiliation	Covington Family Dental	TCAT Covington	5/13/2021	0.00	5/12/2026	Clinical Experience
109552	Special Industry Agreement	Frazier Industrial	TCAT Newbern	5/17/2021	(12,000.00)	5/16/2022	Training
109553	Clinical Affiliation	Walgreens Pharmacy	TCAT Covington	5/13/2021	0.00	5/12/2026	Clinical Experience
109564	Clinical Affiliation	First Call Ambulance	TCAT Hohenwald	5/10/2021	0.00	5/9/2024	Clinical Experience
109576	Clinical Affiliation	STAND Program	TCAT Oneida	5/10/2021	0.00	5/30/2025	Clinical Experience
109577	Clinical Affiliation	Huntsville Post-Acute and Rehabilitation Center	TCAT Oneida	5/20/2021	0.00	5/30/2025	Clinical Experience
109578	Special Industry Agreement	Nortek Global HVAC	TCAT Newbern	5/25/2021	(1,500.00)	6/9/2021	Training
109580	Clinical Affiliation	Edward Perdue, DDS	TCAT Dickson	5/24/2021	0.00	5/23/2026	Clinical Experience
109581	Clinical Affiliation	Dickson Dental	TCAT Dickson	5/24/2021	0.00	5/23/2026	Clinical Experience
109582	Clinical Affiliation	Preston Dental Care	TCAT Dickson	5/24/2021	0.00	5/23/2026	Clinical Experience
109583	Clinical Affiliation	Spring Hill Oral and Maxillofacial Surgery Center	TCAT Dickson	5/24/2021	0.00	5/23/2026	Clinical Experience
109585	Clinical Affiliation	Jere Manning, DDS	TCAT Dickson	5/24/2021	0.00	5/23/2026	Clinical Experience
109586	Clinical Affiliation	Midstate Oral Surgery	TCAT Dickson	5/24/2021	0.00	5/23/2026	Clinical Experience
109587	Clinical Affiliation	Gentry Orthodontics	TCAT Dickson	5/24/2021	0.00	5/23/2026	Clinical Experience
109588	Clinical Affiliation	Fairview Family Dentistry	TCAT Dickson	5/24/2021	0.00	5/23/2026	Clinical Experience
109591	License Agreement	AAPC	TCAT Ripley	5/24/2021	0.00	5/23/2026	Clinical Experience
109592	Special Industry Agreement	Sugnight	TCAT Covington	5/12/2021	4,500.00	6/30/2022	License
109593	Dual Services Extra Compensation	TBR-Colbe Wilson	University of Memphis	5/25/2021	(2,500.00)	6/18/2021	Training
109594	Purchase Agreement	M3 Technology Group, Inc.	MSCC	5/25/2021	2,661.24	8/3/2021	Other - Services
109595	Dual Service	Tennessee Board of Regents	University of Memphis	5/19/2021	404,300.00	12/31/2021	Audio Visual Equipment
				5/24/2021	887.08	8/31/2021	Teaching

109596 Training	Hungerford Vinton, LLC	Internal Audit	Training	3,000.00	5/21/2021	6/30/2021
109597 Clinical Affiliation	Body of Life Memphis	TCAT Covington	Clinical Experience	0.00	5/19/2021	5/18/2026
109604 Amendment to Existing Contract	First Choice Foods	Volunteer State Community College	Other - Goods	0.00	5/15/2021	5/14/2022
109613 Clinical Affiliation	Marshall County EMS	TCAT Pulaski	Clinical Experience	0.00	5/25/2021	5/24/2026
109630 Clinical Affiliation	Lifetime Dentistry	TCAT Dickson	Clinical Experience	0.00	5/24/2021	5/23/2026
109631 Clinical Affiliation	Midstate Oral Surgery	TCAT Dickson	Clinical Experience	0.00	5/24/2021	5/23/2026



MEMORANDUM

To: Flora Tydings, Chancellor
From: Russ Deaton, Executive Vice Chancellor, Policy & Strategy
Date: March 26, 2021
Re: TCAT Academic Actions- Interim Approvals

Following the March 2021 board meeting, the Office of Academic Affairs received requests from Tennessee Colleges of Applied Technology to modify their proposed academic actions. The Office of Academic Affairs is requesting interim approval by the Chancellor through delegated authority as outlined in the TBR Technical College Program Review and Approval 2.02.02.00 policy. The requested modifications include:

- TCAT Dickson withdraws the proposals to add hybrid delivery to the Automotive Technology diploma program at TCAT Dickson main campus and Clarksville Extension Campus (AA), the Heating, Ventilation, Air Conditioning/Refrigeration Program diploma program at TCAT Dickson and Clarksville Extension Campus (AA), and the Pharmacy Technology diploma program at TCAT Dickson.
- TCAT Crump requested to correct the site location for their action to terminate the Computer Information Systems program. TCAT Crump is proposing to terminate the Computer Information Systems program at the main campus. This proposal is due to low program enrollment. No additional personnel or fiscal resources are required for this proposed change. The program teach-out will begin in summer 2021.
- TCAT Newbern requested to correct the site location for their action to relocate the Welding Technology program. TCAT Newbern is proposing to relocate the Welding Technology program from the Dyersburg High School to the main campus.

If you have questions or concerns, please contact Dr. Tachaka Hollins by email at tachaka.hollins@tbr.edu. If approved, the Chancellor will report this interim action's approval at the June 2021 board meeting.

Thank you for your consideration.

REPORT OF THE COMMITTEE ON AUDIT

June 1, 2021

The Committee on Audit met in regular session on June 1, 2021, at 10:30 a.m. (Central) via Microsoft Teams. The roll was called by Secretary Sonja Mason. The roll call confirmed that a quorum was present; all Committee members and the Board's Vice Chair confirmed that they could simultaneously hear and speak to other participants; and that no other people were present in the room with each Regent. In attendance were system office and institutional staff; the Board's Vice Chair, Regent Emily Reynolds; and other Board members, including the following Audit Committee members:

Regent Joey Hatch, Audit Committee Chair
Regent MaryLou Apple
Regent Miles Burdine
Regent Gregory Duckett
Regent Yolanda Greene

A motion was made by Regent Apple and seconded by Regent Greene to approve the necessity of the electronic meeting due to the disruptive nature of changing the meeting from electronic to in-person

with short notice and the required timely action needed prior to the practical ability for a quorum to meet in person. The necessity was approved by roll call vote.

Regent Hatch opened the meeting by thanking everyone for being present.

Item I, Informational Reporting, included four topics for discussion.

Item I.a., Highlights of Audit Findings and Recommendations, consisted of Mike Batson discussing the following topics: Federal Audit Reports including: US Small Business Administration Financial Examinations for Chattanooga State Community College, Pellissippi State Community College, and Volunteer State Community College; Comptroller's Audit Reports including: Northeast State Community College FY 2020- Single Audit; and Internal Audit Reports including: Nashville State Community College – Confidentiality of Student Records and TCAT Hohenwald – Cosmetology Program Allegations. Recommendations and Findings Logs were also discussed in this section. This item was for informational purposes and required no action.

Item I.b., Audit Reports and Reviews, consisted of informing the committee that a summary of the Federal Audit Reports, Comptroller's Office Audit Reports, Miscellaneous Reviews, and Internal Audit Reports for the third quarter are included in the meeting materials. A listing of the Internal Audit Reports is included as Attachment A to these minutes. This item was for informational purposes and required no action.

Item I.c., System-Wide Internal Audit Updates, consisted of Mike Batson providing information on the following items: The process and reasoning for Management's Risk Assessments for the Tennessee Colleges of Applied Technology was presented and the reports will be discussed in Executive Session; an update on the TBR System Office Performance Review currently being performed by state audit; an update on System-wide Internal Audit's Internal Quality Assessments; a review of the Internal Audit Training that took place in April 2021; and the Gramm Leach Bliley Act training that took place on May 26, 2021. This item was for informational purposes and required no action.

Item I.d., University Updates, consisted of Mike Batson providing information on the following items: Comptroller's Office Financial and Compliance Audit Reports performed at Austin Peay State University, Middle Tennessee State University, and the University of Memphis with no findings; and the Comptroller's Office Financial and Compliance Audit Report performed at East Tennessee State University with one finding. Mr. Batson also explained the basis for reporting Comptroller's Office audits of the locally governed universities. This item was for informational purposes and required no action.

Item II, Consent Agenda, included one topic for approval. Item II.a., Review of Revisions to Fiscal Year 2021 Internal Audit Plans, were presented to the Committee. Most revisions to the plans were needed because of changes in audit priorities, including the addition of unscheduled investigations. A motion was made by Regent Apple and seconded by Regent Burdine to approve the revised audit plans in a roll-call vote. The Committee voted to approve the audit plans as presented. The revised audit plans are included as Attachment B to these minutes.

Item III., Review of System-wide Internal Audit Budget for Fiscal Year 2022, was presented by Mike Batson. A motion was made by Regent Greene and seconded by Regent Burdine to approve the proposed budget. A roll call vote was conducted, and the committee voted to approve the Budget as presented. The budget is included as Attachment C to these minutes.

There being no further business to come before the Committee on Audit, the meeting was adjourned.

Respectfully submitted,

Committee on Audit

Joey Hatch, Committee Chair

Attachment A
Summary of Internal Audit Reports and Investigations
Issued During the Quarter

Internal Audit Reports for Informational Purposes- Financial Management

VSCC	Work Component Financial Aid Awards FY 2020 Review
TCAT Livingston	President's Expense Audit for FY 2020
TCAT Shelbyville	President's Expense Audit FY 2020

Internal Audit Reports for Informational Purposes- Institutional Support

CoSCC	Campus Safety and Security
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Internal Audit Reports for Informational Purposes- Instruction & Academic Support

ChSCC	Faculty Credential 2020
NaSCC	Confidentiality of Student Records
PSCC	Faculty Credentials Fall 2020

Internal Audit Reports for Informational Purposes- Investigations

TCAT Hohenwald	TBR 21-01: Cosmetology Program Allegations
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Internal Audit Reports for Informational Purposes- Follow-up

CoSCC	Follow-up on Policy Review and Conflict of Interest
JSCC	Follow-up to the Foundation Audit
NeSCC	Follow-up to the State Audit Report for FY 2019 & 2018

Attachment B
Approved Revised Audit Plans for the
Fiscal Year Ended June 30, 2021

Chattanooga State Community College
Internal Audit Plan
Fiscal Year Ending June 30, 2021
Revised April 2021

Area	Type	Audit	Risk Factor	Estimated Audit Start Date	Original Hours Planned	Revised Plan	Revised to Original		FN	Planned to Actual		Completion Date	Current Status
							Change in Hours	Change in Percentage		Actual Hours	Variance		
IS	C	Management Advisory Services	5.0	Jul-20	120.0	95.0	-25.0	-21%	1	73.0	22.0		In Progress
FM	F	State Audit Assist/Follow-up	5.0	Jul-20	40.0	40.0	0.0	0%		15.0	25.0		In Progress
IS	F	Follow up Reviews	5.0	Jul-20	75.0	75.0	0.0	0%		49.0	26.0		In Progress
IS	I	Unscheduled Investigations	5.0	Jul-20	100.0	25.0	-75.0	-75%	3	0.0	25.0		Scheduled
IS	I	Developing Investigations-Assist TBR	5.0	Jul-20	15.0	40.0	25.0	167%	3	30.0	10.0		In Progress
IS	I	INV-2020-02	5.0	Jan-20	60.0	75.0	15.0	25%	3	45.0	30.0		In Progress
IS	I	INV-2020-03	5.0	Apr-20	40.0	40.0	0.0	0%		41.0	-1.0	Jul-20	Completed
IS	P	QAR Self Assessment	5.0	Apr-21	60.0	60.0	0.0	0%		6.0	54.0		In Progress
FM	S	YE Procedures FYE 2020	5.0	Jun-21	10.0	10.0	0.0	0%		10.0	0.0	Jul-20	Completed
FM	S	YE Procedures FYE 2021	5.0	Jun-20	15.0	15.0	0.0	0%		0.0	15.0		Scheduled
IS	M	Enterprise Risk Assessment	5.0	Nov-20	35.0	35.0	0.0	0%		31.0	4.0	Jan-21	Completed
SS	R	Workforce Training Hours	5.0	Feb-21	100.0	60.0	-40.0	-40%	3	50.0	10.0		In Progress
IA	S	TCAT Auto Client Services	5.0	Nov-19	40.0	40.0	0.0	0%		44.0	-4.0	Dec-20	Completed
IS	R	Campus Safety	5.0	May-20	40.0	40.0	0.0	0%		43.0	-3.0	Jul-20	Completed
IS	S	Campus Safety Task Force Recommendations	5.0	Jul-20	40.0	40.0	0.0	0%		39.0	1.0	Sep-20	Completed
IA	S	Faculty Credentials	5.0	Oct-20	100.0	100.0	0.0	0%		102.0	-2.0	Jan-21	Completed
IT	S	IAR-NACHA-2020	5.0	Sep-20	60.0	60.0	0.0	0%		59.0	1.0	Dec-20	Completed
FM	A	Procurement Card Purchases	3.4	Mar-21	100.0	100.0	0.0	0%		11.0	89.0		In Progress
IA	M	Barbering Program Inventory	5.0	Sep-20	0.0	25.0	25.0	100%	1	25.0	0.0	Sep-20	Completed
FM	R	CARES Act Funding	5.0	May-21	0.0	0.0	0.0	100%	2	0.0	0.0		Removed
SS	R	CCTA Outcome Measure	5.0	May-21	0.0	75.0	75.0	100%	2	0.0	75.0		Scheduled

Total Planned Audit Hours: 1050.0 1050.0 0.0 673.0 377.0

Estimated Available Audit Hours = 1050

Functional Areas:

AD - Advancement
 AT - Athletics
 AX - Auxiliary
 FM - Financial Management
 IA - Instruction & Academic Support
 IS - Institutional Support
 IT - Information Technology
 MC - Marketing and Campus Activities
 PP - Physical Plant
 RS - Research
 SS - Student Services

Audit Types:

R - Required
 A - Risk-Based (Assessed)
 S - Special Request
 I - Investigation
 P - Project (Ongoing or Recurring)
 M - Management's Risk Assessment
 C - Consultation
 F - Follow-up Review
 O - Other

Status:

Scheduled
 In Progress
 Completed
 Removed

FN1 - Added request from TCAT Management and reduced hours for management advisory services.
 FN2 - Removed request for CARES Act due to delays in guidance and added CCTA Outcome Measure.
 FN3 - Projects reduced to facilitate investigations and other requests.

Columbia State Community College
Internal Audit Plan
Fiscal Year Ending June 30, 2021
Revised March 2021

Area	Type	Audit	Risk Factor	Estimated Audit Start Date	Original Hours Planned	Revised Plan	Revised to Original		FN	Planned to Actual		Completion Date	Current Status
							Change in Hours	Change in Percentage		Actual Hours	Variance		
FM	R	State Audit Year End Work	5.0	May-21	22.5	22.5	0.0	0%			22.5		
PP	R	Campus Safety & Security	5.0	Jul-20	37.5	36.0	-1.5	-4%	2	35.8	0.3	Nov-20	Completed
FM	S	President's Expense - CISCC	5.0	Oct-20	75.0	66.0	-9.0	-12%	2	66.1	0.0	Oct-20	Completed
IA	R	CCTA-Progression	5.0	Jan-21	52.5	120.0	67.5	129%	3	2.8	117.3		
FM	R	CARES Act Review	5.0	Apr-21	150.0	120.0	-30.0	-20%	2		120.0		
IS	F	Engagement Follow-up/Monitoring	5.0	Aug-20	60.0	22.5	-37.5	-63%	5	12.6	9.9	Oct-20, Jan-21	In Progress
IT	F	SWIA LOU Follow-up	5.0	Jul-20	52.5	82.5	30.0	57%	2	82.5	0.0	Mar-21	Completed
IA	F	WF/CE IA Engagement Follow-up	5.0	Jul-20	22.5	35.0	12.5	56%	2	34.2	0.9	Nov-20	Completed
SS	F	Financial Aid (3rd Party Risk Mgmt) IA Engagement FU	5.0	Dec-20	22.5	47.5	25.0	111%	2	44.3	3.3		In Progress
IS	F	Policy Review Engagement FU	5.0	Jul-20	15.0	35.0	20.0	133%		34.7	0.4	Mar-21	Completed
IS	F	Conflict of Interest FU	5.0	Jul-20	0.0	4.0	4.0	100%	4	4.00	0.0	Mar-21	Completed
AD	F	Foundation Engagement Follow-up	5.0	Jul-20	7.5	1.6	-5.9	-79%	2	1.6	0.0	Jul-20	Completed
FM	F	State Audit Findings FU	5.0	Jun-20	0.0	1.6	1.6	100%		1.60	0.0	Jul-20	Completed
FM	M	Review Management's Risk Assessment	5.0	Jan-21	22.5	13.8	-8.7	-39%	2	13.8	0.1	Jan-21	Completed
AT	C	Title IX Gender Equity Assessment	3.5	Aug-20	75.0	52.5	-22.5	-30%	2	25.1	27.4		In Progress
IS	C	Informal Consulting		Jul-19	75.0	73.7	-1.3	-2%	2	64.9	8.8		In Progress
IS	P	Data Analytics - QAIP		Nov-20	202.5	74.0	-128.5	-63%	2		74.0		
IS	P	Awareness & Education		Dec-20	105.0	30.0	-75.0	-71%	2	23.55	6.5		Scheduled
IS	P	Quality Assurance Review - 3yr		Aug-20	52.5	55.0	2.5	5%	2	55.00	0.0		In Progress
IS	C	Complaint Processing		Aug-20	0.0	0.5	0.5	100%	2	3.50	-3.0	Aug-20	Completed
SS	C	Financial Aid 2019	5.0	May-19	0.0	1.3	1.3	100%	6	1.25	0.0	Feb-21	Completed
IS	P	COVID Value-Added Services		Aug-20	0.0	255.0	255.0	100%	1	242.95	12.1		In Progress
Total Planned Audit Hours:					1050.0	1150.0	100.0				749.9	400.1	
Estimated Available Audit Hours =					1050								

Functional Areas:
AD - Advancement
AT - Athletics
AX - Auxiliary
FM - Financial Management
IA - Instruction & Academic Support
IS - Institutional Support
IT - Information Technology
MC - Marketing and Campus Activities
PP - Physical Plant
RS - Research
SS - Student Services

Audit Types:
R - Required
A - Risk-Based (Assessed)
S - Special Request
I - Investigation
P - Project (Ongoing or Recurring)
M - Management's Risk Assessment
C - Consultation
F - Follow-up Review
O - Other

Status:
Scheduled
In Progress
Completed
Removed

FN1 - Value-added services during COVID-19
FN2 - Adjustments to meet needs of engagements
FN3 - Audit Renamed - SWIA changed focus from WFD to Progression; increased audit hours to accommodate new focus
FN4 - Separated from Policy Review FU
FN5 - Adjusted Follow-up Process; individually listed engagements
FN6 - Administratively Close September 2019; document not previously filed with SWIA

Dyersburg State Community College
Internal Audit Plan
Fiscal Year Ending June 30, 2021
Revised April 2021

Area	Type	Audit	Risk Factor	Estimated Audit Start Date	Original Hours Planned	Revised Plan	Revised to Original		FN	Planned to Actual		Completion Date	Current Status
							Change in Hours	Change in Percentage		Actual Hours	Variance		
PP	R	Physical Security/Campus Safety		Jun-20	20.0	42.0	22.0	110%		42.0	0.0	Aug-20	Completed
AD	R	Workforce Development Contact Hours		Dec-20	38.0	0.0	-38.0	-100%	1	0.0	0.0		Removed
IS	P	PII Review		Aug-20	60.0	90.0	30.0	50%		76.0	14.0		In Progress
IS	C	General Consultation		Jul-20	100.0	90.0	-10.0	-10%		81.0	9.0		In Progress
IS	A	Human Resources		Nov-20	65.0	150.0	85.0	131%		88.0	62.0		In Progress
FM	A	Cash Handling		Dec-20	45.0	45.0	0.0	0%		33.0	12.0		In Progress
AT	A	Athletics Eligibility		Jul-20	25.0	50.0	25.0	100%		48.0	2.0		In Progress
AT	A	Athletics, Camps, Clinics & Fundraising		Jan-21	65.0	65.0	0.0	0%		0.0	65.0		Scheduled
IS	R	Risk Assessment		Oct-20	80.0	65.0	-15.0	-19%		65.0	0.0	Dec-20	Completed
IS	R	Follow-up Audits		Jul-20	16.0	6.0	-10.0	-63%		0.0	6.0		In Progress
IS	R	Follow-up on Foundation Audit		Dec-20	54.0	54.0	0.0	0%		54.0	0.0	Dec-20	Completed
IS	R	Follow-up on Investigative Audits		Apr-21	30.0	30.0	0.0	0%		0.0	30.0		Scheduled
FM	A	Records Management and Retention		Apr-21	95.0	80.0	-15.0	-16%		0.0	80.0		Scheduled
IS	I	Unscheduled Investigations		Jul-20	80.0	80.0	0.0	0%		57.0	23.0		In Progress
IS	P	QAR Self Assessment		Nov-20	60.0	106.0	46.0	77%		94.0	12.0		In Progress
SS	R	CARES Act		May-21	120.0	0.0	-120.0	-100%	2	0.0	0.0		Removed
PP	R	Building Security and Keys Audit		Jun-21	110.0	110.0	0.0	0%		0.0	110.0		Scheduled
FM	R	Year End Bank Confirmations		Jun-21	30.0	30.0	0.0	0%		0.0	30.0		Scheduled
Total Planned Audit Hours:					1093.0	1093.0	0.0			638.0	455.0		

Estimated Available Audit Hours = 1093.0

Functional Areas:

AD - Advancement
 AT - Athletics
 AX - Auxiliary
 FM - Financial Management
 IA - Instruction & Academic Support
 IS - Institutional Support
 IT - Information Technology
 MC - Marketing and Campus Activities
 PP - Physical Plant
 RS - Research
 SS - Student Services

Audit Types:

R - Required
 A - Risk-Based (Assessed)
 S - Special Request
 I - Investigation
 P - Project (Ongoing or Recurring)
 M - Management's Risk Assessment
 C - Consultation
 F - Follow-up Review
 O - Other

Status:

Scheduled
 In Progress
 Completed
 Removed

Footnotes: (1) Audit removed at the recommendation of SWIA, will possibly be completed in FY2022.
 (2) Audit postponed until FY2022.

Jackson State Community College
Internal Audit Plan
Fiscal Year Ending June 30, 2021
Revised April 2021

Area	Type	Audit	Risk Factor	Estimated Audit Start Date	Original Hours Planned	Revised Plan	Revised to Original		FN	Planned to Actual		Completion Date	Current Status	
							Change in Hours	Change in Percentage		Actual Hours	Variance			
IA	R	CCTA Element Audit		April 2021	150.0	150.0	0.0	0%			150.0		Scheduled	
SS	S	Veterans Affairs Student Records		January 2021	125.0	125.0	0.0	0%			111.5	13.5	In Progress	
IS	R	CARES Act		March 2021	200.0	0.0	-200.0	-100%			0.0		Removed	
FM	F	Access and Diversity Follow up		September 2020	125.0	109.5	-15.5	-12%			109.5	0.0	Oct-20	Completed
FM	F	Payroll Follow up		In Progress	100.0	115.5	15.5	16%			115.5	0.0	Aug-20	Completed
IS	F	Conflict of Interest Follow up		March 2021	125.0	31.5	-93.5	-75%			31.5	0.0	Sep-20	Completed
IA	F	Workforce Development Follow up		April 2021	75.0	150.0	75.0	100%			68.5	81.5		In Progress
SS	F	Inv 18-03 Follow up		September 2020	140.0	140.0	0.0	0%			46.5	93.5		In Progress
AT	F	Inv 19-01 Follow up		October 2020	140.0	140.0	0.0	0%			24.0	116.0		In Progress
AD	F	Foundation Follow up		November 2020	140.0	55.0	-85.0	-61%			55.0	0.0	Jan-21	Completed
IS	M	Risk Assessment		December 2020	40.0	101.5	61.5	154%			101.5	0.0	Jan-21	Completed
FM	R	Year-end Procedures		July 2020	40.0	40.0	0.0	0%				40.0		Scheduled
IS	C	General Consultation		As needed	150.0	150.0	0.0	0%			98.0	52.0		Scheduled
IS	F	EMP Follow-up		prior year	0.0	20.0	20.0		1		20.0	0.0	Jun-20	Completed
IS	P	Quality Assurance Review - Year 3		June 2021	0.0	150.0	150.0				18.0	132.0		Scheduled
IS	I	Unscheduled Investigations and Special Requests		As needed	100.0	172.0	72.0	72%				172.0		Scheduled

Total Planned Audit Hours: 1650.0 **1650.0** **0.0** **799.5** **850.5**

Estimated Available Audit Hours = 1650

Functional Areas:

AD - Advancement
 AT - Athletics
 AX - Auxiliary
 FM - Financial Management
 IA - Instruction & Academic Support
 IS - Institutional Support
 IT - Information Technology
 MC - Marketing and Campus Activities
 PP - Physical Plant
 RS - Research
 SS - Student Services

Audit Types:

R - Required
 A - Risk-Based (Assessed)
 S - Special Request
 I - Investigation
 P - Project (Ongoing or Recurring)
 M - Management's Risk Assessment
 C - Consultation
 F - Follow-up Review
 O - Other

Scheduled
 In Progress
 Completed
 Removed

FN1: Audit completed in prior fiscal year with time spent on work paper documentation in the current year.

Motlow State Community College
Internal Audit Plan
Fiscal Year Ending June 30, 2021
Revised April 2021

Area	Type	Audit	Risk Factor	Estimated Audit Start Date	Original Hours Planned	Revised Plan	Revised to Original		FN	Planned to Actual		Completion Date	Current Status
							Change in Hours	Change in Percentage		Actual Hours	Variance		
AD	R	Workforce Development and Follow Up		Dec-20	80.0	60.0	-20.0	-25%		29.9	30.1		In Progress
PP	R	Security - Physical Observation - Supplemental		Apr-21	75.0	0.0	-75.0	-100%	FN3	3.0	-3.0		Removed
FM	R	CARES Funding		Apr-21	125.0	0.0	-125.0	-100%	FN4	0.0	0.0		Removed
IA	A	Faculty Credentials	5.0	Jul-20	100.0	100.0	0.0	0%		27.0	73.0		In Progress
FM	S	President's Expense Review (Special Request)		Apr-21	75.0	40.0	-35.0	-47%		0.0	40.0		Scheduled
IA	M	Risk Assessment		Nov-20	30.0	35.0	5.0	17%		36.6	-1.6	Jan-21	Completed
IT	A	Information Technology - Follow Up		Sep-20	20.0	15.0	-5.0	-25%		10.6	4.4		In Progress
AT	F	Follow Up INV 1604		Jul-20	30.0	30.0	0.0	0%		1.0	29.0		In Progress
SS	F	Follow Up INV 1801		Jul-20	30.0	120.0	90.0	300%	FN 2	94.2	25.8		In Progress
AT	F	Follow Up INV 1802		Jul-20	30.0	20.0	-10.0	-33%		14.9	5.1		In Progress
SS	F	Follow Up Access and Diversity #2		Jul-20	40.0	85.0	45.0	113%	FN 1	84.9	0.1	Oct-20	Completed
SS	F	Follow Up Access and Diversity #3		Feb-21	40.0	75.0	35.0	88%	FN5	49.3	25.7		In Progress
AD	F	Follow Up Foundation		Aug-20	40.0	40.0	0.0	0%		18.4	21.6		In Progress
AD	I	INV 20-03		Jul-20	50.0	25.0	-25.0	-50%		16.0	9.0		In Progress
FM	C	General Consultation		Jul-20	50.0	100.0	50.0	100%		80.7	19.3		In Progress
IS	P	IIA Quality Assurance Self-Assessment		May-21	20.0	40.0	20.0	100%		0.0	40.0		Scheduled
FM	R	State Audit Assistance - Yr End		Jul-20	20.0	10.0	-10.0	-50%		3.7	6.3		In Progress
IS	I	Unscheduled Investigations		Jul-20	50.0	150.0	100.0	200%		144.2	5.8		In Progress
FM	P	Data Analytics Project		Dec-20	75.0	50.0	-25.0	-33%		17.5	32.5		In Progress
SS	A	Admissions & Records	5.0	Jun-21	80.0	80.0	0.0	0%		0.0	80.0		Scheduled
IS	A	Compliance - Trainings and Disclosures	4.9	Jun-21	80.0	5.0	-75.0	-94%		0.0	5.0		Scheduled
IS	R	CCTA Audit - Completion		May-21		60.0	60.0	N/A	FN6	0.0	60.0		Scheduled
Total Planned Audit Hours:					1140.0	1140.0	0.0			631.9	508.1		
Estimated Available Audit Hours = 1140.0													

Functional Areas:

AD - Advancement
 AT - Athletics
 AX - Auxiliary
 FM - Financial Management
 IA - Instruction & Academic Support
 IS - Institutional Support
 IT - Information Technology
 MC - Marketing and Campus Activities
 PP - Physical Plant
 RS - Research
 SS - Student Services

Audit Types:

R - Required
 A - Risk-Based (Assessed)
 S - Special Request
 I - Investigation
 P - Project (Ongoing or Recurring)
 M - Management's Risk Assessment
 C - Consultation
 F - Follow-up Review
 O - Other

Status:

Scheduled
 In Progress
 Completed
 Removed

FN1 Access and Diversity Follow Up #2 actual hours exceeded budgeted hours.
 FN2 Follow Up on INV 1801 has exceeded budgeted hours and is ongoing.
 FN3 Review by external agency that will cover physical security review
 FN4 Required TBR audit being rescheduled for next fiscal year
 FN5 Access and Diversity Follow Up #3 has exceeded budgeted hours and is ongoing.
 FN6 Audit added as required audit by TBR

Nashville State Community College
Internal Audit Plan
Fiscal Year Ending June 30, 2021
Revised April 2021

Area	Type	Audit	Risk Factor	Estimated Audit Start Date	Original Hours Planned	Revised Plan	Revised to Original		FN	Planned to Actual		Completion Date	Current Status
							Change in Hours	Change in Percentage		Actual Hours	Variance		
IS	F	Physical Security / Campus Safety Follow Up	4.3	May-21	100.0	100.0	0.0	0%		0.0	100.0		Scheduled
FM	R	CARES Act	3.7	Mar-21	112.5	0.0	-112.5	-100%	1	0.0	0.0		Removed
IA	R	CCTA Element (Workforce Development)	3.7	Apr-21	112.5	112.5	0.0	0%		0.0	112.5		Scheduled
FM	F	State Audit Follow Up	3.6	Jan-21	37.5	37.5	0.0	0%		37.5	0.0	Apr-21	Completed
IS	A	Police Department	3.4	Feb-21	100.0	0.0	-100.0	-100%	2	0.0	0.0		Removed
IS	A	Disaster Recovery/Continuity of Operations Plan (COOP)	4.2	Sep-20	75.0	75.0	0.0	0%		30.0	45.0		Scheduled
FM	A	Travel	3.4	Aug-20	75.0	75.0	0.0	0%		52.5	22.5		In Progress
FM	A	Purchase Card / Procurement	3.4	Oct-20	112.5	112.5	0.0	0%		30.0	82.5		In Progress
FM	A	Cash Collection	3.3	Apr-21	100.0	100.0	0.0	0%		0.0	100.0		Scheduled
FM	A	Payroll/ Time and Leave	3.4	Dec-20	75.0	75.0	0.0	0%		30.0	45.0		In Progress
IS	C	Consulting Activities	3.0	As needed	37.5	37.5	0.0	0%		37.5	0.0		In Progress
IT	A	Confidentiality of Student Records	3.9	Nov-20	112.5	112.5	0.0	0%	3	112.5	0.0	Mar-21	Completed
IS	R	Internal QAR Assessment	3.0	Apr-21	0.0	75.0	75.0	N/A	4	0.0	75.0		Scheduled
AD	F	Foundation Audit Follow Up	3.0	Mar-21	0.0	37.5	37.5	N/A	4	22.5	15.0		In Progress

Total Planned Audit Hours: 1050.0 **950.0** **-100.0** **352.5** **597.5**

Estimated Available Audit Hours = 1050

Functional Areas:

AD - Advancement
AT - Athletics
AX - Auxiliary
FM - Financial Management
IA - Instruction & Academic Support
IS - Institutional Support
IT - Information Technology
MC - Marketing and Campus Activities
PP - Physical Plant
RS - Research
SS - Student Services

Audit Types:

R - Required
A - Risk-Based (Assessed)
S - Special Request
I - Investigation
P - Project (Ongoing or Recurring)
M - Management's Risk Assessment
C - Consultation
F - Follow-up Review
O - Other

Status:

Scheduled
In Progress
Completed
Removed

FN1 Moved to FY2022
FN2 Moved to FY2022
FN3 Previously named Personal Identifiable Information / Data Security
FN4 New Projects Added

Northeast State Community College
Internal Audit Plan
Fiscal Year Ending June 30, 2021
Revised April 2021

Area	Type	Audit	Risk Factor	Estimated Audit Start Date	Original Hours Planned	Revised Plan	Revised to Original		FN	Planned to Actual		Completion Date	Current Status
							Change in Hours	Change in Percentage		Actual Hours	Variance		
SS	R	Complete College Tennessee Act: Completion	5.0	May-21	100.0	100.0	0.0	0%		0.0	100.0		Scheduled
SS	R	Workforce Development Training Hours	5.0	Oct-20	75.0	2.0	-73.0	-97%	1	2.0	0.0		Removed
FM	R	CARES Act Funding Audit	5.0	Mar-21	150.0	0.0	-150.0	-100%	1	0.0	0.0		Removed
FM	R	State Audit Follow-Up	5.0	Nov-20	60.0	100.0	40.0	67%	2	99.5	0.5	Feb-21	Completed
IS	R	Campus Safety	5.0	Apr-20	50.0	50.0	0.0	0%		53.5	-3.5	Sep-20	Completed
IS	S	Gramm Leach Bliley Act Program	5.0	Jul-20	100.0	125.0	25.0	25%	2	89.5	35.5		In Progress
IS	C	QAR Self-Study	5.0	Nov-20	75.0	75.0	0.0	0%		54.0	21.0		In Progress
IT	S	Access Termination	5.0	Oct-19	35.0	83.0	48.0	137%	2	89.5	-6.5	Jan-21	Completed
FM	A	NorCard Procurement Cards	5.0	Sep-20	75.0	150.0	75.0	100%	2	124.0	26.0		In Progress
IS	I	Unscheduled Investigations	5.0	Jul-20	100.0	50.0	-50.0	-50%	3	0.0	50.0		Scheduled
FM	R	State Audit Assistance - Year End	5.0	Jul-20	30.0	30.0	0.0	0%		2.5	27.5		In Progress
IS	S	Special Requests and Projects	5.0	Jul-20	100.0	100.0	0.0	0%		109.0	-9.0		In Progress
IS	F	Other Audit Follow-Up	5.0	Jul-20	50.0	50.0	0.0	0%		40.5	9.5		In Progress
IS	M	Risk Assessment	5.0	Oct-20	50.0	50.0	0.0	0%		51.0	-1.0	Jan-21	Completed
IS	C	Management Advisory Services	5.0	Jul-20	100.0	150.0	50.0	50%	3	117.5	32.5		In Progress
Total Planned Audit Hours:					1150.0	1115.0	-35.0			832.5	282.5		

Estimated Available Audit Hours = 1115.0

Functional Areas:

AD - Advancement
AT - Athletics
AX - Auxiliary
FM - Financial Management
IA - Instruction & Academic Support
IS - Institutional Support
IT - Information Technology
MC - Marketing and Campus Activities
PP - Physical Plant
RS - Research
SS - Student Services

Audit Types:

R - Required
A - Risk-Based (Assessed)
S - Special Request
I - Investigation
P - Project (Ongoing or Recurring)
M - Management's Risk Assessment
C - Consultation
F - Follow-up Review
O - Other

Status:

Scheduled
In Progress
Completed
Removed

Footnote 1: Removed by TBR. Hours allocated to expand the scopes of other projects.

Footnote 2: Hours increased due to complexity

Footnote 3: Hours reallocated to other projects

Pellissippi State Community College
Internal Audit Plan
Fiscal Year Ending June 30, 2021
Revised April 2021

Area	Type	Audit	Risk Factor	Estimated Audit Start Date	Original Hours Planned	Revised Plan	Revised to Original		FN	Planned to Actual		Completion Date	Current Status
							Change in Hours	Change in Percentage		Actual Hours	Variance		
IS	R	Cares Act Funding	5.0	Apr-21	200.0	0.0	-200.0	-100%	5	0.0	0.0		Removed
FM	R	Year End Inventory & Cash Counts	5.0	Jun-21	15.0	15.0	0.0	0%		0.0	15.0		Scheduled
IS	R	Funding Formula - Completion	5.0	Mar-21	75.0	120.0	45.0	60%	6	7.5	112.5		In Progress
IS	R	QAR Self Assessment	5.0	Aug-20	75.0	75.0	0.0	0%		65.0	10.0	Nov-20	Completed
FM	F	Audit Follow-Ups	5.0	Dec-20	15.0	15.0	0.0	0%		0.0	15.0		Scheduled
IS	M	Risk Assessment	5.0	Dec-20	22.5	22.5	0.0	0%		25.0	-2.5	Jan-21	Completed
IA	S	Faculty Credentials	5.0	Nov-20	105.0	105.0	0.0	0%		91.5	13.5	Jan-21	Completed
IA	S	Review of Compliance Assist	5.0	Feb-21	37.5	37.5	0.0	0%		37.5	0.0	Mar-21	Completed
IT	S	Vulnerability Assessment - Electronic Key System	5.0	Oct-20	187.5	187.5	0.0	0%		164.0	23.5	Dec-20	Completed
AD	C	Advancement Management Advisory Services, Consultation, etc.	5.0	Jul-20	52.5	52.5	0.0	0%		20.5	32.0		In Progress
FM	C	Finance Management Advisory Services, Consultation, etc.	5.0	Jul-20	37.5	37.5	0.0	0%		27.0	10.5		In Progress
IS	C	Institutional Support Management Advisory Services, Consultation, etc. (includes Covid-19 MAS)	5.0	Jul-20	445.0	445.0	0.0	0%		314.5	130.5		In Progress
IS	I	Unauthorized Change to Bank Routing and ACH Information	5.0	Aug-20	30.0	150.0	120.0	400%	1	142.5	7.5	Nov-20	Completed
IT	C	IT Audit Management Advisory Service - Phishing Campaign	5.0	Jul-20	52.5	202.5	150.0	286%	4	157.5	45.0		In Progress
IT	C	IT Audit Management Advisory Service - General Security Review	5.0	Jul-20	165.0	165.0	0.0	0%		156.5	8.5		In Progress
IT	C	IT Audit Management Advisory Service - PCI & ACH Review	5.0	Jul-20	150.0	100.0	-50.0	-33%	3	66.5	33.5		In Progress
IT	A	Computer Center - Disaster Recovery	3.6	Dec-20	112.5	0.0	-112.5	-100%	2	0.0	0.0		Removed
IT	A	Computer Center - Physical Security	3.5	Apr-21	202.5	202.5	0.0	0%		0.0	202.5		Scheduled
IT	A	Vulnerability Assessment - Print Servers	3.5	Aug-20	187.5	210.0	22.5	12%		211.0	-1.0	Oct-20	Completed
IT	A	Vulnerability Assessment - BDMS (scanned documents from Finance, HR and Student)	3.5	Jan-21	187.5	187.5	0.0	0%		184.0	3.5	Mar-21	Completed
IT	A	Vulnerability Assessment - PSDB (store degree works data and Luminus Information)	3.4	Mar-21	187.5	187.5	0.0	0%		23.5	164.0		In Progress

Total Planned Audit Hours: 2542.5 **2517.5** **-25.0** **1694.0** **823.5**
 Estimated Available Audit Hours = 2515

Functional Areas:

- AD - Advancement
- AT - Athletics
- AX - Auxiliary
- FM - Financial Management
- IA - Instruction & Academic Support
- IS - Institutional Support
- IT - Information Technology
- MC - Marketing and Campus Activities
- PP - Physical Plant
- RS - Research
- SS - Student Services

Audit Types:

- R - Required
- A - Risk-Based (Assessed)
- S - Special Request
- I - Investigation
- P - Project (Ongoing or Recurring)
- M - Management's Risk Assessment
- C - Consultation
- F - Follow-up Review
- O - Other

Status:

- Scheduled
- In Progress
- Completed
- Removed

FN1 - Item was originally place holder for unplanned investigation. Item listed occurred in August of 2020 and was joint investigation with the Information Services Division of the College. College policy requires that Chief Information Officer be the lead investigator on this type of review therefore an internal audit report on this will not be issued.

FN2 - This audit was removed from the audit plan because of the amount of time spent reviewing unauthorized changes made to payroll bank routing and ACH information.

FN3 - Planned hours were reduced because office has received fewer request for assistance from Bursars office than in the past.

FN4 - This originally started out as IT Audit Management Advisory Service related to building security. However, due to limited building access in FY21 it was changed to a Phishing Campaign. This campaign was coordinated with the Network and Technical Services Department of the college and involved internal audit designing the campaign as well as implementing the campaign. Prior to conducting the campaign extensive testing was performed by internal audit as well as Network and Technical Services. Because this was the first campaign conducted extra time was required to design, test and determine proper deployment techniques.

FN5 - This audit was removed from the audit plan because federal guidance related to it had not been finalized as of April of 2021. Since complete guidance was not available at this time it was determined by the Tennessee Board of Regents that this audit would be postponed.

FN6 - Audit was changed from funding formula workforce development to completion so hours were increased to reflect approximate time this audit took the last time it was completed.

Roane State Community College
Internal Audit Plan
Fiscal Year Ending June 30, 2021
Revised April 2021

Area	Type	Audit	Risk Factor	Estimated Audit Start Date	Original Hours Planned	Revised Plan	Revised to Original		FN	Planned to Actual		Completion Date	Current Status
							Change in Hours	Change in Percentage		Actual Hours	Variance		
SS	R	Workforce Development	5.0	Jul-20	75.0	37.5	-37.5	-50%	6	5.0	32.5		In Progress
FM	R	Year End Cash Counts	5.0	Jul-20	45.0	45.0	0.0	0%		2.0	43.0		In Progress
IA	A	International Education	3.4	Oct-20	60.0	0.0	-60.0	-100%	2		0.0		Removed
IS	M	Enterprise Risk Assessment	5.0	Nov-20	75.0	40.0	-35.0	-47%	4	40.0	0.0	Jan-21	Completed
FM	A	Grants	3.4	Dec-20	75.0	85.0	10.0	13%	9	47.0	38.0		In Progress
IA	S	Healthcare Programs Admissions	4.0	Oct-20	105.0	0.0	-105.0	-100%	1	0.0	0.0		Removed
FM	R	CARES Act	5.0	Feb-20	75.0	0.0	-75.0	-100%	5	0.0	0.0		Removed
IS	A	Sick Leave Bank	3.5	Mar-20	22.5	32.5	10.0	44%	7	15.0	17.5		In Progress
FM	F	State Audit Follow-up	5.0	Jul-20	52.5	52.5	0.0	0%		22.5	30.0		In Progress
FM	F	IAR Audit Follow-up	5.0	Jul-20	70.0	70.0	0.0	0%		45.0	25.0		In Progress
FM	I	Unscheduled Investigations	5.0	Jul-20	90.0	90.0	0.0	0%		0.0	90.0		In Progress
IS	C	Management Advisory Services	5.0	Jul-20	142.5	142.5	0.0	0%		60.0	82.5		In Progress
AX	S	Foundation - Restricted Funds	4.1	Jul-20	80.0	110.0	30.0	38%	8	60.0	50.0		In Progress
FM	R	President's Expense - PSTCC	5.0	Aug-20	60.0	60.0	0.0	0%		60.0	0.0	Nov-20	Completed
IS	R	QAR - Self-Review	5.0	May-20	22.5	22.5	0.0	0%		7.5	15.0		In Progress
IS	R	Campus Safety & Security	5.0	Jul-20	0.0	22.5	22.5	N/A		20.0	2.5		In Progress
AX	S	Foundation - Data Security Consulting	5.0	Jul-20	0.0	100	100.0	N/A	3	90.0	10.0		In Progress
IA	S	Nursing Program Review	5.0	Jan-21	0.0	140.0	140.0	N/A	1	82.5	57.5		In Progress
Total Planned Audit Hours:					1050.0	1050.0	0.0			556.5	493.5		

Estimated Available Audit Hours = 1050

Functional Areas:

AD - Advancement
 AT - Athletics
 AX - Auxiliary
 FM - Financial Management
 IA - Instruction & Academic Support
 IS - Institutional Support
 IT - Information Technology
 MC - Marketing and Campus Activities
 PP - Physical Plant
 RS - Research
 SS - Student Services

Audit Types:

R - Required
 A - Risk-Based (Assessed)
 S - Special Request
 I - Investigation
 P - Project (Ongoing or Recurring)
 M - Management's Risk Assessment
 C - Consultation
 F - Follow-up Review
 O - Other

Status:

Scheduled
 In Progress
 Completed
 Removed

- 1 Added Nursing Program Review at Management's Request and removed Healthcare Admissions.
- 2 Removed International Education Audit due to trip cancellations Related to Covid
- 3 Added Foundation Data Security Consulting Review and increased hours
- 4 Moved additional hours from Enterprise Risk Assessment to Nursing Program Review
- 5 Removed the CARES Act Audit to be scheduled next fiscal year
- 6 Reduction in scope of Workforce Development audit (CCTA Completion Audit)
- 7 Added hours due to difficulty in obtaining information
- 8 Added hours due to complexity of Foundation donor agreements
- 9 Added hours due to complexity of grant documents

Southwest Tennessee Community College
Internal Audit Plan
Fiscal Year Ending June 30, 2021
Revised March 2021

Area	Type	Audit	Risk Factor	Estimated Audit Start Date	Original Hours Planned	Revised Plan	Revised to Original		FN	Planned to Actual		Completion Date	Current Status
							Change in Hours	Change in Percentage		Actual Hours	Variance		
FM	A	IAR-Cash Count		Jun-20	37.5	37.5	0.0	0%		0.0	37.5		Scheduled
SS	S	Out of State Tuition		Jul-20	97.5	62.5	-35.0	-36%		0.0	62.5		In Progress
FU	R	FU-Foundation Audit		Sep-20	22.5	17.5	-5.0	-22%		13.0	4.5		In Progress
FM	S	Review of Accounts Payable Vendors		Aug-20	97.5	70.0	-27.5	-28%		11.5	58.5		In Progress
FU	S	FU-Time Sheet Preparation		Oct-20	22.5	54.5	32.0	142%		54.5	0.0	Dec-20	Completed
IS	R	Campus Safety Audit		Jul-20	97.5	171.0	73.5	75%		171.0	0.0	Dec-20	Completed
SS	R	Workforce Development Audit		Nov-20	97.5	0.0	-97.5	-100%	1	2.0	-2.0		Removed
FM	F	FU-State Audit		Dec-20	90.0	74.5	-15.5	-17%		0.0	74.5		In Progress
FM	S	Review of Driver License		Jan-21	97.5	38.0	-59.5	-61%		0.0	38.0		Scheduled
FM	F	FU-Whitehaven Federal Work Study		Oct-20	45.0	2.5	-42.5	-94%	2	2.5	0.0		Removed
FM	S	Review of Ghost Employees		Feb-21	87.5	115.5	28.0	32%		115.5	0.0		In Progress
FM	I	INV-Investigation of Clubs		Mar-21	45.5	91.5	46.0	101%		91.0	0.5		In Progress
FM	F	FU-IT Audit		Apr-21	20.0	36.0	16.0	80%		36.0	0.0	Dec-20	Completed
IS	A	IAR Risk Assessment		May-21	34.5	15.5	-19.0	-55%		16.0	-0.5	Jan-21	Completed
IS	F	FU-Internal Audit Follow Up		Jul-20	15.0	0.0	-15.0	-100%		0.0	0.0		In Progress
SS	C	IAR-General Consultant		Jul-20	82.5	79.5	-3.0	-4%		78.5	1.0		In Progress
FM	I	Unscheduled Investigation		Jul-20	62.5	0.0	-62.5	-100%		0.0	0.0		In Progress
FM	P	ACM-Audit Software		Jul-20	60.0	62.5	2.5	4%		52.0	10.5		In Progress
FM	I	INV-Investigation of Cafeteria		May-21	35.0	19.0	-16.0	-46%		0.0	19.0		Scheduled
FM	R	IAR-President Audit		Sep-20	0.0	80.5	80.5	N/A		80.5	0.0	Oct-20	Completed
IA	I	INV-21-01 Abuse of Power		Sep-20	0.0	49.0	49.0	N/A		48.0	1.0	Sep-20	Completed
FM	R	Cares Act		May-21	0.0	47.0	47.0	N/A	1	0.0	47.0		Scheduled
IA	I	INV 21-02 Digital Learning Guidelines		Sep-20	0.0	23.5	23.5	N/A		22.5	1.0	Sep-20	Completed

Total Planned Audit Hours: 1147.5 1147.5 0.0 794.5 353.0

Estimated Available Audit Hours = 1147.5

Functional Areas:

AD - Advancement
AT - Athletics
AX - Auxiliary
FM - Financial Management
IA - Instruction & Academic Support
IS - Institutional Support
IT - Information Technology
MC - Marketing and Campus Activities
PP - Physical Plant
RS - Research
SS - Student Services

Audit Types:

R - Required
A - Risk-Based (Assessed)
S - Special Request
I - Investigation
P - Project (Ongoing or Recurring)
M - Management's Risk Assessment
C - Consultation
F - Follow-up Review
O - Other

Status:

Scheduled
In Progress
Completed
Removed

FN1: Workforce Development was removed from the audit plan and the Cares Act was scheduled for audit,
FN2: Work Study funds were transferred to the Federal Supplemental Educational Opportunity Grands funds.

Volunteer State Community College
Internal Audit Plan
Fiscal Year Ending June 30, 2021
Revised April 2021

Area	Type	Audit	Risk Factor	Estimated Audit Start Date	Original Hours Planned	Revised Plan	Revised to Original		FN	Planned to Actual		Completion Date	Current Status
							Change in Hours	Change in Percentage		Actual Hours	Variance		
IS	R	Security Funding Allocation	5.0	May-20	100.0	30.0	-70.0	-70%		29.5	0.5	Jul-20	Completed
SS	S	Work Component Financial Aid	8.5	Aug-20	175.0	460.0	285.0	163%		460.5	-0.5	Mar-21	Completed
IA	R	CCTA Funding Formula Elements	7.4	Mar-21	200.0	200.0	0.0	0%		0.0	200.0		Scheduled
IS	R	CARES Act	5.0	Mar-21	175.0	0.0	-175.0	-100%	(1)	0.0	0.0		Removed
IS	M	Management Risk Assessment	5.0	Oct-20	40.0	95.0	55.0	138%		95.0	0.0	Jan-21	Completed
FM	R	State Audit Year-End Work	5.0	May-21	40.0	40.0	0.0	0%		0.0	40.0		Scheduled
IS	P	IHA QAIP Self Assessment	5.0	Jul-20	100.0	100.0	0.0	0%		22.5	77.5		In Progress
IS	R	Follow-up Activities	5.0	Jul-20	50.0	50.0	0.0	0%		5.5	44.5		In Progress
IS	C	General Consultation	5.0	Jul-20	75.0	75.0	0.0	0%		10.5	64.5		In Progress
IS	I	Unscheduled Investigations	5.0	Jul-20	40.0	40.0	0.0	0%		0.0	40.0		Scheduled
FM	A	Cash Receipts	4.7	Apr-21	175.0	0.0	-175.0	-100%	(2)	0.0	0.0		Removed
Total Planned Audit Hours:					1170.0	1090.0	-80.0			623.5	466.5		

Estimated Available Audit Hours = 1090

Functional Areas:

AD - Advancement
AT - Athletics
AX - Auxiliary
FM - Financial Management
IA - Instruction & Academic Support
IS - Institutional Support
IT - Information Technology
MC - Marketing and Campus Activities
PP - Physical Plant
RS - Research
SS - Student Services

Audit Types:

R - Required
A - Risk-Based (Assessed)
S - Special Request
I - Investigation
P - Project (Ongoing or Recurring)
M - Management's Risk Assessment
C - Consultation
F - Follow-up Review
O - Other

Status:

Scheduled
In Progress
Completed
Removed

(1) Audit was postponed by TBR.

(2) Audit was added back to the audit plan after the CARES Act audit was postponed.

**Walters State Community College
Internal Audit Plan
Fiscal Year Ending June 30, 2021
Revised April 2021**

Area	Type	Audit	Risk Factor	Estimated Audit Start Date	Original Hours Planned	Revised Plan	Revised to Original		FN	Planned to Actual		Completion Date	Current Status
							Change in Hours	Change in Percentage		Actual Hours	Variance		
IS	C	Management Advisory Services/Consulting	5.0	Jul-20	300.0	300.0	0.0	0%		225.0	75.0		In Progress
FM	F	State Audit Assist/Follow-up	5.0	Oct-20	12.0	0.0	-12.0	-100%	1	0.0	0.0	N/A	Removed
IS	R	IAR-NeSCC President's Expenses Audit 2021	5.0	Aug-19	90.0	90.0	0.0	0%		90.0	0.0	Oct-20	Completed
SS	F	IAR-FU-CCTA-Workforce Training Hours 2019	5.0	Dec-20	22.5	0.0	-22.5	-100%	2		0.0		Removed
IS	R	IAR-CARES Act Review 2021	5.0	Feb-21	40.0	80.0	40.0	100%		30.0	50.0		In Progress
A	IT	IT Governance	5.0	Feb-21	105.0	105.0	0.0	0%		40.0	65.0		In Progress
M	IS	WSCC Enterprise-wide Risk Assessment	5.0	Dec-20	22.5	0.0	-22.5	-100%	3		0.0		Removed
IS	M	WSCC Risk Assessment - Student Success	5.0	Dec-20	22.5	22.5	0.0	0%	3	22.5	0.0	Dec-20	Completed
A	M	Accounts Receivable	5.0	Oct-20	45.0	62.0	17.0	38%		45.0	17.0		In Progress
IS	M	WSCC IT and Fin Aid Risk Assessments	5.0	Dec-20	37.5	37.5	0.0	0%			37.5		Scheduled
IS	P	IAR-QAR Self & External	5.0	Jun-21	22.5	22.5	0.0	0%			22.5		Scheduled
FM	S	YE Procedures FYE 2021	5.0	Jun-21	22.5	22.5	0.0	0%			22.5		Scheduled
FM	S	YE Procedures FYE 2020	5.0	Jul-20	22.5	22.5	0.0	0%		15.0	7.5	Jul-20	Completed
IT	S	IAR-NACHA-2021	5.0	Jan-21	75.5	75.5	0.0	0%		60.0	15.5		In Progress
I	IS	Unscheduled Investigations	5.0	Jul-20	105.0	105.0	0.0	0%		82.5	22.5		In Progress
SS	R	IAR-CCTA-Workforce Training Hours 2021	5.0	Mar-21	105.0	30.0	-75.0	-71%	2	30.0	0.0		Removed
SS	R	IAR-CCTA-Progression	5.0	Jul-20	0.0	75.0	75.0	#DIV/0!	2	7.5	67.5		Scheduled

Total Planned Audit Hours: 1050.0 1050.0 0.0 647.5 402.5

Estimated Available Audit Hours = 1050.0

Functional Areas:

AD - Advancement
 AT - Athletics
 AX - Auxiliary
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 IA - Instruction & Academic Support
 IS - Institutional Support
 IT - Information Technology
 MC - Marketing and Campus Activities
 PP - Physical Plant
 RS - Research
 SS - Student Services

Audit Types:

R - Required
 A - Risk-Based (Assessed)
 S - Special Request
 I - Investigation
 P - Project (Ongoing or Recurring)
 M - Management's Risk Assessment
 C - Consultation
 F - Follow-up Review
 O - Other

Status:

Scheduled
 In Progress
 Completed
 Removed

- 1 - Since State Audit issued no findings with respect to the bi-annual audit of WSCC, no State Audit follow-up is needed.
- 2 - IAR-CCTA-Workforce Training Hours was initially deferred and then tabled indefinitely, ultimately being replaced by IAR-CCTA-Progression 2021.
- 3 - The Enterprise-side Risk Assessment was performed as an inherent part of the Student Success Risk Assessment.

Tennessee Board of Regents - Investigations
Internal Audit Plan
Fiscal Year Ending June 30, 2021
Revised April 2021

Area	Type	Audit	Risk Factor	Estimated Audit Start Date	Original Hours Planned	Revised Plan	Revised to Original		FN	Planned to Actual		Completion Date	Current Status
							Change in Hours	Change in Percentage		Actual Hours	Variance		
IS	C	Consultation with Campus Auditors		Jul-20	200.0	68.5	-131.5	-66%		55.0	13.5		In Progress
IS	PR	Investigation Management		Jul-20	200.0	300.0	100.0	50%		285.0	15.0		In Progress
IS	I	State Audit Follow-up for TBR		Jul-20	75.0	10.0	-65.0	-87%		0.0	10.0		
FM	I	Unscheduled Investigations		Jul-20	347.5	0.0	-347.5	-100%	2	0.0	0.0		Removed
FM	I	INV TBR 21-01		Sep-20	0.0	187.5	187.5	N/A		187.5	0.0	21-Mar	Completed
IS	I	INV TBR 20-03		Mar-20	75.0	41.5	-33.5	-45%		41.5	0.0	20-Sep	Completed
IS	I	INV TBR 20-04		Jun-20	75.0	21.0	-54.0	-72%		21.0	0.0	20-Sep	Completed
SS	I	INV TBR 19-03		Apr-19	37.5	5.0	-32.5	-87%	1	5.0	0.0	Feb-21	Completed
FM	I	INV TBR 19-06		Jul-19	20.0	2.0	-18.0	-90%	1	2.0	0.0	Feb-21	Completed
IS	I	INV TBR 19-07		May-19	20.0	2.0	-18.0	-90%	1	2.0	0.0	Feb-21	Completed
IS	O	INV TBR 21-02		Nov-20	0.0	75.0	75.0	N/A		75.0	0.0	20-Dec	Completed
AT	S	INV TBR 21-03		Jan-21	0.0	75.0	75.0	N/A		75.0	0.0	20-Dec	Completed
IS	S	INV TBR 21-04		Feb-21	0.0	75.0	75.0	N/A		50.0	25.0		In Progress
PP	I	INV TBR 21-05		Feb-21	0.0	150.0	150.0	N/A		75.0	75.0		In Progress
FM	I	INV TBR 21-06		Apr-21	0.0	37.5	37.5	N/A		15.0	22.5		In Progress

Total Planned Audit Hours: 1050.0 1050.0 0.0 889.0 161.0

Estimated Available Audit Hours = 1050.0

Functional Areas:

AD - Advancement
AT - Athletics
AX - Auxiliary
FM - Financial Management
IA - Instruction & Academic Support
IS - Institutional Support
IT - Information Technology
MC - Marketing and Campus Activities
PP - Physical Plant
RS - Research
SS - Student Services

Audit Types:

R - Required
A - Risk-Based (Assessed)
S - Special Request
I - Investigation
P - Project (Ongoing or Recurring)
M - Management's Risk Assessment
C - Consultation
F - Follow-up Review
O - Other

Status:

Scheduled
In Progress
Completed
Removed

FN1- After additional review, deemed not Fraud, Waste, or Abuse and no additional work necessary.
FN2- Place holder removed.

**TBR- Information Systems
Internal Audit Plan
Fiscal Year Ending June 30, 2021
Revised April 2021**

Area	Type	Audit	Risk Factor	Estimated Audit Start Date	Original Hours Planned	Revised Plan	Revised to Original		FN	Planned to Actual		Completion Date	Current Status
							Change in Hours	Change in Percentage		Actual Hours	Variance		
IT	R	MSSC Information Security	5.0	Jan-21	150.0	150.0	0.0	0%		96.0	54.0	Jan-21	Completed
IT	R	NASCC Information Security	5.0	Dec-20	150.0	150.0	0.0	0%		148.0	2.0	Mar-21	Completed
IT	R	VSSC Information Security	5.0	Feb-21	150.0	150.0	0.0	0%	1	8.0	142.0		In Progress
IT	R	WSSC Information Security	5.0	Feb-21	150.0	150.0	0.0	0%		110.0	40.0		In Progress
IT	R	CISCC Information Security	5.0	Apr-21	150.0	150.0	0.0	0%		0.0	150.0		Scheduled
IT	R	RSSC Information Security	5.0	Mar-21	150.0	150.0	0.0	0%	2	12.0	138.0		In Progress
IT	R	PSSC Information Security	5.0	Jun-21	150.0	150.0	0.0	0%		0.0	150.0		Scheduled
Total Planned Audit Hours:					1050.0	1050.0	0.0			374.0	676.0		

Estimated Available Audit Hours = 1050

Functional Areas:

AD - Advancement
 AT - Athletics
 AX - Auxiliary
 FM - Financial Management
 IA - Instruction & Academic Support
 IS - Institutional Support
 IT - Information Technology
 MC - Marketing and Campus Activities
 PP - Physical Plant
 RS - Research
 SS - Student Services

Audit Types:

R - Required
 A - Risk-Based (Assessed)
 S - Special Request
 I - Investigation
 P - Project (Ongoing or Recurring)
 M - Management's Risk Assessment
 C - Consultation
 F - Follow-up Review
 O - Other

Status:

Scheduled
 In Progress
 Completed
 Removed

FN #1 Audit has been delayed because VSSC is currently involved in a State of Tennessee audit.
 FN #2 Audit has been delayed to a COVID issue at RSSC.

**TCAT
Internal Audit Plan
Fiscal Year Ending June 30, 2021
Revised April 2021**

Area	Type	Audit	Risk Factor	Estimated Audit Start Date	Original Hours Planned	Revised Plan	Revised to Original		FN	Planned to Actual		Completion Date	Current Status
							Change in Hours	Change in Percentage		Actual Hours	Variance		
FM	A	FY 20 Perkins Audit	NA	Jan-21	100.0	0.0	-100.0	-100%		0.0	0.0		Removed
FM	C	FY 20 TCAT Consultation	NA	Jul-20	200.0	222.5	22.5	11%		207.0	15.5		In Progress
FM	R	FY 20 TCAT Risk Assessment	NA	Oct-20	75.0	100.0	25.0	33%		119.0	-19.0		In Progress
FM	C	FY 20 TCAT Audit Program	NA	Jul-20	75.0	125.0	50.0	67%	FN3	135.5	-10.5		In Progress
FM	C	FY 20 TCAT Year End Procedures	NA	Jun-21	50.0	50.0	0.0	0%		13.5	36.5		FN1
FM	R	FY 20 TCAT Foundation	NA	Jul-20	37.5	37.5	0.0	0%		0.0	37.5		In Progress
FM	A	FY 21 TCAT Memphis Controls Review	5.0	Jan-21	37.5	37.5	0.0	0%		0.0	37.5		FN1
FM	A	FY 21 TCAT McMinnville Controls Review	5.0	Jan-21	15.0	15.0	0.0	0%		0.0	15.0		In Progress
FM	R	FY 20 TCAT Knoxville President's Expense	4.7	Jul-20	37.5	37.5	0.0	0%		26.0	11.5		In Progress
FM	R	FY 19 TCAT Elizabethton President's Expense	4.7	Jul-20	37.5	37.5	0.0	0%		26.0	11.5		In Progress
FM	R	FY 19 TCAT Murfreesboro President's Expense	4.7	Jul-20	37.5	37.5	0.0	0%		23.5	14.0		In Progress
FM	R	FY 19 TCAT Nashville President's Expense	4.6	Jul-20	37.5	37.5	0.0	0%		30.0	7.5		In Progress
FM	A	FY 20 Nashville-IAR-Equipment/Security Review	4.6	Nov-20	15.0	15.0	0.0	0%		0.0	15.0		FN1
FM	R	FY 20 TCAT Livingston President's Expense	3.9	Sep-20	37.5	37.5	0.0	0%		39.5	-2.0	Mar-21	Completed
FM	R	FY 19 TCAT Jackson/Whiteville President's Expense	3.7	Aug-20	37.5	37.5	0.0	0%		35.0	2.5		In Progress
FM	R	FY 20 TCAT Hohenwald President's Expense	3.2	Oct-20	37.5	37.5	0.0	0%		29.5	8.0		In Progress
FM	R	FY 19 TCAT Morristown President's Expense	3.2	Jul-20	15.0	15.0	0.0	0%	FN2	28.5	-13.5	Aug-20	Completed
FM	R	FY 20 TCAT Crossville President's Expense	3.1	Aug-20	37.5	37.5	0.0	0%		26.5	11.0		In Progress
FM	R	FY 20 TCAT Ripley President's Expense	2.7	Mar-21	22.5	22.5	0.0	0%		22.5	0.0		In Progress
FM	R	FY 20 TCAT Pulaski President's Expense	2.7	Apr-21	37.5	62.5	25.0	67%	FN4	46.5	16.0		In Progress
FM	R	FY 20 TCAT Shelbyville President's Expense	2.6	Feb-21	22.5	22.5	0.0	0%		44.5	-22.0	Mar-21	Completed
FM	R	FY 20 TCAT Newbern President's Expense	2.6	Mar-21	37.5	37.5	0.0	0%		23.0	14.5		In Progress
FM	R	FY 20 TCAT Oneida President's Expense	2.6	Feb-21	22.5	22.5	0.0	0%		27.0	-4.5		In Progress
FM	R	FY 20 TCAT Crump President's Expense	2.6	May-21	37.5	37.5	0.0	0%		16.5	21.0		In Progress
FM	A	FY 20 TCAT Dickson SFA Review	2.5	May-21	22.5	0.0	-22.5	-100%		0.0	0.0		Removed
FM	R	FY 20 TCAT Jacksboro President's Expense	2.1	Mar-21	22.5	22.5	0.0	0%		23.0	-0.5		In Progress
FM	R	FY 19 TCAT Hartsville President's Expense	1.7	Aug-21	22.5	22.5	0.0	0%		37.5	-15.0	Nov-20	Completed
FM	R	FY 19 TCAT Athens President's Expense	1.6	Nov-21	22.5	22.5	0.0	0%		37.5	-15.0	Dec-20	Completed
FM	R	FY 20 TCAT Chattanooga President's Expense	1.3	Apr-21	22.5	22.5	0.0	0%		0.0	22.5		FN1
FM	A	FY 19 TCAT Harriman Security Review		Mar-20	0.0	0.0	0.0	0%	FN2	12.5	-12.5	Sep-20	Completed

Total Planned Audit Hours: 1212.5 1212.5 0.0 1030.0 182.5
 Estimated Available Audit Hours = 1212.50

Functional Areas:

- AD - Advancement
- AT - Athletics
- AX - Auxiliary
- FM - Financial Management
- IA - Instruction & Academic Support
- IS - Institutional Support
- IT - Information Technology
- MC - Marketing and Campus Activities
- PP - Physical Plant
- RS - Research
- SS - Student Services

FN1: These audits have not been started.
 FN2: Security Review was added in during the President's Review

Audit Types:

- R - Required
- A - Risk-Based (Assessed)
- S - Special Request
- I - Investigation
- P - Project (Ongoing or Recurring)
- M - Management's Risk Assessment
- C - Consultation
- F - Follow-up Review
- O - Other

FN3: Auditor is on the Audit Program Committee and more hours were required
 FN4: Due to the Corona Virus, the auditor was asked to review additional policies

Status:

- Scheduled
- In Progress
- Completed
- Removed

Attachment C
Approved SWIA Budget for the
Fiscal Year Ended June 30, 2022

**Tennessee Board of Regents
Office of System-wide internal Audit
Operating Budget for Fiscal Year 2021-2022**

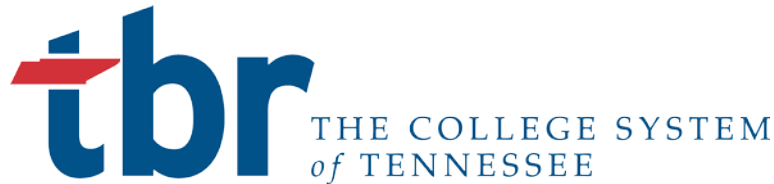
	<u>FY 2022 Budget</u>		<u>FY 2021 Budget</u>	
	<u>Amount</u>	<u>Percentage</u>	<u>Amount</u>	<u>Percentage</u>
Salaries	441,078	66%	431,733	64%
Employee Benefits	181,513	27%	196,854	29%
Total Salaries and Benefits	<u>622,591</u>	<u>93%</u>	<u>628,587</u>	<u>94%</u>
Travel and Professional Development				
In State Travel and Professional Development	17,500	3%	14,600	2%
Out of State Travel and Professional Development	4,000	1%	-	0%
Total Travel and Professional Development	<u>21,500</u>	<u>3%</u>	<u>14,600</u>	<u>2%</u>
Operating Expenses	<u>24,850</u>	<u>4%</u>	<u>26,395</u>	<u>4%</u>
Total Budget	<u><u>668,941</u></u>	<u><u>100%</u></u>	<u><u>669,582</u></u>	<u><u>100%</u></u>

Notes:

Salaries and Benefits includes 5 staff positions for System-wide Internal Audit: Chief Audit Executive, Investigative Audit Manager, Information Systems Auditor, TCAT Internal Auditor IV, and Administrative Assistant III.

Travel and Professional Development categories include the costs for system office audit staff to travel in state for audits and investigations, meetings and other business activities. It also includes the costs of in state and out of state professional development activities and any related out of state travel costs for the training. There is a decrease in budgeted travel since SWIA-run training costs (speakers, etc.) are now included in the Operating Budget.

Operating Expenses include the general operating costs for the system audit office such as copier lease, supplies, computer software, non-capitalized equipment, meeting expenses and when applicable, instructors for group training and consultants for external peer reviews. In FY 2021, a joint training retreat is planned with the audit staff of the University of Tennessee and the locally governed universities, for which TBR will share in the cost of the training (pending pandemic situation). External peer review costs are not included but will need to be reserved from the FY 2020-FY2023 funding to cover the FY2023 external peer review.



BOARD TRANSMITTAL

MEETING:	Quarterly Board Meeting
SUBJECT:	Report of the Regents Award for Excellence in Philanthropy
DATE:	June 18, 2021
PRESENTER:	Regent Danni Varlan
PRESENTATION REQUIREMENTS:	15 minutes
ACTION REQUIRED:	Information Purposes Only
STAFF'S RECOMMENDATION:	Not Applicable

Recipients of the Regents award for Excellence in Philanthropy are selected based on their generous giving of their time, resources, influence on volunteers to become involved in fundraising, active promotion of higher education, leadership in philanthropy, exceptional civic responsibility, and integrity. The Board will receive a report on the following awards presented in the last quarter:

Barry and Lucy Stephenson

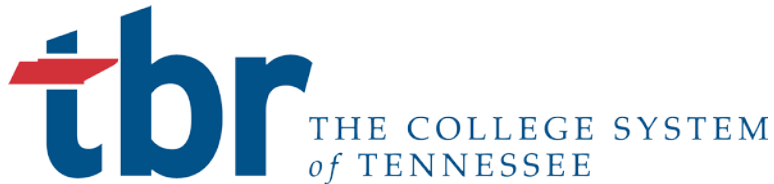
Barry and Lucy Stephenson accepted the prestigious 2020 Regents Award for Excellence in Philanthropy as nominated by Roane State Community College. The award was presented by Regent Danni Varlan during Roane State's 2020 College of the Year Celebration on March 29, 2021.

The Ford Family

John and Debbie Ford accepted the 2021 Regents Award for Excellence in Philanthropy on behalf of the Ford Family as nominated by Dyersburg State Community College. The award was presented by Regent Nisha Powers Dyersburg State's Donor Recognition Dinner on June 3, 2021.

The Town of Smyrna

The Town of Smyrna was nominated by Motlow State Community College for the 2020 Regents Award for Excellence in Philanthropy. Their award will be presented by Regent MaryLou Apple during Motlow State's biannual Foundation meeting on June 10, 2021.



BOARD TRANSMITTAL

MEETING: June 2021 Quarterly Board Meeting

SUBJECT: Revised 2015-25 Strategic Plan

DATE: June 18, 2021

PRESENTER: Russ Deaton

PRESENTATION REQUIREMENT: 15-30 minutes with discussion

ACTION REQUIRED: Vote

STAFF'S RECOMMENDATION: Approval

In December 2019, TBR began a mid-cycle review of its 2015-2025 Strategic Plan, a process that was paused for several months due to the COVID-19 pandemic. Once the process restarted in fall 2020, TBR staff continued engagement with a Steering Committee, which included representatives within and external to TBR, the Board itself, and numerous external partners from across education, industry, and philanthropy. The process culminates in the revised Strategic Plan, drafts of which have been discussed and shared with the Board previously, that will guide the Board's work through the duration of the 10-year cycle. The essence of the Plan is still Tennessee's long-standing goal to achieve 55 percent of its adult population with a postsecondary credential. The revised plan captures the evolving nature of TBR's mission and work, especially now that the governance changes wrought by the FOCUS Act of 2016 have taken root, as well as the fact that the effects of the pandemic are still shaping our system, colleges, students, faculty, and staff. The plan is presented as an interactive infographic to be housed on TBR's website.



TENNESSEE BOARD OF REGENTS
Quarterly Board Meeting
Committee on External Affairs
June 17, 2021

AGENDA

Members will be provided an update on the past quarter's activities and plans for the Office of External Affairs in Government Relations, Advancement, Marketing, and Campus Safety Security.

1. Government Relations (*Vice Chancellor Kim McCormick*)

An overview of the past quarter including a legislative update will be provided to the Committee. The first session of the 112th Tennessee General Assembly convened on January 9, 2021, and concluded on Wednesday, May 5, 2021. The Tennessee Board of Regents Office of External Affairs Government Relations Department continues to monitor legislation that may affect Tennessee public higher education.

2. Advancement (*Vice Chancellor Kim McCormick*)

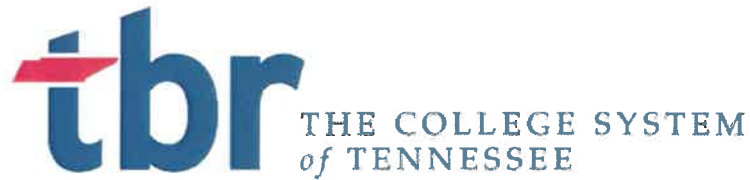
The Committee will be provided with an update of activities in the Strategic Advancement Department to include The Foundation.

3. Marketing (*Vice Chancellor Kim McCormick*)

A summary of the current and immediate future of media advertisement for the TBR System-wide will be shared.

4. Campus Safety and Security (*Vice Chancellor Kim McCormick*)

An update will be provided on the TBR Community College Chiefs, TBR Safety and Security Campus Assessments, and the Assistant Vice Chancellor for Campus Safety/TCAT Chief of Police.



BOARD TRANSMITTAL

MEETING: Committee on External Affairs

SUBJECT: Government Relations update

DATE: June 17, 2021

PRESENTER: Vice Chancellor Kim McCormick

PRESENTATION REQUIREMENTS: 10 minutes with discussion

ACTION REQUIRED: Informational Purposes

STAFF RECOMMENDATION: Not Applicable

The first session of the 112th Tennessee General Assembly convened January 9, 2021. Vice Chancellor McCormick will provide an up-to-date summary of the current legislative climate for state legislation affecting TBR and higher education.

The Tennessee Board of Regents Office of External Affairs Government Relations Department continues to monitor legislation that may affect Tennessee public higher education.

**Legislation Impacting
The College System of Tennessee, Its Member Institutions,
and Higher Education in Tennessee
*Public Acts of 2021***

Abstract/Effective Date	Public Chapter
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I. ACADEMICS AND WORKFORCE TRAINING

As enacted, requires applicants for a technician certificate of registration, master barber certificate of registration, barber instructor certificate of registration, cosmetologist license, manicuring license, cosmetology instructor license, aesthetician license, or natural hair styling license to obtain up to one hour of online or in-person training by a nonprofit on domestic violence.

[Public Chapter 117](#)

Effective upon becoming law (April 13, 2021) for rulemaking purposes. Otherwise effective January 1, 2022.

As enacted, requires persons working with certain electrical equipment to meet certain requirements; makes that electrical equipment subject to inspection by a state-certified electrical inspector; prohibits liability against certain electric systems arising from those persons working with that electrical equipment; requires that copies of the national standards be available for public viewing.

[Public Chapter 177](#)

Effective upon becoming law - April 20, 2021.

As enacted, authorizes unlicensed graduates and students of certain medical training programs to provide telehealth services as long as those graduates and students adhere to the same standards for the provision of telehealth services that licensed medical professionals must meet.

[Public Chapter 179](#)

Effective upon becoming law - April 20, 2021.

As enacted, requires each high school to designate an apprenticeship training program contact; requires the department of education to compile and publish a list of the apprenticeship program contacts.

[Public Chapter 206](#)

Effective as of July 1, 2021.

As enacted, directs the department to provide career and technical education opportunities for students in middle school; requires an LEA to provide students in seventh or eighth grade with information on available career and technical education programs upon administering a career aptitude assessment.

[Public Chapter 271](#)

Effective upon becoming law - April 30, 2021.

<p>As enacted, requires an LEA or public charter school to notify a student's parent or guardian prior to commencing instruction of a sexual orientation or gender identity curriculum; permits a parent or guardian to excuse the parent's or guardian's student from a sexual orientation or gender identity curriculum, and prohibits the LEA or charter school from penalizing an excused student.</p> <p><i>Effective upon becoming law - May 3, 2021.</i></p>	<p>Public Chapter 281</p>
<p>As enacted, requires the department to submit a report to the education administration committee and education instruction committee of the house on the high school graduation rate and to annually report on the state report card information related to state, LEA, and school level indicators of postsecondary readiness by graduating class.</p> <p><i>Effective upon becoming law - May 4, 2021.</i></p>	<p>Public Chapter 323</p>
<p>As enacted, authorizes a graduate nurse to engage in the practice of professional nursing without a license for a limited period of time if certain conditions are met.</p> <p><i>Effective upon becoming law - May 4, 2021.</i></p>	<p>Public Chapter 340</p>
<p>As enacted, revises provisions governing contraception information provided as part of instruction of the family life curriculum.</p> <p><i>Effective as of July 1, 2021.</i></p>	<p>Public Chapter 380</p>
<p>As enacted, authorizes counties to develop and operate transition centers pursuant to interlocal agreements; authorizes a transition center to partner with a nonprofit organization that provides programming designed to reduce recidivism.</p> <p><i>Effective as of January 1, 2022.</i></p>	<p>Public Chapter 390</p>
<p>As enacted, establishes provisions governing the practice of certified medical assistants.</p> <p><i>Effective upon becoming law - May 11, 2021.</i></p>	<p>Public Chapter 396</p>
<p>As enacted, enacts the "Tennessee Registered Apprenticeship Program Act."</p> <p><i>Effective upon becoming law - May 11, 2021.</i></p>	<p>Public Chapter 397</p>
<p>As enacted, enacts the "Reentry Success Act of 2021".</p> <p><i>Sections 2 through 4 are effective upon becoming law (May 12, 2021) for administrative purposes and otherwise effective on January 1, 2022. Sections 5 through 15 effective July 1, 2021. Section 18 effective upon becoming law (May 12, 2021) for rulemaking purposes and otherwise effective October 1, 2021. All other sections effective upon becoming law - May 12, 2021.</i></p>	<p>Public Chapter 410</p>
<p>As enacted, deletes several obsolete provisions and makes various substantive changes to education laws; establishes parameters for the teaching of certain concepts related to race and sex.</p> <p><i>Effective upon becoming law - May 25, 2021.</i></p>	<p>Public Chapter 493</p>

<p>As enacted, makes various changes affecting certain professional boards and professions, including court reporters, motor vehicle dealers, barbers, certain apprentices, scrap metal dealers, locksmiths, and other professions.</p> <p><i>Effective upon becoming law (May 26, 2021) for rulemaking purposes. Otherwise effective October 1, 2021.</i></p>	<p>Public Chapter 549</p>
<p>As enacted, enacts the "Tennessee Work Ready Opportunity Program."</p> <p><i>Effective upon becoming law - May 26, 2021.</i></p>	<p>Public Chapter 552</p>
<p>II. APPROPRIATIONS</p>	
<p>As enacted, requires each state agency to submit, on or before February 1 of each year, a report to members of the finance, ways and means committees summarizing amounts of federal block grants and purposes for which funds were expended, including any unexpended or returned portions.</p> <p><i>Effective upon becoming law - April 22, 2021.</i></p>	<p>Public Chapter 192</p>
<p>As enacted, makes appropriations for the fiscal years beginning July 1, 2020, and July 1, 2021.</p> <p><i>Effective as of July 1, 2021.</i></p>	<p>Public Chapter 454</p>
<p>As enacted, authorizes the state to issue and sell bonds of up to \$126 million.</p> <p><i>Effective upon becoming law - May 17, 2021.</i></p>	<p>Public Chapter 455</p>
<p>As enacted, establishes a sales tax holiday on food and food ingredients and on prepared food (excluding alcoholic beverages) from Friday, July 30, 2021, through Thursday, August 5, 2021; revises qualified work-based learning grant program provisions.</p> <p><i>Effective as of July 1, 2021.</i></p>	<p>Public Chapter 456</p>
<p>As enacted, authorizes the index of appropriations from state tax revenues for 2021-2022 fiscal year to exceed the index of estimated growth in the state's economy by \$431,600,000 or 2.37 percent.</p> <p><i>Effective upon becoming law - May 17, 2021.</i></p>	<p>Public Chapter 457</p>
<p>III. BUSINESS, HUMAN RESOURCES, & FACILITIES</p>	
<p>As enacted, authorizes the court of workers' compensation claims to award additional attorneys' fees and costs incurred when an employer wrongfully denies a claim or wrongfully fails to timely initiate benefits to which the employee or dependent is entitled for injuries that occur between July 1, 2021, and June 30, 2023.</p> <p><i>Effective as of July 1, 2021.</i></p>	<p>Public Chapter 152</p>

<p>As enacted, authorizes a department, institution, office, or agency of the state to enter into an agreement with a third party to collect state funds on its behalf under which the third party is permitted to deduct its service fee from the funds collected prior to deposit when such agreement is approved in accordance with present law governing procurement; requires the chief procurement officer to file an annual report listing such approved contracts with the chairs of the finance, ways and means committees of the house and senate.</p> <p><i>Effective upon becoming law - April 20, 2021.</i></p>	<p>Public Chapter 172</p>
<p>As enacted, authorizes a state department or agency to update signage on state property indicating accessibility for persons with disabilities within existing resources.</p> <p><i>Effective upon becoming law - April 20, 2021.</i></p>	<p>Public Chapter 173</p>
<p>As enacted, makes certain changes to the types of procurement contracts that are subject to review and approval by the comptroller of the treasury; alters the timing of such review and approval.</p> <p><i>Effective upon becoming law - April 22, 2021.</i></p>	<p>Public Chapter 193</p>
<p>As enacted, authorizes state agencies to contract with a licensed provider of child care services to offer child care services as an option for the agency's officers and employees.</p> <p><i>Effective upon becoming law - April 28, 2021.</i></p>	<p>Public Chapter 238</p>
<p>As enacted, clarifies that when members of the Tennessee Consolidated Retirement System elect to establish retirement service through monthly installments, the members can do so over the length of service being established.</p> <p><i>Effective upon becoming law - April 28, 2021.</i></p>	<p>Public Chapter 251</p>
<p>As enacted, revises provisions governing information to be filed by a plaintiff in an asbestos action; requires dismissal without prejudice of plaintiff's asbestos claim as to any defendant whose product or premises is not identified in the required information form; requires that plaintiff's asbestos claim be dismissed without prejudice if plaintiff fails to provide the required information.</p> <p><i>Effective as of July 1, 2021.</i></p>	<p>Public Chapter 265</p>
<p>As enacted, deletes the Paperwork Reduction and Simplification Act of 1976; redistributes the recordkeeping responsibilities for the state protest committee; revises other various provisions governing state contracts.</p> <p><i>Effective upon becoming law - May 3, 2021.</i></p>	<p>Public Chapter 279</p>
<p>As enacted, establishes state employment protections for members of the national guard, state guard, and civil air patrol called to active state duty equivalent to the federal Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) for members of the national guard called to federal active service.</p> <p><i>Effective as of July 1, 2021.</i></p>	<p>Public Chapter 284</p>

<p>As enacted, revises provisions governing statewide building construction safety standards.</p> <p><i>Effective upon becoming law (May 4, 2021) for local government administration purposes. Otherwise effective September 1, 2021.</i></p>	<p>Public Chapter 332</p>
<p>As enacted, prohibits a public institution of higher education in this state from hosting a Confucius Institute or accepting a gift from, or entering a contract with, a foreign source in certain circumstances; enacts other related provisions.</p> <p><i>Effective as of July 1, 2021.</i></p>	<p>Public Chapter 344</p>
<p>As enacted, prohibits members of the general assembly from bidding on, selling, or offering for sale any service to a state entity or to have a financial interest in the bidding, selling, or offering for sale of any service to a state entity; makes the prohibition applicable during the tenure of the member's office and for six months thereafter; creates certain exceptions; violation results in disqualification from holding certain offices; enacts other related provisions.</p> <p><i>Effective as of July 1, 2021.</i></p>	<p>Public Chapter 347</p>
<p>As enacted, authorizes an intercollegiate athlete at a four-year public or private institution of higher education located in this state, other than an institution of higher education governed by the board of regents of the state university and community college system, to earn compensation for the use of the athlete's name, image, or likeness under certain conditions.</p> <p><i>Effective as of January 1, 2022.</i></p>	<p>Public Chapter 400</p>
<p>As enacted, requires an insurer to include cost sharing amounts paid by the enrollee, or on behalf of the enrollee by another person, when calculating an enrollee's contribution to an applicable cost sharing requirement, in certain circumstances.</p> <p><i>Effective as of July 1, 2021.</i></p>	<p>Public Chapter 405</p>
<p>As enacted, increases from \$40 to \$50 the minimum amount that the state will match to an employee's optional retirement plan.</p> <p><i>Effective as of July 1, 2021.</i></p>	<p>Public Chapter 416</p>
<p>As enacted, revises provisions governing criminal history checks of certain persons who come in direct contact with school children or children in a child care program.</p> <p><i>Effective upon becoming law - May 12, 2021.</i></p>	<p>Public Chapter 417</p>
<p>As enacted, provides 36 hours of yearly leave for a state employee who is a veteran with a service-connected disability of 30 percent or more to be used to attend appointments related to the service-connected disability.</p> <p><i>Effective as of July 1, 2021.</i></p>	<p>Public Chapter 427</p>
<p>As enacted, requires that any state community colleges that are within the service area of Roane State Community College, located in Campbell County, and located within five miles of Interstate 75 be signed.</p> <p><i>Effective upon becoming law - May 13, 2021.</i></p>	<p>Public Chapter 438</p>

<p>As enacted, enacts the "Tennessee Accommodations for All Children Act."</p> <p><i>Effective as of July 1, 2021.</i></p>	<p>Public Chapter 452</p>
<p>As enacted, requires a public or private entity or business that operates a building or facility open to the general public to post a notice at the entrance of each public restroom of the entity's or business's policy of allowing a member of either biological sex to use any public restroom within the building or facility, if the entity or business maintains such a policy.</p> <p><i>Effective as of July 1, 2021.</i></p>	<p>Public Chapter 453</p>
<p>As enacted, ends the BEST college savings program that permitted tuition units to be purchased under a tuition contract; provides for the use, refund, or rollover to another college savings plan of all funds remaining under any tuition contract.</p> <p><i>Effective upon becoming law - May 18, 2021.</i></p>	<p>Public Chapter 469</p>
<p>As enacted, authorizes a nonprofit organization to conduct a bingo game as its annual event for purposes of the Tennessee Nonprofit Gaming Law.</p> <p><i>Effective as of July 1, 2021.</i></p>	<p>Public Chapter 473</p>
<p>As enacted, authorizes, from May 25, 2021, to July 1, 2023, law enforcement officers who have been retired for at least nine months from TCRS, from any superseded system administered by the state, or from any local retirement fund to accept employment as a law enforcement officer without loss or suspension of retirement benefits if certain conditions met.</p> <p><i>Effective upon becoming law - May 25, 2021.</i></p>	<p>Public Chapter 499</p>
<p>As enacted, adds provisions relative to COVID-19 response to authorize the commissioner of labor and workforce development to take certain actions in regard to unemployment compensation and to authorize the substitution of a copy of certain documentation in regard to transport by sheriff or transportation agent of a person for involuntary admission for mental health treatment.</p> <p><i>Effective upon becoming law (May 25, 2021) with Sections 1 and 2 terminating on July 1, 2022.</i></p>	<p>Public Chapter 538</p>
<p>As enacted, revises provisions governing benefits formula under the Tennessee Employment Security Law.</p> <p><i>Sections 1 and 2 effective December 1, 2023. All other sections effective upon becoming law - May 26, 2021.</i></p>	<p>Public Chapter 560</p>
<p>As enacted, clarifies that the fiscal review committee must be allowed to review noncompetitive procurement agreements; requires the chief procurement officer to report procurement contracts monthly to the fiscal review committee; revises provisions governing public employees accepting employment with respondent to a solicitation or contractor in certain situations; revises other provisions related to state contracts.</p> <p><i>Effective upon becoming law - May 26, 2021.</i></p>	<p>Public Chapter 562</p>

<p>As enacted, authorizes the treasurer to establish a length of service award program for eligible employers to participate in a deferred compensation plan for bona fide volunteers.</p> <p><i>Effective upon becoming law - May 27, 2021.</i></p>	<p>Public Chapter 594</p>
<p>IV. HEALTH & SAFETY</p>	
<p>As enacted, creates an exception to the offense of unlawful carrying of a firearm, if a person meets age requirements, lawfully possesses the handgun, and is in a place that the person is lawfully present; revises other firearm statutes.</p> <p><i>Effective as of July 1, 2021.</i></p>	<p>Public Chapter 108</p>
<p>As enacted, permits school child abuse coordinators, school teachers, school officials, and other school personnel to provide information relevant to suspected child abuse or child sexual abuse to the child's parents when required by federal law or regulation, the parent to whom the notification is made is not alleged to be the perpetrator or in any way complicit in the abuse or neglect, and the notification is done in conjunction with the department of children's services.</p> <p><i>Effective upon becoming law - April 20, 2021.</i></p>	<p>Public Chapter 161</p>
<p>As enacted, expands the type of equipment for which law enforcement agencies may exchange confiscated weapons to include any equipment suitable for use for legitimate law enforcement purposes.</p> <p><i>Effective as of July 1, 2021.</i></p>	<p>Public Chapter 166</p>
<p>As enacted, redefines "crisis intervention" and "crisis response services" for purposes of the privileged communications.</p> <p><i>Effective as of July 1, 2021.</i></p>	<p>Public Chapter 245</p>
<p>As enacted, adds certain cyber security-related information to the information that the state-level safety team must include in the template safety plan that LEAs must adopt as part of their comprehensive district-wide and building-level school safety plans.</p> <p><i>Effective upon becoming law (May 4, 2021) for administrative purposes. Otherwise effective as of July 1, 2021.</i></p>	<p>Public Chapter 335</p>
<p>As enacted, states that a law enforcement officer meeting certain qualifications who makes an arrest outside of the law enforcement officer's jurisdiction has the same legal status and immunity from suit as a state or local law enforcement officer making an arrest within the state or local law enforcement officer's jurisdiction if certain circumstances are met.</p> <p><i>Effective upon becoming law - May 4, 2021.</i></p>	<p>Public Chapter 336</p>
<p>As enacted, enacts the "Jim Coley Protection for Rape Survivors Act."</p> <p><i>Sections 6 and 10 effective upon becoming law - May 11, 2021. All other sections effective as of July 1, 2021.</i></p>	<p>Public Chapter 362</p>

<p>As enacted, requires schools, nursery schools, preschools, child care facilities, and public institutions of higher education to include information on immunization exemptions on any communications to students or parents regarding immunization requirements.</p> <p><i>Effective as of July 1, 2021.</i></p>	<p>Public Chapter 369</p>
<p>As enacted, creates the Class A misdemeanor of communicating a threat to commit an act of mass violence on school property or at a school-related activity; creates the Class B misdemeanor of knowing failure to report a threat of mass violence on school property or at a school-related activity.</p> <p><i>Effective as of July 1, 2021.</i></p>	<p>Public Chapter 395</p>
<p>As enacted, authorizes law enforcement officers, district attorneys general, and the attorney general to seek criminal process for the production of wire and electronic communications and transactional records pertaining to the communications; sets guidelines for the service of and compliance with the criminal process.</p> <p><i>Effective as of July 1, 2021.</i></p>	<p>Public Chapter 421</p>
<p>As enacted, enacts the "Tennessee Firearm Protection Act."</p> <p><i>Effective upon becoming law - May 13, 2021.</i></p>	<p>Public Chapter 444</p>
<p>As enacted, revises various provisions of the Freedom from Unwarranted Surveillance Act.</p> <p><i>Effective upon becoming law (May 18, 2021) with a termination date of July 1, 2024.</i></p>	<p>Public Chapter 462</p>
<p>As enacted, requires law enforcement agencies to develop certain policies regarding the use of force; prohibits magistrates from issuing no-knock warrants; establishes certain reporting requirements.</p> <p><i>Effective upon becoming law - May 18, 2021.</i></p>	<p>Public Chapter 489</p>
<p>As enacted, establishes certain restrictions on requiring persons to be vaccinated for the SARS-CoV-2 virus.</p> <p><i>Effective upon becoming law - May 25, 2021.</i></p>	<p>Public Chapter 513</p>
<p>As enacted, enacts the "Firearms Information Privacy Protection Act."</p> <p><i>Effective as of July 1, 2021.</i></p>	<p>Public Chapter 540</p>
<p>As enacted, repeals private acts enacting county boards of health or departments of health; requires commissioner of health to report information regarding certain quarantines to the joint government operations committee, the health committee of the house, and the health and welfare committee of the senate; limits the county health officer's quarantine power; prohibits state or local governmental official, entity, department, or agency requiring physical documentation or digital storage of protected health information related to an individual's immunization or vaccination against COVID-19 as a condition of entering upon the premises of a state or local government entity, or utilizing services provided by a state or local government entity.</p> <p><i>Effective upon becoming law - May 26, 2021.</i></p>	<p>Public Chapter 550</p>

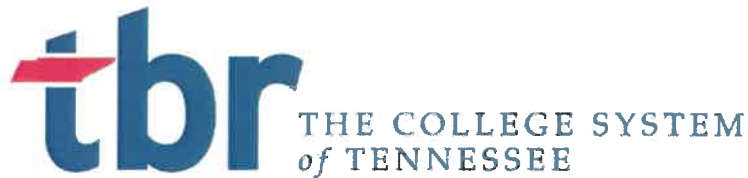
<p>As enacted, adds use of vapor products to the acts that are prohibited in enclosed public places under the Non-Smoker Protection Act; revises provision whereby a local government may prohibit smoking by a distance of up to 50 feet from a hospital's entrance unless the application of a 50-foot limit would place hospital patients in a potentially unsafe condition to make the provision mandatory instead of discretionary and to also apply to the use of vapor products.</p> <p><i>Effective as of July 1, 2021.</i></p>	<p>Public Chapter 551</p>
<p>As enacted, enacts the "Second Amendment Privacy and Protection Act of 2021,"</p> <p><i>Effective as of July 1, 2021.</i></p>	<p>Public Chapter 554</p>
<p>V. LEGAL/GOVERNANCE</p>	
<p>As enacted, prohibits state entities subject to review under the Tennessee Governmental Entity Review Law from promulgating rules or adopting policies to exempt members of such entities from rulemaking or policy requirements solely by virtue of their status as members.</p> <p><i>Effective upon becoming law - March 23, 2021.</i></p>	<p>Public Chapter 37</p>
<p>As enacted, extends the Tennessee council for career and technical education to June 30, 2026.</p> <p><i>Effective upon becoming law - March 29, 2021.</i></p>	<p>Public Chapter 45</p>
<p>As enacted, extends and expands provisions regarding the process of selecting persons to fill certain positions at a public institution of higher education in this state.</p> <p><i>Effective upon becoming law - April 7, 2021.</i></p>	<p>Public Chapter 92</p>
<p>As enacted, specifies that local boards of education and governing bodies of public charter schools, as applicable, have the sole authority to open or close schools during a public health emergency; authorizes the board or governing body to delegate that authority to the director of schools or school administrator, as applicable.</p> <p><i>Effective upon becoming law - April 7, 2021.</i></p>	<p>Public Chapter 96</p>
<p>As enacted, confers immunity from civil liability upon a teacher, principal, school employee, or school bus driver properly using reasonable force to correct or restrain a student or prevent bodily harm or death to another person.</p> <p><i>Effective as of July 1, 2021.</i></p>	<p>Public Chapter 188</p>
<p>As enacted, authorizes, from April 28, 2021, to July 1, 2025, a records custodian to petition a court to enjoin a person who makes a request to view or copy a public record with the intent to disrupt government operations from making records requests.</p> <p><i>Effective upon becoming law - April 28, 2021.</i></p>	<p>Public Chapter 242</p>

<p>As enacted, changes the attorney general and reporter's review of an emergency rule, from not disapproving solely on the basis of failure to meet statutory criteria to requiring that the attorney general not approve an emergency rule that does not meet statutory criteria for adoption.</p> <p><i>Effective as of July 1, 2021.</i></p>	<p>Public Chapter 291</p>
<p>As enacted, requires a department with rules promulgated and published on the secretary of state's website or with an administratively attached agency with rules so promulgated and published to submit, by December 1, 2023, and every eight years thereafter, a report of the department's chapters in effect as of July 1 of the year that the report is due to the chairs of the house and senate government operations committees.</p> <p><i>Effective as of July 1, 2021.</i></p>	<p>Public Chapter 328</p>
<p>As enacted, changes the notice requirement for meetings conducted under the Tennessee Governmental Entity Review Law, from 10 days prior to the hearing in newspapers of general circulation to seven days prior to such hearing on the general assembly website.</p> <p><i>Effective as of July 1, 2021.</i></p>	<p>Public Chapter 404</p>
<p>As enacted, enacts the "Personal Privacy Protection Act."</p> <p><i>Effective as of October 1, 2021.</i></p>	<p>Public Chapter 516</p>
<p>As enacted, limits an administrative agency's authority to promulgate rules without a public hearing.</p> <p><i>Effective as of July 1, 2021.</i></p>	<p>Public Chapter 531</p>
<p>As enacted, increases from 75 to 90 days that amount of time for which the house or senate government operations committee may stay a rule; authorizes additional 90-day stays by committees acting jointly in certain circumstances.</p> <p><i>Effective upon becoming law - May 25, 2021.</i></p>	<p>Public Chapter 532</p>
<p>As enacted, enacts the "Tennessee Second Amendment Sanctuary Act."</p> <p><i>Effective upon becoming law - May 26, 2021.</i></p>	<p>Public Chapter 553</p>
<p>As enacted, revises provisions regarding confidentiality of certain information in records of person arrested or charged but not convicted of an offense and information in accident reports.</p> <p><i>Effective upon becoming law - May 26, 2021.</i></p>	<p>Public Chapter 555</p>
<p>As enacted, transfers all powers and duties regarding the Tennessee Sports Gaming Act to the sports wagering advisory council.</p> <p><i>Effective upon becoming law (May 27, 2021) for rulemaking and administrative purposes. Otherwise effective as of January 1, 2022.</i></p>	<p>Public Chapter 593</p>

VI. SCHOLARSHIPS & FINANCIAL AID

<p>As enacted, declares an act of the general assembly enacted after January 1, 2021, that mandates a discount or waiver of the tuition or fees charged at public institutions of higher education unenforceable against an institution affected by the act unless the general assembly annually appropriates a sum sufficient to fully fund the discount or waiver program at the institution; requires each public institution of higher education to report certain information concerning discount and waiver programs.</p> <p><i>Effective upon becoming law - April 13, 2021.</i></p>	<p>Public Chapter 120</p>
<p>As enacted, extends eligibility for tuition reimbursement provided to members of the Tennessee national guard under the STRONG Act of 2017 to include technical certificates and diplomas and certain graduate programs; extends, from June 30, 2021, to June 30, 2025, the date on which the act will be repealed.</p> <p><i>Section 6 effective upon bill becoming law (April 22, 2021). First five sections effective as of July 1, 2021.</i></p>	<p>Public Chapter 216</p>
<p>As enacted, revises various provisions of the helping heroes grants.</p> <p><i>Effective as of July 1, 2021.</i></p>	<p>Public Chapter 368</p>
<p>As enacted, adds William R. Moore College of Technology as an eligible institution for receipt of dual enrollment grants.</p> <p><i>Effective as of July 1, 2021.</i></p>	<p>Public Chapter 392</p>
<p>As enacted, removes the requirement that a home school student must be enrolled as a home school student for a full year to be eligible for certain state lottery scholarships; adds those who complete six credit hours of dual enrollment courses to be eligible for the Tennessee HOPE scholarship.</p> <p><i>Effective as of July 1, 2021.</i></p>	<p>Public Chapter 467</p>
<p>As enacted, enacts the "Students Right to Know Act."</p> <p><i>Effective as of July 1, 2022.</i></p>	<p>Public Chapter 507</p>
<p>As enacted, requires the commission to establish a four-year pilot program to award completion grants to Tennessee Promise scholarship students who have an immediate financial need or who are experiencing a financial hardship that may prevent the student from completing a postsecondary degree or credential.</p> <p><i>Effective upon becoming law - May 25, 2021.</i></p>	<p>Public Chapter 512</p>
<p>As enacted, increases from \$1,000 to \$1,250 the amount awarded each semester to a full-time student receiving the middle college scholarship.</p> <p><i>Effective upon becoming law - May 25, 2021. First applies to 2021/22 academic year.</i></p>	<p>Public Chapter 529</p>

<p>As enacted, clarifies that the dual enrollment program will award the in-state tuition and mandatory fees cost up to a maximum amount for the first four courses taken and makes other related changes.</p> <p><i>Effective as of January 1, 2022.</i></p>	<p>Public Chapter 536</p>
<p>VII. STUDENT SERVICES</p>	
<p>As enacted, designates certain licensing periods as provisional licensing periods; requires the department to establish and implement a quality assessment and rating system to evaluate child care agencies; makes various other changes relative to licensing of child care agencies.</p> <p><i>Effective upon becoming law (May 3, 2021) for rulemaking purposes. Otherwise effective July 1, 2021.</i></p>	<p>Public Chapter 280</p>
<p>As enacted, requires the commissioner of human services to designate a specific departmental staff person to serve, in addition to the staff person's other duties, as a liaison to provide an official, uniform message to child care providers, community stakeholders, department child care staff, and partner agencies, using all appropriate channels of communication.</p> <p><i>Effective upon becoming law - May 12, 2021.</i></p>	<p>Public Chapter 406</p>
<p>As enacted, authorizes the department to utilize an enrollment-based child care subsidy payments program that complies with all applicable federal funding requirements and legal authority and that seeks to provide adequate, stable payments to providers of child care services by establishing effective payment practices based upon accurate time and attendance systems.</p> <p><i>Effective upon becoming law - May 18, 2021.</i></p>	<p>Public Chapter 484</p>
<p>As enacted, requires the department, working jointly with the higher education commission, the board of regents, and public institutions of higher education, to establish a foster care youth outreach pilot program at a minimum of five public institutions of higher education.</p> <p><i>Effective upon becoming law - May 26, 2021.</i></p>	<p>Public Chapter 547</p>



BOARD TRANSMITTAL

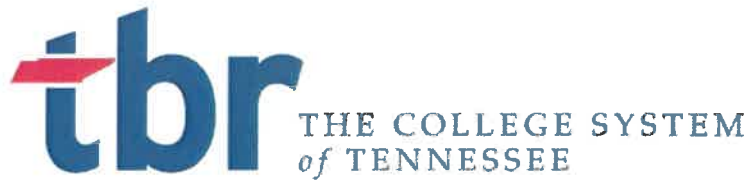
MEETING:	Committee on External Affairs
SUBJECT:	Advancement Update
DATE:	June 17, 2021
PRESENTER:	Vice Chancellor Kim McCormick
PRESENTATION REQUIREMENTS:	5 minutes with discussion
ACTION REQUIRED:	Informational Purposes
STAFF RECOMMENDATION:	Not Applicable

The Committee will be provided with an update of activities in the Strategic Advancement Department to include the Foundation.

- Cummins has recently met with officials at McGavock High School in Nashville and TCAT Nashville as well as the STEM Academy at East High School in Memphis and TCAT Memphis regarding their Technical Education in Communities (TEC) program. Cummins is planning to make announcements in Memphis on September 21 and in Nashville on September 22. Cummins hopes to expand this statewide in the future.
- The Foundation has raised \$22,700 in donations had been received through online giving since it started in November 2020. A total of \$11,605 had been collected for TCAT Online Giving Day (May 5). TCAT Knoxville had raised \$8,500 of this total.

Scholarship Updates

- ***Sam H. Odom Scholarship*** – Distributed 34 scholarships totaling \$34K in Fall 2020 and Spring 2021.
- ***James Berdet Brown Scholarship*** – Distributed 20 scholarships totaling \$6,000.
- ***Dr. Allana Hamilton Memorial Scholarship*** – Received a total \$40,100 to date, which included \$25K from the Ayers Foundation, \$1,130 in personal checks and \$2,500 in pledges.



BOARD TRANSMITTAL

MEETING: Committee on External Affairs

SUBJECT: Marketing Update

DATE: June 17, 2021

PRESENTER: Vice Chancellor Kim McCormick

PRESENTATION REQUIREMENTS: 5 minutes with discussion

ACTION REQUIRED: Informational Purposes

STAFF RECOMMENDATION: Not Applicable

The Committee will receive an overview of marketing strategies that span the next several months and into the fall. The purpose of these strategies is to raise awareness of TBR colleges to assist campuses with enrollment strategies. These marketing efforts take into account the uncertainty that the COVID-19 pandemic has caused in many families when making decisions on education as well as communicating to the public TBR colleges are an essential gear in Tennessee's economic engine.



BOARD TRANSMITTAL

MEETING:	Committee on External Affairs
SUBJECT:	Campus Safety and Security
DATE:	June 17, 2021
PRESENTER:	Vice Chancellor Kim McCormick
PRESENTATION REQUIREMENTS:	5 minutes with discussion
ACTION REQUIRED:	Informational Purposes
STAFF RECOMMENDATION:	Not Applicable

Vice Chancellor McCormick will provide an update on TBR Campus Safety and Security initiatives. The Community College Police Chiefs continue to meet virtually every month. These meetings fulfill System concerns of happenings, support, and provide training topics every month. Status of the THEC and Department of Homeland Security campus tours for Safety and Security Assessments will be provided. Dr. McCormick will also give an update on the Associate Vice Chancellor for TBR Campus Safety/TCAT Police Chief position.



Tennessee Board of Regents
Committee on Finance and Business Operations
June 17, 2021

AGENDA

- 1. MINUTES OF THE JUNE 11, 2021 SPECIAL CALLED MEETING OF THE FINANCE AND BUSINESS OPERATIONS COMMITTEE THAT INCLUDES CONSIDERATION OF APPROVAL OF STAFF RECOMMENDATION FOR MAINTENANCE FEES, MANDATORY FEES AND NON-MANDATORY FEES FOR ACADEMIC YEAR 2021-2022** (*Vice Chancellor Danny Gibbs*)

Minutes from the June 11, 2021 special called meeting will be distributed in advance of the meeting.

- 2. CONSIDERATION FOR APPROVAL OF FUNDING FOR OPERATIONS FOR THE 2021-2022 FISCAL YEAR AND APPROVAL OF THE FINALIZED (estimated) BUDGETS FOR THE 2020-2021 FISCAL YEAR** (*Vice Chancellor Danny Gibbs*)

Under Board policy, the original budget for each fiscal year is known as the ***Proposed Budget*** and is prepared in the spring of each year. This budget is based on the level of state funds recommended in the Governor's proposed budget as well as early estimates of factors such as enrollment growth, and availability of federal funds. The ***Proposed Budget*** is normally submitted to the Board for approval at the June Board meeting.

The final budget submitted for each fiscal year is the ***Estimated Budget***. It includes final adjustments to the current year budget and is the budget against which final year-end actual amounts are compared. It is prepared, submitted, and considered by the Board at the same time as the ***Proposed Budget*** for the upcoming fiscal year.

Regarding the LGI's budgets, the FOCUS Act requires that to ensure the ability to satisfy both contractual obligations to the Tennessee State School Bond Authority and obligations to that authority's bondholders, the Tennessee Board of Regents shall have authority over, and shall give final approval to, the operating budget of each LGI.

The purpose of this agenda item is to consider for approval both the recommended ***Estimated Budgets*** for FY 2020-21 and the recommended ***Proposed Budgets*** for FY 2021-22. As part of approval of the Proposed Budgets for FY 2021-22, staff recommends that the Board authorize the Chancellor to take actions necessary to implement the approved budgets.

3. CONSIDERATION FOR APPROVAL OF THE CAPITAL BUDGET REQUESTS FOR THE 2022-23 FISCAL YEAR (*Executive Director Dick Tracy*)

The Committee will consider approval of the Capital Maintenance Budget Request for fiscal year 2022-23. Detailed information will be distributed to Committee members in advance of the meeting.

4. NEW TBR POLICY 7.04.00.00 PARKING AND TRAFFIC (*General Counsel Brian Lapps*)

As previously explained, TBR needs to implement draft Rule 0240-01-06, Traffic and Parking (the “Rule”) for legal compliance reasons. This new policy implements the Rule.

The Board must consider all comments received from the public at the June 15, 2021, Rulemaking Hearing and any written comments submitted in advance of the Rulemaking Hearing. As of June 2, 2021, TBR had received one written comment suggesting (1) that the nature of the maximum fines be explicit and (2) for purposes of transparency and open government, that the Board consider the amount of institutional fines following a chance for public comment. Those revisions are included in the attached version of the policy. If more comments are received at the Rulemaking Hearing, the Board may make changes to the draft Rule based on those comments, and the final version of this policy may need to be revised to be consistent with the Rule.

Unless decided otherwise by the Board, a vote to approve this policy:

- (1) Is contingent on the Board approving the Rule;
- (2) Delegates to General Counsel the authority to make changes to this policy to conform to the final version of Rule as approved by the Board; and
- (3) Includes an effective date that is simultaneous with the effective date of the Rule.

REPORT OF THE COMMITTEE ON FINANCE AND BUSINESS OPERATIONS

JUNE 11, 2021

The Committee on Finance and Business Operations met via Microsoft TEAMS on June 11, 2021.

Vice Chair Duckett opened the meeting stating that the necessity to meet electronically on this date was because the materials were not available for the Committee Chairs meeting date of June 1, 2021. It was not practical to wait until the Board meetings on June 17 and 18, 2021 to discuss the matters on today's agenda because it is important that institutions have as much time as possible to implement the decisions required by today's agenda. It was not feasible to bring together the Committee members in person, given the relatively short nature of this meeting and the disruption to their schedules to travel to meet in person.

A motion was made by Regent Hatch and a second was provided by Regent White to meet electronically. A roll call vote was taken and the motion passed.

Next, Chair Duckett asked Secretary Mason to call the roll. A quorum was present and while calling the roll, members responded that they could all hear and speak with others in the meeting; and, that no one else was in the room with them.

The first and only item of business brought before the Committee was review and consideration of Maintenance Fees, Mandatory Fees, and Non-Mandatory Fees

for FY 2021-22. Vice Chancellor Gibbs presented an overview of the material which was previously provided to the Committee members regarding changes in tuition, maintenance fees, mandatory and nonmandatory fees for fiscal year 2021-22. A motion was made by Regent White and seconded by Regent Hatch to approve the recommendations as presented. The recommendations were approved as presented by roll call vote. A copy of staff's recommendation is attached to the minutes as Attachment A.

There being no further business to come before the Committee, the meeting was adjourned.

Respectfully submitted

COMMITTEE ON FINANCE
AND BUSINESS OPERATIONS

Gregory Duckett, Chair



THE COLLEGE SYSTEM
of TENNESSEE

Committee on Finance & Business Operations
June 11, 2021

Action Items

Consideration of Recommended Actions for Maintenance Fees, Tuition, Mandatory Fees, and Non-mandatory Fee Rates for AY 2021-22

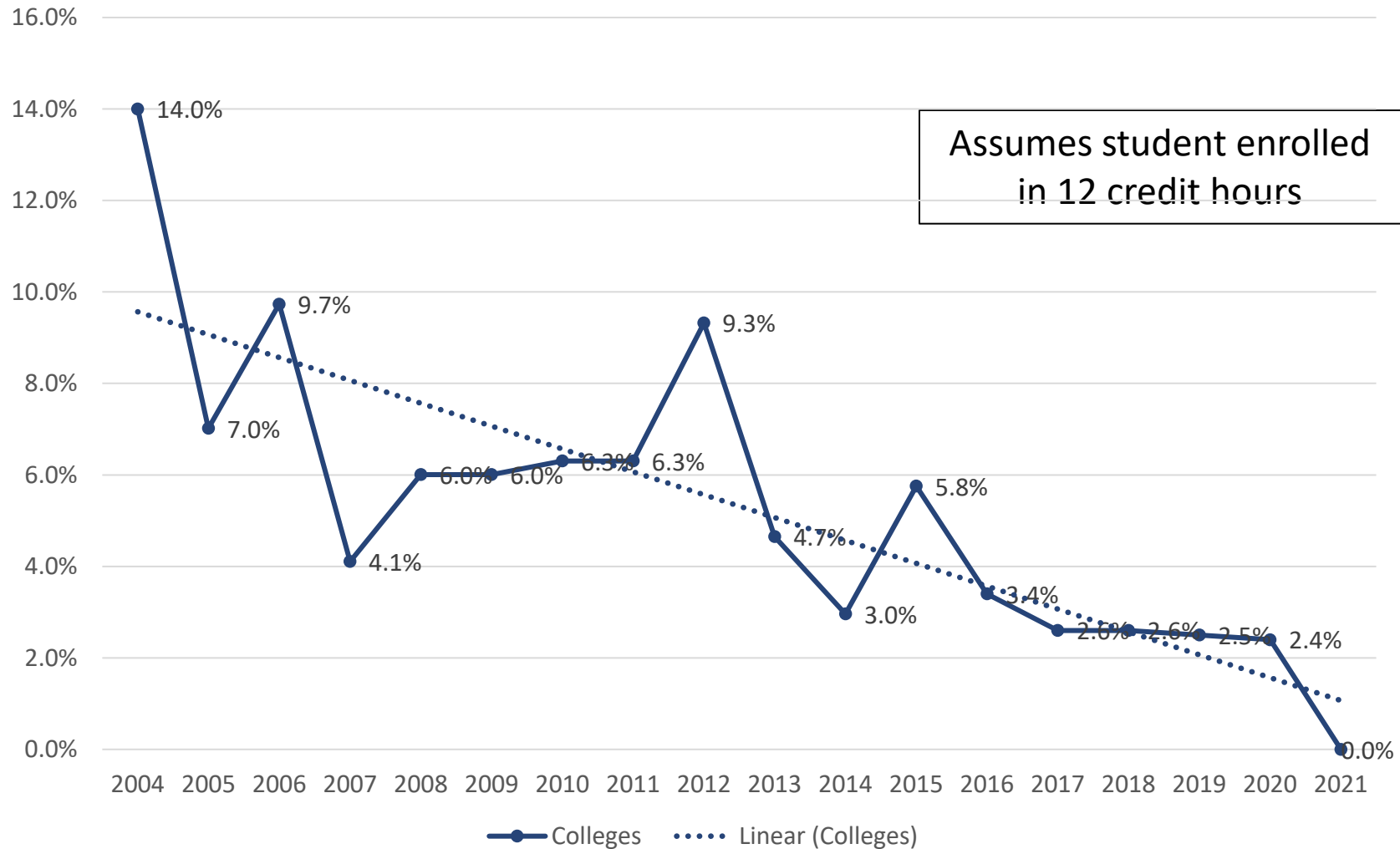
General Financial Environment

- Fiscal Year 20-21 tuition and fee revenue estimated to decline approximately \$40 million because of COVID disruptions. Fall enrollment down 12%. Spring enrollment down 14%.
- Most schools are anticipating near flat enrollment for Fall 2021.
- CARES Act funding mitigated the impact of the enrollment decline on revenue on a nonrecurring basis.
- Governor's budget includes funding of operating outcomes improvements – additional \$36.0 million (\$14.6 million for TBR colleges and TCATS).
- Additional \$54 million direct investment into the TCATS
- Additionally, Higher Education received partial funding for a 2.0% salary increase as of January 2021 and an additional 2.0% salary increase as of July 2021 (\$13.6 million for TBR)
- Received \$1.0 million non-recurring for Mechatronics
- TBR received \$3,630,000 in nonrecurring funding for equipment for the TCAT Morristown building.
- Capital Outlay includes funding for the Columbia State Williamson County Arts and Technology Building for \$26.98 million and \$42.4 million for a new TCAT Shelbyville campus.
- \$1.7 million non-recurring to Roane State Community College for the Cumberland County Science Lab project and \$1.0 million non-recurring to Roane State Community College for planning funds for their Knox County Health Sciences campus
- Correctional Education Investment Initiative - \$872,000 (\$222,000 recurring and \$650,000 non-recurring)
- Competency-Based Education Capacity at the community colleges \$750,000 (\$400,000 recurring and \$350,000 non-recurring)
- Capital Maintenance \$30.8 million

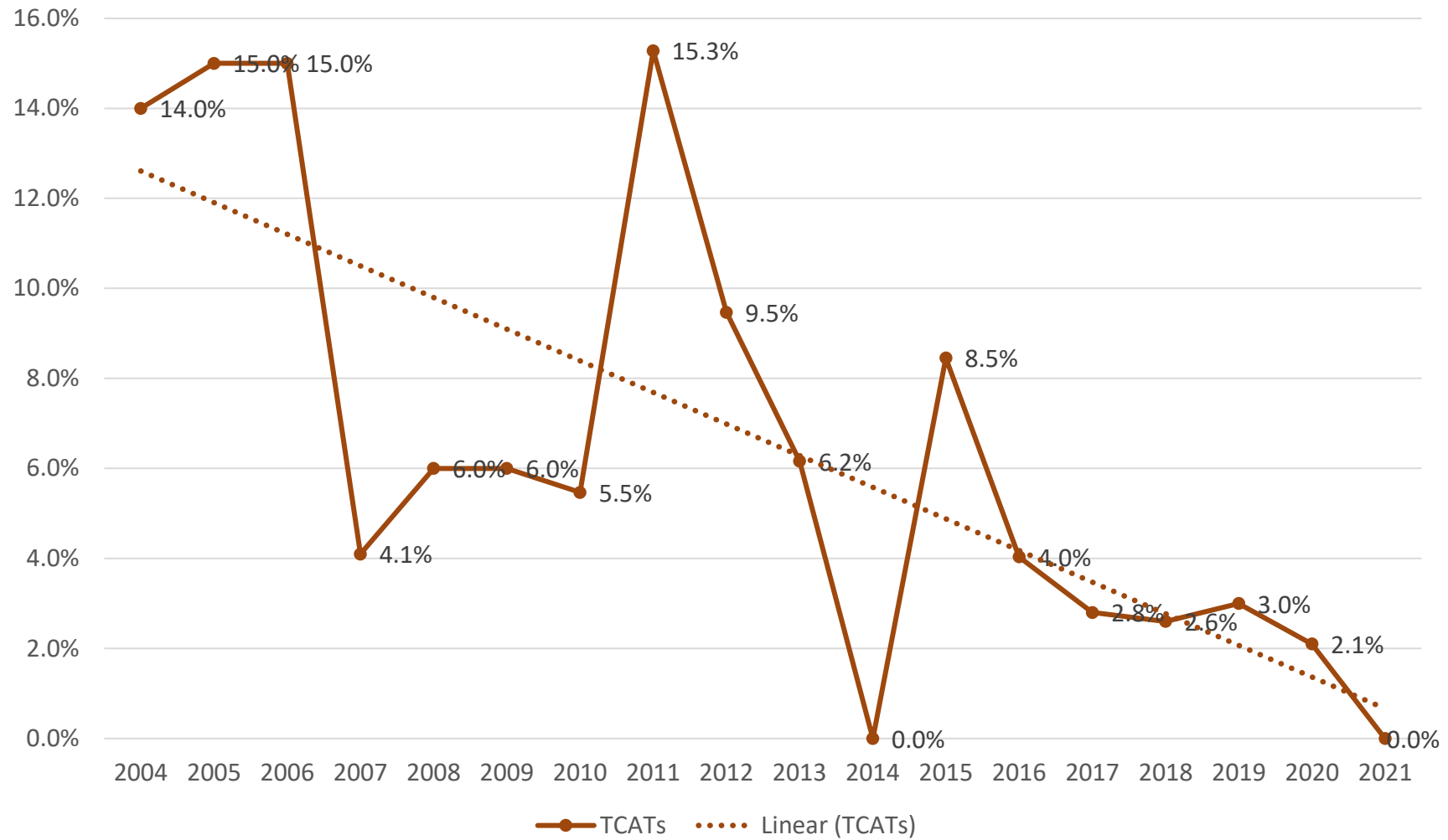
Combined Maintenance & Mandatory Fees Rate Changes FY 2011-12 to FY 2020-21

	2011-12		2020-21		Cumulative Increase Since FY 2011-12		Average Change Per Year
	% Increase	Fees	% Increase	Fees	%	Amount	
CHSCC	9.1%	3,411	0.0%	4,358	28%	947	2.8%
CLSCC	8.5%	3,365	0.0%	4,338	29%	973	2.9%
COSCC	8.9%	3,367	0.0%	4,372	30%	1,005	2.9%
DSCC	8.8%	3,377	0.0%	4,338	28%	961	2.8%
JSCC	9.3%	3,373	0.0%	4,324	28%	951	2.8%
MSCC	8.6%	3,372	0.0%	4,344	29%	972	2.9%
NASCC	8.6%	3,321	0.0%	4,294	29%	973	2.9%
NESCC	8.5%	3,377	0.0%	4,350	29%	973	2.9%
PSCC	9.1%	3,413	0.0%	4,378	28%	965	2.8%
RSCC	8.6%	3,381	0.0%	4,342	28%	961	2.8%
STCC	8.8%	3,391	0.0%	4,358	29%	967	2.8%
VSCC	8.6%	3,363	0.0%	4,332	29%	969	2.9%
WSCC	8.8%	3,375	0.0%	4,327	28%	952	2.8%
TCATs	8.8%	2,975	0.0%	3,936	32%	961	3.2%

College's Maintenance Fee History



TCATs Maintenance Fee History



THEC Tuition and Mandatory Fee Guidance

On May 21, 2021, THEC adopted the following binding tuition guidance for Tennessee's public higher education institutions.

- 0% to 2.0% Tuition and mandatory fee range for Universities, Community Colleges, and TCATs

Mandatory Fee Requests

FY 2021-22 Mandatory Fee Requests

	Institution	Description	Current	Proposed	Increase	Annual Revenue Generated
1	NASCC	Establish a Student Activity fee	\$ -	2/headcount	2/headcount	\$ 29,800
2	NASCC	Establish a Student Government fee	\$ -	1/headcount	1/headcount	\$ 14,900
3	PSCC	Establish a Student Activity fee	\$ -	3/headcount	3/headcount	\$ 72,100
	Total					\$ 116,800

Mandatory Fee Requests - NASCC

Request: Establish a Student Activity Fee of \$2.00/sem/headcount.

Student Exposure: The SGA held a student vote on December 7, 2020. A majority of students voting approved the new fee.

Prior Revisions of Fee: None

Annual Revenue Generated by Proposal: \$29,800

Rationale for Why Fee Adjustment is Needed: The new fee will provide funding to allow for travel and professional development for students, provide funds for better quality programming for student campus events and provide funds for student activity programs such as FallFest, SpringFling, SouthernWord, and Student Appreciation events.

For the courses to which this fee will apply, how many credit hours does a typical student enroll in in one semester: N/A

For the courses to which this fee will apply, what is the total headcount enrollment and total credit hour enrollment for a typical semester: N/A

How did you determine the amount of the fee adjustment and how does it relate to the cost of the activity it will fund?

Student Government Association initiated this request to improve campus life for students. A list of student activities and related costs was compiled. Next fees being charged at other TBR community college was reviewed. Based on reviewing and comparing the data, the student body determined that a \$5 student activity fee would be appropriate. The student body voted and approved the \$5 fee. However, due to the way THEC calculates the fee increase for compliance with a 2% ceiling, we can only request \$2.

Mandatory Fee Requests - NASCC

Request: Establish a Student Government Fee of \$1.00/sem/headcount.

Student Exposure: The SGA held a student vote on December 7, 2020. A majority of students voting approved the new fee.

Prior Revisions of Fee: None

Annual Revenue Generated by Proposal: \$14,900

Rationale for Why Fee Adjustment is Needed: This new fee will provide funding for student clubs and organizations to support club activities and student travel and other programs and events.

For the courses to which this fee will apply, how many credit hours does a typical student enroll in in one semester: N/A

For the courses to which this fee will apply, what is the total headcount enrollment and total credit hour enrollment for a typical semester: N/A

How did you determine the amount of the fee adjustment and how does it relate to the cost of the activity it will fund?

Student Government Association initiated this request to provide funding for student government activities. A list of activities and related costs was compiled. Next fees being charged at other TBR community college was reviewed. Based on reviewing and comparing the data, the student body determined that a \$5 student government fee would be appropriate. The student body voted and approved the \$5 fee. However, due to the way THEC calculates the fee increase for compliance with a 2% ceiling, we can only request \$1.

Mandatory Fee Requests - PSCC

Request: Establish a Student Activity Fee of \$3.00/sem.

Student Exposure: Students across the college were asked to vote in a fee referendum during Fall 2019. The referendum was first introduced to students during Welcome Week in September 2019. Advertising and marketing for the vote went on during the semester until the voting period went live on November 18, 2019 and lasted until December 3, 2019. Student Government Association members and Student Activity Board members engaged students through campus activities and social media campaigns at each campus location during the voting period. As a result of the affirmative vote of 53% of the student body, the Student Government Association passed a bill in support of a new student activity fee on December 5, 2019. Students participating in the vote were 1,020; 544 of which voted yes.

Prior Revisions of Fee: None

Annual Revenue Generated by Proposal: \$72,100

Rationale for Why Fee Adjustment is Needed: Pellissippi State has been using a nominal SGA fee to fund student activities opportunities through our Student Engagement and Leadership Office. This \$4 fee funds all activities and extracurricular programming that occur across all five campuses. In order to provide broad opportunity for students to participate in high quality engagement and developmentally appropriate co-curricular opportunities, we must have funding that will meet these needs for our 10,000+ student body. Currently, our budget is not healthy enough to provide students with access to leadership or professional organization conferences, co-curricular travel, online engagement platform for online students, or expert speakers that may enrich and intertwine the classroom and extracurricular learning environment at the college. Such programming opportunities will move the college onward in its mission to provide a transformational, holistic educational experience for our students.

Mandatory Fee Requests – PSCC (cont)

For the courses to which this fee will apply, how many credit hours does a typical student enroll in in one semester: N/A

For the courses to which this fee will apply, what is the total headcount enrollment and total credit hour enrollment for a typical semester: N/A

How did you determine the amount of the fee adjustment and how does it relate to the cost of the activity it will fund? Students were polled over four semesters to determine the fee amount. The poll questions were generated by researching and comparing student activities fees and student government fees across TBR institutions. The

student activity fee will help support student activities, club activities, including but not limited to cultural and performing arts, collaborations with clubs, faculty, and service learning. It will increase the amount of student programming and engagement opportunities which promote personal growth, a sense of respect and social awareness, and intellectual development.

Non-mandatory Fee Requests

FY 2021-22 Non-mandatory Fee Requests

	Institution	Description	Current	Proposed	Increase	Annual Revenue Generated
1	PSCC	Reduce Specialized Academic Course fee for Culinary Arts	725/credit hr	150/credit hr	(575)/credit hr	\$ 94,500
2	VSCC	Eliminate Specialized Academic Course fee for Fire Science program	\$25/credit or audit hr	\$ -	(25)/credit or audit hr	\$ (23,000)
3	All community colleges	Suspend campus online fees for one year	10/credit hr to 25% of maint fees	Suspend for one year	Suspend for one year	\$ (2,640,000)
	Total					\$ (2,568,500)

Nonmandatory Fee Requests - PSCC

Request: Reduce the Culinary Arts Specialized Academic Course fee from \$725/credit hour to \$150/credit hour.

Prior Revisions of Fee: None

Annual Revenue Generated by Proposal: \$94,500

Rationale for Why Fee Adjustment is Needed:

Pellissippi State Community College previously contracted with The University of Tennessee to provide a culinary kitchen, three instructors, and all food and ingredients necessary for the cooking and food service related to culinary arts courses.

Pellissippi State Community College no longer contracts for those services. The reduction in per credit hour fee reflects costs now absorbed by PSCC in the form of facilities and instructor costs. The per credit hour fee now includes only student protective gear, food, ingredients, and individual student specific tools. The culinary arts curriculum includes an additional three-hour course (catering) which increases the total credit hours to which this fee applies (from 18 to 21 hours).

Nonmandatory Fee Requests – PSCC (cont)

For the courses to which this fee will apply, how many credit hours does a typical student enroll in in one semester: A typical student enrolls in six credit hours in one semester.

For the courses to which this fee will apply, what is the total headcount enrollment and total credit hour enrollment for a typical semester: A typical semester will have 60 unduplicated students with 315 credit hour total enrollment in culinary courses subject to the fee. These numbers are based on pre-Covid semesters (example of a typical semester with a cohort of 20 incoming culinary students - projected to include the full program of classes offered in a typical semester).

How did you determine the amount of the fee adjustment and how does it relate to the cost of the activity it will fund? The fee was calculated based on actual per student program costs for the items covered by the fee during the Spring 2019 and Fall 2020 academic semesters. Facility costs, maintenance, and instructor costs were specifically excluded from the calculation. Only costs related to student protective gear, food, ingredients, and individual student specific tools were included. This fee does not include the cost of textbooks or similar materials.

Nonmandatory Fee Requests - VSCC

Request: Eliminate the Fire Program Specialized Academic Course fee of \$25/credit or audit hr.

Prior Revisions of Fee: None

Annual Revenue Generated by Proposal: (\$23,000)

Rationale for Why Fee Adjustment is Needed: The Fire Science program is housed in the Health Sciences division at VSCC. The fee was imposed because Health Sciences programs are very expensive to deliver. Having had two years of experience charging this fee, it has now been observed that this program is an outlier among the academic division. The program does not have unusual academic costs, and therefore, the faculty and dean believe this fee should be eliminated.

For the courses to which this fee will apply, how many credit hours does a typical student enroll in in one semester: N/A

For the courses to which this fee will apply, what is the total headcount enrollment and total credit hour enrollment for a typical semester: N/A

How did you determine the amount of the fee adjustment and how does it relate to the cost of the activity it will fund? N/A

Nonmandatory Fee Requests – All Community Colleges

Request: Suspend the campus online course fees for one year at the seven schools that currently assess the fee (Chattanooga, Cleveland, Columbia, Dyersburg, Jackson, Roane, Walters)

Prior Revisions of Fee: Varies

Annual Revenue Generated by Proposal:
(\$2,640,000)

Rationale for Why Fee Adjustment is Needed: The COVID19 pandemic has driven many students who would normally attend on-ground courses to online courses for safety reasons. Suspension of the fee will remove a financial barrier for students opting to take online courses during the pandemic.

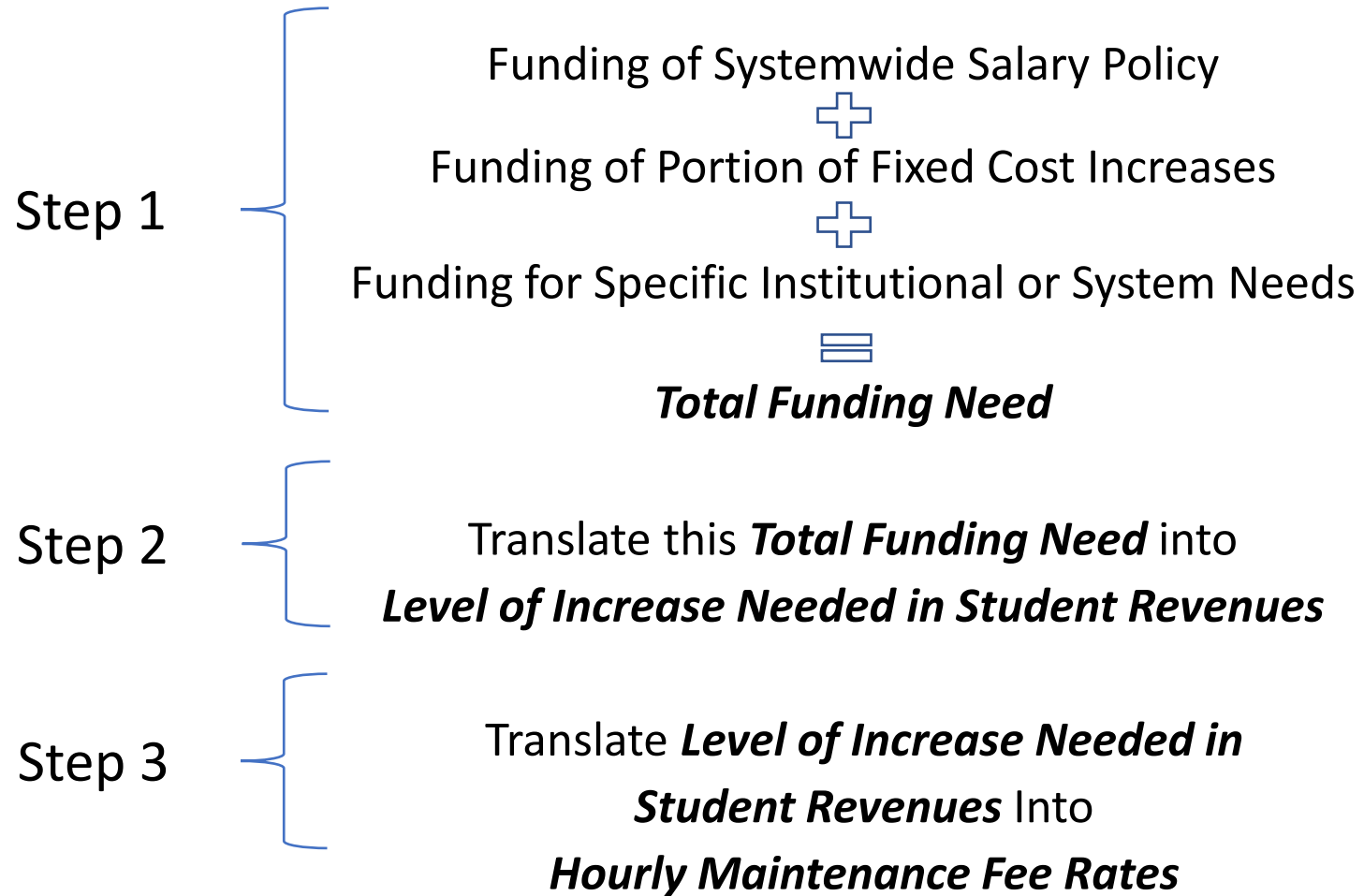
For the courses to which this fee will apply, how many credit hours does a typical student enroll in in one semester: N/A

For the courses to which this fee will apply, what is the total headcount enrollment and total credit hour enrollment for a typical semester: N/A

How did you determine the amount of the fee adjustment and how does it relate to the cost of the activity it will fund? N/A

Tuition Recommendations

Decision Framework



2%+2% Salary Increase Cost vs. State Appropriation

	Salary Funding In Budget	Cost of Salary Inc	Unfunded Portion	Tuition Inc Needed for Salary Inc
CHSCC	\$ 1,192,200	\$ 1,775,800	\$ (583,600)	2.3%
CLSCC	418,700	623,700	(205,000)	2.0%
COSCC	560,000	834,100	(274,100)	1.5%
DSCC	352,800	525,400	(172,600)	2.1%
JSCC	479,300	713,900	(234,600)	1.8%
MSCC	719,600	1,071,800	(352,200)	1.8%
NASCC	892,400	1,329,100	(436,700)	2.0%
NE SCC	691,200	1,029,500	(338,300)	2.1%
PSCC	1,349,900	2,010,500	(660,600)	2.1%
RSCC	831,500	1,238,400	(406,900)	2.5%
STCC	1,137,000	1,693,300	(556,300)	2.4%
VSCC	1,054,800	1,571,000	(516,200)	1.9%
WSCC	856,500	1,275,700	(419,200)	2.2%
Subtotal	10,535,900	15,692,200	(5,156,300)	2.0%
TCATs	2,377,500	2,953,200	(575,700)	1.6%
Total	12,913,400	18,645,400	(5,732,000)	2.0%

2%+2% Salary Increase Cost vs. State Appropriation - TCATs

	Salary Funding In Budget	Cost of Salary Inc	Unfunded Portion	Tuition Inc Needed for Salary Inc
Athens	\$ 59,100	\$ 73,500	\$ (14,400)	1.8%
Chattanooga	143,700	178,300	(34,600)	1.5%
Covington	43,500	54,000	(10,500)	1.5%
Crossville	69,900	86,800	(16,900)	1.2%
Crump	67,500	83,900	(16,400)	1.5%
Dickson	138,800	172,400	(33,600)	1.5%
Elizabethton	94,400	117,300	(22,900)	1.7%
Harriman	58,100	72,200	(14,100)	1.7%
Hartsville	81,100	100,800	(19,700)	1.7%
Hohenwald	72,000	89,500	(17,500)	1.5%
Jacksboro	56,800	70,500	(13,700)	1.9%
Jackson	106,900	132,800	(25,900)	1.6%
Knoxville	141,900	176,300	(34,400)	1.3%
Livingston	96,400	119,800	(23,400)	1.9%
McKenzie	32,000	39,700	(7,700)	1.8%
McMinnville	52,100	64,700	(12,600)	1.5%
Memphis	198,200	246,200	(48,000)	1.5%
Morristown	142,000	176,400	(34,400)	1.6%
Murfreesboro	140,500	174,500	(34,000)	2.0%
Nashville	168,300	209,100	(40,800)	1.6%
Newbern	60,200	74,800	(14,600)	1.3%
Oneida	46,000	57,100	(11,100)	2.1%
Paris	57,100	70,900	(13,800)	1.8%
Pulaski	75,900	94,300	(18,400)	1.8%
Ripley	39,000	48,400	(9,400)	1.8%
Shelbyville	98,500	122,300	(23,800)	1.7%
Whiteville	37,600	46,700	(9,100)	1.6%
Total	\$ 2,377,500	\$ 2,953,200	\$ (575,700)	1.6%

Non Personnel Inflation

Average of HEPI and CPI	
HEPI Rate	1.94%
CPI Rate	2.62%
Average	2.28%
Share of Inflation to Replace	80%
Inflationary Costs to Replace	1.82%

Indicated Student Revenue Increases

Community Colleges Indicated Student Revenue Increase

	<u>Percent</u>	<u>Amount</u>
Institutions' salary increase	2.04%	\$ 5,162,700
Inflation (80%)	1.03%	\$ 2,606,600
Subtotal	<u>3.07%</u>	<u>\$ 7,769,300</u>
THEC Ceiling	-1.07%	\$ (2,707,900)
Grand Total	<u><u>2.00%</u></u>	<u><u>\$ 5,061,400</u></u>

Colleges of Applied Technology Indicated Student Revenue Increase

	<u>Percent</u>	<u>Amount</u>
Institutions' salary increase	1.59%	\$ 575,900
Inflation (80%)	1.53%	554,200
Subtotal	<u>3.12%</u>	<u>\$ 1,130,100</u>
THEC Ceiling	-1.12%	(405,700)
Grand Total	<u><u>2.00%</u></u>	<u><u>\$ 724,400</u></u>

Revenue Generated from Indicated Maintenance Fee Adjustment

	Inflation Cost	Salary Inc Cost	THEC Ceiling	Total Cost
CHSCC	263,000	521,200	(273,400)	510,800
CLSCC	104,400	206,500	(108,300)	202,600
COSCC	192,900	382,100	(200,400)	374,600
DSCC	83,700	165,800	(87,000)	162,500
JSCC	136,300	270,000	(141,600)	264,700
MSCC	206,300	408,400	(214,300)	400,400
NASCC	227,200	450,000	(236,000)	441,200
NESCC	167,500	331,800	(174,000)	325,300
PSCC	328,700	651,100	(341,500)	638,300
RSCC	169,800	336,300	(176,400)	329,700
STCC	240,800	477,000	(250,200)	467,600
VSCC	286,700	567,800	(297,800)	556,700
WSCC	199,300	394,700	(207,000)	387,000
	<u>2,606,600</u>	<u>5,162,700</u>	<u>(2,707,900)</u>	<u>5,061,400</u>
TCATs	554,200	575,900	(405,700)	724,400
System	<u><u>3,160,800</u></u>	<u><u>5,738,600</u></u>	<u><u>(3,113,600)</u></u>	<u><u>5,785,800</u></u>

Revenue Generated from Indicated Maintenance Fee Adjustment - TCATs

	Inflation Cost	Salary Inc Cost	THEC Ceiling	Total Cost
Athens	\$ 12,300	\$ 12,800	\$ (9,000)	\$ 16,100
Chattanooga	35,200	36,600	(25,600)	46,200
Covington	10,700	11,100	(7,800)	14,000
Crossville	21,100	22,000	(15,500)	27,600
Crump	16,700	17,400	(12,200)	21,900
Dickson	34,600	35,900	(25,300)	45,200
Elizabethton	20,700	21,500	(15,200)	27,000
Harriman	12,700	13,200	(9,300)	16,600
Hartsville	17,300	18,000	(12,700)	22,600
Hohenwald	17,700	18,400	(13,000)	23,100
Jacksboro	11,100	11,600	(8,100)	14,600
Jackson	24,700	25,700	(18,100)	32,300
Knoxville	41,200	42,800	(30,200)	53,800
Livingston	18,700	19,500	(13,700)	24,500
McKenzie	6,400	6,700	(4,700)	8,400
McMinnville	12,800	13,300	(9,400)	16,700
Memphis	49,500	51,300	(36,300)	64,500
Morristown	33,200	34,500	(24,300)	43,400
Murfreesboro	26,400	27,400	(19,300)	34,500
Nashville	39,300	40,800	(28,700)	51,400
Newbern	17,300	18,000	(12,700)	22,600
Oneida	8,100	8,400	(5,900)	10,600
Paris	11,600	12,000	(8,500)	15,100
Pulaski	16,100	16,700	(11,800)	21,000
Ripley	8,200	8,500	(6,000)	10,700
Shelbyville	21,800	22,700	(16,000)	28,500
Whiteville	8,800	9,100	(6,400)	11,500
Total	\$ 554,200	\$ 575,900	\$ (405,700)	\$ 724,400

Recommended Maintenance Fee and Tuition Rates

Community Colleges

	FY 2020-21		FY 2021-22	
	Base Hours	Hours > Base	Base Hours	Hours > Base
Undergraduate				
In-State	\$ 168	\$ 35	\$ 171	\$ 37
Incr. Amount			\$ 3	\$ 2
Incr. Percent			1.79%	5.71%
In-State increase based on 15 credit hours			1.98%	
Out-of-State	\$ 524	\$ 105	\$ 534	\$ 107
Incr. Amount			\$ 10	\$ 2
Incr. Percent			1.91%	1.90%
Regents On-line Degree Program				
Undergraduate	\$ 67	\$ 67	\$ 68	\$ 68
E-Rate				
Undergraduate	\$ 84	\$ 84	\$ 86	\$ 86
Dual Enrollment				
Undergraduate	\$ 166	\$ 33	\$ 166	\$ 33

Colleges of Applied Technology

	<u>FY 2020-21</u>	<u>FY 2021-22</u>
Tri-mester Rate	\$ 1,229	\$ 1,253
Increase		
Amount		\$ 24
Percent		1.95%

Combined Annual Fee Impact

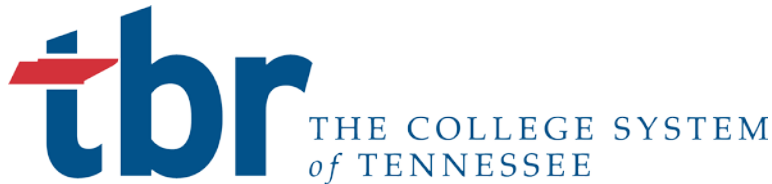
	A	B	C	D	E	F	G	H	I	J	K	L
	Current Maintenance	Current Mandatory	Total	Requested Mandatory	Total Before Maintenance	% Incr.	Proposed Maint Inc	Total Maint and Mandatory	Proposed Total	% Increase	THEC Max	Amount under Max
CHSCC	\$ 4,242	\$ 326	\$ 4,568		\$ 4,568	0.0%	\$ 84	\$ 84	\$ 4,652	1.84%	\$ 4,659	\$ 7
CLSCC	4,242	306	4,548		4,548	0.0%	84	84	4,632	1.85%	4,639	7
COSCC	4,242	340	4,582		4,582	0.0%	84	84	4,666	1.83%	4,674	8
DSCC	4,242	306	4,548		4,548	0.0%	84	84	4,632	1.85%	4,639	7
JSCC	4,242	292	4,534		4,534	0.0%	84	84	4,618	1.85%	4,625	7
MSCC	4,242	312	4,554		4,554	0.0%	84	84	4,638	1.84%	4,645	7
NASCC	4,242	262	4,504	6	4,510	0.1%	84	90	4,594	2.00%	4,594	0
NESCC	4,242	318	4,560		4,560	0.0%	84	84	4,644	1.84%	4,651	7
PSCC	4,242	346	4,588	6	4,594	0.1%	84	90	4,678	1.96%	4,680	2
RSCC	4,242	310	4,552		4,552	0.0%	84	84	4,636	1.85%	4,643	7
STCC	4,242	326	4,568		4,568	0.0%	84	84	4,652	1.84%	4,659	7
VSCC	4,242	300	4,542		4,542	0.0%	84	84	4,626	1.85%	4,633	7
WSCC	4,242	295	4,537		4,537	0.0%	84	84	4,621	1.85%	4,628	7
TCATs	\$ 3,687	\$ 249	\$ 3,936		\$ 3,936	0.0%	\$ 72	\$ 72	\$ 4,008	1.83%	\$ 4,015	\$ 7

Note: Assumes 15 hr enrollment per semester at community colleges.

Recommended Actions

Staff recommends approval of the increases in maintenance fees, tuition, mandatory fees, and non-mandatory fees for AY 2021-22 as shown on slides 9, 15, 31 and 32.

End of Materials



BOARD TRANSMITTAL

MEETING: Committee on Finance and Business Operations

SUBJECT: Approval of Funding for Operations
for the 2020-2021 Fiscal Year

DATE: June 17, 2021

PRESENTER: Vice Chancellor Danny Gibbs

PRESENTATION REQUIREMENTS: 15 Minutes

ACTION REQUIRED: Roll Call Vote

STAFF'S
RECOMMENDATION: Approve

Under Board policy, the original budget for each fiscal year is known as the ***Proposed Budget*** and is prepared in the spring of each year. This budget is based on the level of state funds recommended in the Governor's proposed budget as well as early estimates of factors such as enrollment growth, and availability of federal funds. The ***Proposed Budget*** is normally submitted to the Board for approval at the June Board meeting.

The final budget submitted for each fiscal year is the ***Estimated Budget***. It includes final adjustments to the current year budget and is the budget against which final year-end actual amounts are compared. It is prepared, submitted, and considered by the Board at the same time as the ***Proposed Budget*** for the upcoming fiscal year.

Regarding the LGI's budgets, the FOCUS Act requires that to ensure the ability to satisfy both contractual obligations to the Tennessee State School Bond Authority and obligations to that authority's bondholders, the Tennessee Board of Regents shall have authority over, and shall give final approval to, the operating budget of each LGI.

The purpose of this agenda item is to consider for approval both the recommended ***Estimated Budgets*** for FY 2020-21 and the recommended ***Proposed Budgets*** for FY 2021-22. As part of approval of the Proposed Budgets for FY 2021-22, staff recommends that the Board authorize the Chancellor to take actions necessary to implement the approved budgets.

Table of Contents

Table I	Summary of Unrestricted and Restricted Funds
Table II	Summary of Unrestricted Revenues and Expenditures Budget
Table III	Summary of Unrestricted Revenues with Percentages by Major Budget Category
Table IV	Summary of Unrestricted Educational and General Expenditure Budget with Percentages by Function
Table V	Summary of Unrestricted Educational and General Expenditure Budget by Natural Classification

Tennessee Board of Regents
Summary of Unrestricted and Restricted Funds

Institutions	Beginning Fund Balance	Unrestricted Revenues	Unrestricted Expenditures and Transfers	Ending Fund Balance	Restricted Revenues	Restricted Expenditures and Transfers	Total Revenues	Total Expenditures and Transfers
CHSCC	14,641,800	65,954,600	67,872,000	12,724,400	33,454,100	33,454,100	99,408,700	101,326,100
CLSCC	4,473,500	25,657,500	25,657,500	4,473,500	12,367,600	12,367,600	38,025,100	38,025,100
COSCC	6,617,800	40,934,100	40,931,300	6,620,600	28,659,900	29,257,100	69,594,000	70,188,400
DSCC	1,707,700	22,179,000	22,060,400	1,826,300	15,775,300	15,621,200	37,954,300	37,681,600
JSCC	10,107,200	31,594,600	31,367,800	10,334,000	15,221,500	15,221,500	46,816,100	46,589,300
MSCC	13,459,400	44,573,900	44,181,000	13,852,300	20,861,000	20,663,700	65,434,900	64,844,700
NASCC	20,915,100	49,554,900	51,437,200	19,032,800	24,915,000	24,914,000	74,469,900	76,351,200
NESCC	5,023,000	46,018,700	43,507,600	7,534,100	29,009,900	29,009,900	75,028,600	72,517,500
PSCC	15,613,500	74,621,000	80,619,000	9,615,500	34,102,400	34,102,400	108,723,400	114,721,400
RSCC	8,239,700	46,794,600	46,794,600	8,239,700	24,534,700	24,529,900	71,329,300	71,324,500
STCC	13,937,300	64,508,400	64,508,400	13,937,300	53,400,900	53,400,000	117,909,300	117,908,400
VSCC	15,862,600	62,573,700	59,951,600	18,484,700	48,354,100	48,291,100	110,927,800	108,242,700
WSCC	12,887,300	49,014,700	49,015,200	12,886,800	22,882,900	21,802,900	71,897,600	70,818,100
Subtotal	143,485,900	623,979,700	627,903,600	139,562,000	363,539,300	362,635,400	987,519,000	990,539,000
Athens	750,700	2,976,100	2,913,000	813,800	2,643,500	2,643,500	5,619,600	5,556,500
Chattanooga	1,545,600	7,379,800	7,486,900	1,438,500	25,900	25,900	7,405,700	7,512,800
Covington	699,600	2,651,400	2,813,400	537,600	3,611,500	3,611,500	6,262,900	6,424,900
Crossville	499,500	4,418,500	4,360,100	557,900	2,304,000	2,323,200	6,722,500	6,683,300
Crump	208,700	3,738,600	3,739,700	207,600	4,530,200	2,270,700	8,268,800	6,010,400
Dickson	1,325,100	7,084,300	7,042,200	1,367,200	3,415,000	3,415,000	10,499,300	10,457,200
Elizabethton	1,069,800	5,102,100	5,180,800	991,100	2,869,000	2,650,400	7,971,100	7,831,200
Harriman	829,200	3,107,200	3,177,300	759,100	1,973,700	1,964,500	5,080,900	5,141,800
Hartsville	728,100	4,684,500	4,637,200	775,400	2,970,000	2,970,000	7,654,500	7,607,200
Hohenwald	218,100	4,228,000	4,180,700	265,400	2,206,000	2,675,500	6,434,000	6,856,200
Jacksboro	723,000	2,504,500	2,504,500	723,000	1,221,000	1,450,000	3,725,500	3,954,500
Jackson	1,702,000	5,995,500	5,687,000	2,010,500	3,900,000	3,900,000	9,895,500	9,587,000
Knoxville	824,500	7,982,700	8,226,800	580,400	5,500,000	4,930,000	13,482,700	13,156,800
Livingston	1,600,100	5,001,100	5,001,100	1,600,100	4,353,000	2,631,800	9,354,100	7,632,900
McKenzie	351,600	2,103,900	2,104,000	351,500	1,050,000	1,050,000	3,153,900	3,154,000
McMinnville	878,600	2,704,400	2,704,400	878,600	1,038,000	520,000	3,742,400	3,224,400

Tennessee Board of Regents
Summary of Unrestricted and Restricted Funds

Institutions	Beginning Fund Balance	Unrestricted Revenues	Unrestricted Expenditures and Transfers	Ending Fund Balance	Restricted Revenues	Restricted Expenditures and Transfers	Total Revenues	Total Expenditures and Transfers
Memphis	529,100	9,364,300	9,358,500	534,900	10,175,000	10,175,000	19,539,300	19,533,500
Morristown	620,900	7,185,600	7,055,300	751,200	4,600,000	5,610,500	11,785,600	12,665,800
Murfreesboro	3,053,700	7,493,800	7,771,300	2,776,200	2,845,000	2,845,000	10,338,800	10,616,300
Nashville	2,087,100	8,243,900	8,310,400	2,020,600	4,250,500	4,210,000	12,494,400	12,520,400
Newbern	440,500	3,690,600	3,846,500	284,600	2,702,900	2,702,900	6,393,500	6,549,400
Oneida	523,500	2,560,600	2,538,000	546,100	900,000	1,200,000	3,460,600	3,738,000
Paris	656,100	3,016,700	3,121,900	550,900	1,281,000	1,250,000	4,297,700	4,371,900
Pulaski	1,224,000	4,368,500	4,353,400	1,239,100	2,160,000	1,125,000	6,528,500	5,478,400
Ripley	614,400	2,133,300	2,233,400	514,300	2,728,000	2,728,000	4,861,300	4,961,400
Shelbyville	1,652,600	5,142,000	5,134,600	1,660,000	2,300,000	2,300,000	7,442,000	7,434,600
Whiteville	1,690,500	2,483,900	2,692,600	1,481,800	1,625,000	1,625,000	4,108,900	4,317,600
Subtotal	27,046,600	127,345,800	128,175,000	26,217,400	79,178,200	74,803,400	206,524,000	202,978,400
TBR	4,919,300	40,344,400	40,344,400	4,919,300	16,078,300	16,078,300	56,422,700	56,422,700
Total System	175,451,800	791,669,900	796,423,000	170,698,700	458,795,800	453,517,100	1,250,465,700	1,249,940,100

Tennessee Board of Regents
Summary of Unrestricted Revenues and Expenditures Budget

	ChSCC	CISCC	CoSCC	DSCC	JSCC	MSCC	NASCC
Unrestricted Current Fund Balances							
at Beginning of Period:							
Allocation for Encumbrances	100,000	29,500	452,100	89,700	4,400	226,200	962,400
Allocation for Working Capital	756,900	500,000	655,000	627,700	558,200	540,200	1,327,900
Special Allocations	13,784,900	3,944,000	5,510,700	990,300	9,544,600	12,693,000	18,624,800
Unallocated Balances	-	-	-	-	-	-	-
Total Balances	14,641,800	4,473,500	6,617,800	1,707,700	10,107,200	13,459,400	20,915,100
Revenue:							
A. Education and General							
Tuition and Fees	29,132,300	11,369,300	21,252,500	10,258,300	13,663,000	21,226,800	24,914,200
Federal Appropriations	-	-	-	-	-	-	-
State Appropriations	35,383,900	12,983,600	19,457,800	11,573,100	16,231,800	22,742,100	23,865,400
Local Appropriations	-	-	-	-	-	-	-
Federal Grants and Contracts	57,000	17,700	23,400	129,900	28,100	35,000	14,000
State Grants and Contracts	16,000	26,000	3,000	18,000	2,500	6,000	-
Local Grants and Contracts	-	-	-	-	130,400	-	-
Private Contracts	-	400,000	-	2,000	-	-	168,800
Private Gifts	-	25,000	200	-	-	-	-
Endowment Income	-	-	-	-	-	-	-
Sales & Services of Ed. Act.	260,000	18,500	25,700	4,300	483,300	57,500	500
Sales & Services of Other Act.	270,200	125,800	16,900	76,000	77,900	3,000	152,000
Other Sources	70,200	559,300	29,000	77,400	832,600	403,500	180,800
Total Educational & General	65,189,600	25,525,200	40,808,500	22,139,000	31,449,600	44,473,900	49,295,700
B. Sales & Services of Aux. Enter:							
Students	765,000	132,300	125,600	40,000	145,000	100,000	259,200
Intercollegiate Athletics	-	-	-	-	-	-	-
Total Sales & Serv of Aux Ent	765,000	132,300	125,600	40,000	145,000	100,000	259,200
Total Revenues	65,954,600	25,657,500	40,934,100	22,179,000	31,594,600	44,573,900	49,554,900
Expenditure and Transfers:							
A. Education and General							
Instruction	35,367,100	12,480,900	17,825,000	10,717,200	14,042,500	20,767,700	22,908,600
Research	-	-	-	-	-	-	-
Public Service	50,000	76,600	105,500	24,600	58,100	786,900	-
Academic Support	6,094,300	1,412,000	2,118,800	838,400	3,792,600	4,221,500	7,195,200
Student Services	7,118,200	3,398,600	4,668,500	3,201,800	2,892,200	4,724,500	6,462,200
Institutional Support	7,713,600	4,393,600	5,503,700	3,729,800	6,249,600	7,147,100	6,784,000
Operation & Maintenance of Plant	6,217,600	3,031,100	4,090,500	2,531,400	3,194,300	5,021,000	7,098,700
Scholarships and Fellowships	2,047,900	783,200	937,700	746,900	1,138,500	1,502,100	900,100
Educational & General Expend.	64,608,700	25,576,000	35,249,700	21,790,100	31,367,800	44,170,800	51,348,800

Tennessee Board of Regents
Summary of Unrestricted Revenues and Expenditures Budget

	ChSCC	CISCC	CoSCC	DSCC	JSCC	MSCC	NASCC
Mandatory Transfers for:							
Principal and Interest	289,300	41,000	380,000	-	-	-	68,600
Renewals and Replacement	-	-	-	-	-	-	-
Loan Fund Matching Grant	-	-	-	-	-	-	-
Other Mandatory Transfers	-	-	-	-	-	-	-
Total Mandatory Transfers	289,300	41,000	380,000	-	-	-	68,600
Non-Mandatory Transfers for:							
Transfers to Unexpend.Plant Fund	2,000,000	-	4,400,500	270,300	-	-	-
Transfers to Renewal & Replacem.	-	-	775,500	-	-	-	-
Transfers to Other Funds	35,700	-	-	-	-	-	-
Transfers from Unexpended Plant	-	-	-	-	-	-	-
Trans. from Renewal & Replacem.	-	-	-	-	-	-	-
Transfers from Other Funds	-	-	-	(40,000)	(145,000)	-	-
Total Non-Mandatory Transfers	2,035,700	-	5,176,000	230,300	(145,000)	-	-
Total Educational & General	66,933,700	25,617,000	40,805,700	22,020,400	31,222,800	44,170,800	51,417,400
B. Auxiliary Enterprise Expenditures:							
Students	911,800	33,900	71,000	-	-	10,200	6,800
Intercollegiate Athletics	-	-	-	-	-	-	-
Total Aux. Enterprises Expend	911,800	33,900	71,000	-	-	10,200	6,800
Mandatory Transfers for:							
Principal and Interest	-	-	-	-	-	-	-
Renewals and Replacement	-	-	-	-	-	-	-
Other Mandatory Transfers	-	-	-	-	-	-	-
Total Mandatory Transfers	-	-	-	-	-	-	-
Non-Mandatory Transfers for:							
Transfers to Unexpend.Plant Fund	-	-	-	-	-	-	-
Transfers to Renewal & Replacem.	26,500	6,600	54,600	-	-	-	13,000
Transfers to Other Funds	-	-	-	40,000	145,000	-	-
Transfers from Unexpended Plant	-	-	-	-	-	-	-
Trans. from Renewal & Replacem.	-	-	-	-	-	-	-
Transfers from Other Funds	-	-	-	-	-	-	-
Total Non-Mandatory Transfers	26,500	6,600	54,600	40,000	145,000	-	13,000
Total Auxiliary Enterprises	938,300	40,500	125,600	40,000	145,000	10,200	19,800
Total Expenditures & Transfers	67,872,000	25,657,500	40,931,300	22,060,400	31,367,800	44,181,000	51,437,200
Other Additions/Deductions	-	-	-	-	-	-	-
Unrestricted Current Fund Balances at End of Period:							
Allocations for Encumbrances	100,000	29,500	452,100	89,700	4,400	226,200	147,000
Allocations for Working Capital	756,900	500,000	655,000	627,700	558,200	540,200	1,536,700
Special Allocations	11,867,500	3,944,000	5,513,500	1,108,900	9,771,400	13,085,900	17,349,100
Unallocated Balances	-	-	-	-	-	-	-
Total Balances	12,724,400	4,473,500	6,620,600	1,826,300	10,334,000	13,852,300	19,032,800

Tennessee Board of Regents
Summary of Unrestricted Revenues and Expenditures Budget

	NESCC	PSCC	RSCC	STCC	VSCC	WSCC	Total Colleges
Unrestricted Current Fund Balances							
at Beginning of Period:							
Allocation for Encumbrances	100,000	755,500	201,000	500,000	375,000	321,600	4,117,400
Allocation for Working Capital	175,000	626,400	543,800	4,800,000	900,000	3,683,600	15,694,700
Special Allocations	4,748,000	14,231,600	7,494,900	8,637,300	14,587,600	8,882,100	123,673,800
Unallocated Balances	-	-	-	-	-	-	-
Total Balances	5,023,000	15,613,500	8,239,700	13,937,300	15,862,600	12,887,300	143,485,900
Revenue:							
A. Education and General							
Tuition and Fees	18,049,600	33,394,000	18,942,400	26,031,600	30,652,700	21,236,600	280,123,300
Federal Appropriations	-	-	-	-	-	-	-
State Appropriations	24,803,000	38,338,200	25,979,900	31,476,900	30,919,200	27,129,700	320,884,600
Local Appropriations	-	-	-	-	-	-	-
Federal Grants and Contracts	2,807,700	270,000	34,500	151,000	57,700	100,000	3,726,000
State Grants and Contracts	50,000	20,000	18,000	70,500	-	30,000	260,000
Local Grants and Contracts	-	-	46,000	-	-	-	176,400
Private Contracts	-	355,000	23,000	75,000	-	35,000	1,058,800
Private Gifts	-	20,000	-	10,000	-	-	55,200
Endowment Income	-	-	-	-	-	-	-
Sales & Services of Ed. Act.	13,000	45,000	37,200	79,500	133,700	63,000	1,221,200
Sales & Services of Other Act.	120,900	1,560,000	112,700	190,400	129,800	249,000	3,084,600
Other Sources	52,000	218,800	1,388,900	6,174,500	423,600	46,000	10,456,600
Total Educational & General	45,896,200	74,221,000	46,582,600	64,259,400	62,316,700	48,889,300	621,046,700
B. Sales & Services of Aux. Enter:							
Students	122,500	400,000	212,000	249,000	257,000	125,400	2,933,000
Intercollegiate Athletics	-	-	-	-	-	-	-
Total Sales & Serv of Aux Ent	122,500	400,000	212,000	249,000	257,000	125,400	2,933,000
Total Revenues	46,018,700	74,621,000	46,794,600	64,508,400	62,573,700	49,014,700	623,979,700
Expenditure and Transfers:							
A. Education and General							
Instruction	20,575,200	41,754,400	24,487,000	27,108,900	33,376,700	25,570,500	306,981,700
Research	-	-	-	-	-	-	-
Public Service	190,300	810,100	789,000	161,200	549,400	463,500	4,065,200
Academic Support	4,790,300	8,018,000	2,218,200	7,261,000	3,771,500	2,814,700	54,546,500
Student Services	5,668,400	9,734,300	6,653,200	8,026,400	6,102,700	6,726,300	75,377,300
Institutional Support	5,705,200	9,725,900	5,938,100	10,675,500	8,316,200	5,254,300	87,136,600
Operation & Maintenance of Plant	6,362,600	8,153,300	5,701,500	8,325,700	6,168,600	6,299,400	72,195,700
Scholarships and Fellowships	150,000	1,903,000	957,700	2,435,900	1,441,100	1,350,300	16,294,400
Educational & General Expend.	43,442,000	80,099,000	46,744,700	63,994,600	59,726,200	48,479,000	616,597,400

Tennessee Board of Regents
Summary of Unrestricted Revenues and Expenditures Budget

	NESCC	PSCC	RSCC	STCC	VSCC	WSCC	Total Colleges
Mandatory Transfers for:							
Principal and Interest	30,200	-	-	238,000	-	-	1,047,100
Renewals and Replacement	-	-	-	-	-	-	-
Loan Fund Matching Grant	-	-	-	-	-	-	-
Other Mandatory Transfers	-	-	-	-	-	-	-
Total Mandatory Transfers	30,200	-	-	238,000	-	-	1,047,100
Non-Mandatory Transfers for:							
Transfers to Unexpend.Plant Fund	-	270,000	-	-	-	295,000	7,235,800
Transfers to Renewal & Replacem.	25,000	-	-	-	-	225,000	1,025,500
Transfers to Other Funds	-	130,000	-	-	-	-	165,700
Transfers from Unexpended Plant	-	-	-	-	-	-	-
Trans. from Renewal & Replacem.	-	-	-	-	-	-	-
Transfers from Other Funds	-	(500,000)	(140,000)	-	-	(109,200)	(934,200)
Total Non-Mandatory Transfers	25,000	(100,000)	(140,000)	-	-	410,800	7,492,800
Total Educational & General	43,497,200	79,999,000	46,604,700	64,232,600	59,726,200	48,889,800	625,137,300
B. Auxiliary Enterprise Expenditures:							
Students	-	100,000	39,300	264,100	25,000	9,900	1,472,000
Intercollegiate Athletics	-	-	-	-	-	-	-
Total Aux. Enterprises Expend	-	100,000	39,300	264,100	25,000	9,900	1,472,000
Mandatory Transfers for:							
Principal and Interest	-	-	-	-	-	-	-
Renewals and Replacement	-	-	-	-	-	-	-
Other Mandatory Transfers	-	-	-	-	-	-	-
Total Mandatory Transfers	-	-	-	-	-	-	-
Non-Mandatory Transfers for:							
Transfers to Unexpend.Plant Fund	-	-	-	-	-	-	-
Transfers to Renewal & Replacem.	10,400	20,000	10,600	11,700	200,400	6,300	360,100
Transfers to Other Funds	-	500,000	140,000	-	-	109,200	934,200
Transfers from Unexpended Plant	-	-	-	-	-	-	-
Trans. from Renewal & Replacem.	-	-	-	-	-	-	-
Transfers from Other Funds	-	-	-	-	-	-	-
Total Non-Mandatory Transfers	10,400	520,000	150,600	11,700	200,400	115,500	1,294,300
Total Auxiliary Enterprises	10,400	620,000	189,900	275,800	225,400	125,400	2,766,300
Total Expenditures & Transfers	43,507,600	80,619,000	46,794,600	64,508,400	59,951,600	49,015,200	627,903,600
Other Additions/Deductions	-	-	-	-	-	-	-
Unrestricted Current Fund Balances at End of Period:							
Allocations for Encumbrances	100,000	755,500	201,000	500,000	375,000	321,600	3,302,000
Allocations for Working Capital	175,000	626,400	543,800	4,800,000	900,000	3,683,100	15,903,000
Special Allocations	7,259,100	8,233,600	7,494,900	8,637,300	17,209,700	8,882,100	120,357,000
Unallocated Balances	-	-	-	-	-	-	-
Total Balances	7,534,100	9,615,500	8,239,700	13,937,300	18,484,700	12,886,800	139,562,000

Tennessee Board of Regents
Summary of Unrestricted Revenues and Expenditures Budget

	Athens	Chattanooga	Covington	Crossville	Crump	Dickson	Elizabethton
Unrestricted Current Fund Balances at Beginning of Period:							
Allocation for Encumbrances	2,100	1,000	6,000	52,800	14,800	3,000	5,400
Allocation for Working Capital	211,300	121,400	367,700	70,200	95,700	91,000	331,600
Special Allocations	537,300	1,423,200	325,900	376,500	98,200	1,231,100	732,800
Unallocated Balances	-	-	-	-	-	-	-
Total Balances	750,700	1,545,600	699,600	499,500	208,700	1,325,100	1,069,800
Revenue:							
A. Education and General							
Tuition and Fees	860,700	2,408,000	922,300	1,624,000	1,555,400	2,550,800	1,529,800
Federal Appropriations	-	-	-	-	-	-	-
State Appropriations	1,835,200	4,874,800	1,504,300	2,509,500	1,853,800	4,060,000	2,995,500
Local Appropriations	-	-	-	-	-	-	-
Federal Grants and Contracts	2,000	-	-	-	5,500	3,000	4,000
State Grants and Contracts	-	-	-	-	-	15,000	-
Local Grants and Contracts	3,600	-	-	-	216,000	-	-
Private Contracts	115,000	60,000	-	-	20,000	250,000	50,000
Private Gifts	500	-	-	-	-	5,000	-
Endowment Income	-	-	-	-	-	-	-
Sales & Services of Ed. Act.	4,100	23,000	3,200	16,500	30,700	37,000	12,100
Sales & Services of Other Act.	-	9,000	1,000	65,000	200	6,300	15,600
Other Sources	20,000	5,000	145,600	3,500	32,000	7,200	6,000
Total Educational & General	2,841,100	7,379,800	2,576,400	4,218,500	3,713,600	6,934,300	4,613,000
B. Sales & Services of Aux. Enter:							
Students	135,000	-	75,000	200,000	25,000	150,000	489,100
Intercollegiate Athletics	-	-	-	-	-	-	-
Total Sales & Serv of Aux Ent	135,000	-	75,000	200,000	25,000	150,000	489,100
Total Revenues	2,976,100	7,379,800	2,651,400	4,418,500	3,738,600	7,084,300	5,102,100
Expenditure and Transfers:							
A. Education and General							
Instruction	1,633,900	5,341,800	980,600	2,344,000	1,988,500	3,633,000	2,658,100
Research	-	-	-	-	-	-	-
Public Service	-	-	-	-	-	-	-
Academic Support	-	15,000	-	-	20,000	334,300	-
Student Services	231,600	790,400	297,900	448,000	465,300	842,700	572,200
Institutional Support	631,200	455,700	603,600	826,200	643,800	1,167,200	968,100
Operation & Maintenance of Plant	274,300	714,000	283,900	536,400	290,500	705,000	505,800
Scholarships and Fellowships	2,000	20,000	58,300	60,500	287,000	60,000	26,600
Educational & General Expend.	2,773,000	7,336,900	2,224,300	4,215,100	3,695,100	6,742,200	4,730,800

Tennessee Board of Regents
 Summary of Unrestricted Revenues and Expenditures Budget

	Athens	Chattanooga	Covington	Crossville	Crump	Dickson	Elizabethton
Mandatory Transfers for:							
Principal and Interest	-	-	-	-	-	-	-
Renewals and Replacement	-	-	-	-	-	-	-
Loan Fund Matching Grant	-	-	-	-	-	-	-
Other Mandatory Transfers	-	-	-	-	-	-	-
Total Mandatory Transfers	-	-	-	-	-	-	-
Non-Mandatory Transfers for:							
Transfers to Unexpend.Plant Fund	-	150,000	-	-	-	-	-
Transfers to Renewal & Replacem.	-	-	514,100	-	23,600	200,000	-
Transfers to Other Funds	-	-	-	-	-	-	-
Transfers from Unexpended Plant	-	-	-	-	-	-	-
Trans. from Renewal & Replacem.	-	-	-	-	-	-	-
Transfers from Other Funds	-	-	-	-	-	-	-
Total Non-Mandatory Transfers	-	150,000	514,100	-	23,600	200,000	-
Total Educational & General	2,773,000	7,486,900	2,738,400	4,215,100	3,718,700	6,942,200	4,730,800
B. Auxiliary Enterprise Expenditures:							
Students	140,000	-	75,000	145,000	21,000	100,000	450,000
Intercollegiate Athletics	-	-	-	-	-	-	-
Total Aux. Enterprises Expend	140,000	-	75,000	145,000	21,000	100,000	450,000
Mandatory Transfers for:							
Principal and Interest	-	-	-	-	-	-	-
Renewals and Replacement	-	-	-	-	-	-	-
Other Mandatory Transfers	-	-	-	-	-	-	-
Total Mandatory Transfers	-	-	-	-	-	-	-
Non-Mandatory Transfers for:							
Transfers to Unexpend.Plant Fund	-	-	-	-	-	-	-
Transfers to Renewal & Replacem.	-	-	-	-	-	-	-
Transfers to Other Funds	-	-	-	-	-	-	-
Transfers from Unexpended Plant	-	-	-	-	-	-	-
Trans. from Renewal & Replacem.	-	-	-	-	-	-	-
Transfers from Other Funds	-	-	-	-	-	-	-
Total Non-Mandatory Transfers	-	-	-	-	-	-	-
Total Auxiliary Enterprises	140,000	-	75,000	145,000	21,000	100,000	450,000
Total Expenditures & Transfers	2,913,000	7,486,900	2,813,400	4,360,100	3,739,700	7,042,200	5,180,800
Other Additions/Deductions	-	-	-	-	-	-	-
Unrestricted Current Fund Balances							
at End of Period:							
Allocations for Encumbrances	1,500	1,000	6,000	52,800	15,000	3,000	5,400
Allocations for Working Capital	278,500	121,400	367,800	142,900	95,900	91,000	253,000
Special Allocations	533,800	1,316,100	163,800	362,200	96,700	1,273,200	732,700
Unallocated Balances	-	-	-	-	-	-	-
Total Balances	813,800	1,438,500	537,600	557,900	207,600	1,367,200	991,100

Tennessee Board of Regents
Summary of Unrestricted Revenues and Expenditures Budget

	Harriman	Hartsville	Hohenwald	Jacksboro	Jackson	Knoxville	Livingston
Unrestricted Current Fund Balances							
at Beginning of Period:							
Allocation for Encumbrances	309,300	19,700	40,000	-	125,000	3,300	-
Allocation for Working Capital	137,300	67,600	41,000	626,000	245,000	425,900	950,000
Special Allocations	382,600	640,800	137,100	97,000	1,332,000	395,300	650,100
Unallocated Balances	-	-	-	-	-	-	-
Total Balances	829,200	728,100	218,100	723,000	1,702,000	824,500	1,600,100
Revenue:							
A. Education and General							
Tuition and Fees	931,500	1,362,500	1,360,900	833,300	1,757,000	3,102,500	1,379,100
Federal Appropriations	-	-	-	-	-	-	-
State Appropriations	1,890,200	2,377,500	2,329,100	1,542,200	3,686,800	4,290,100	3,129,000
Local Appropriations	-	-	-	-	-	-	-
Federal Grants and Contracts	-	1,800	300,000	1,000	25,000	69,000	3,500
State Grants and Contracts	-	-	-	-	-	22,000	-
Local Grants and Contracts	-	708,100	5,000	-	160,000	-	-
Private Contracts	-	20,000	-	500	-	-	300,000
Private Gifts	-	-	-	500	-	-	-
Endowment Income	-	-	-	-	-	-	-
Sales & Services of Ed. Act.	6,500	55,000	15,000	5,000	120,000	152,800	28,000
Sales & Services of Other Act.	3,500	32,500	2,000	-	-	25,300	5,000
Other Sources	20,500	35,100	36,000	2,000	6,700	6,000	56,500
Total Educational & General	2,852,200	4,592,500	4,048,000	2,384,500	5,755,500	7,667,700	4,901,100
B. Sales & Services of Aux. Enter:							
Students	255,000	92,000	180,000	120,000	240,000	315,000	100,000
Intercollegiate Athletics	-	-	-	-	-	-	-
Total Sales & Serv of Aux Ent	255,000	92,000	180,000	120,000	240,000	315,000	100,000
Total Revenues	3,107,200	4,684,500	4,228,000	2,504,500	5,995,500	7,982,700	5,001,100
Expenditure and Transfers:							
A. Education and General							
Instruction	1,662,700	2,534,000	2,299,600	1,487,400	2,841,000	4,547,400	2,896,900
Research	-	-	-	-	-	-	-
Public Service	-	-	-	-	-	30,000	-
Academic Support	-	123,800	-	-	104,500	-	-
Student Services	274,900	181,500	356,400	263,100	791,300	954,000	614,100
Institutional Support	525,300	953,400	627,200	380,400	867,400	1,243,100	912,600
Operation & Maintenance of Plant	315,300	598,200	304,200	233,600	686,900	860,400	425,500
Scholarships and Fellowships	26,400	186,300	205,000	24,000	158,400	98,900	52,000
Educational & General Expend.	2,804,600	4,577,200	3,792,400	2,388,500	5,449,500	7,733,800	4,901,100

Tennessee Board of Regents
Summary of Unrestricted Revenues and Expenditures Budget

	Harriman	Hartsville	Hohenwald	Jacksboro	Jackson	Knoxville	Livingston
Mandatory Transfers for:							
Principal and Interest	-	-	-	-	-	-	-
Renewals and Replacement	-	-	-	-	-	-	-
Loan Fund Matching Grant	-	-	-	-	-	-	-
Other Mandatory Transfers	-	-	-	-	-	-	-
Total Mandatory Transfers	-	-	-	-	-	-	-
Non-Mandatory Transfers for:							
Transfers to Unexpend.Plant Fund	-	-	220,800	-	-	-	-
Transfers to Renewal & Replacem.	142,700	-	-	-	-	217,300	-
Transfers to Other Funds	-	-	-	-	-	-	-
Transfers from Unexpended Plant	-	-	-	-	-	-	-
Trans. from Renewal & Replacem.	-	-	-	-	-	-	-
Transfers from Other Funds	-	-	-	-	-	-	-
Total Non-Mandatory Transfers	142,700	-	220,800	-	-	217,300	-
Total Educational & General	2,947,300	4,577,200	4,013,200	2,388,500	5,449,500	7,951,100	4,901,100
B. Auxiliary Enterprise Expenditures:							
Students	230,000	60,000	167,500	116,000	237,500	270,200	100,000
Intercollegiate Athletics	-	-	-	-	-	-	-
Total Aux. Enterprises Expend	230,000	60,000	167,500	116,000	237,500	270,200	100,000
Mandatory Transfers for:							
Principal and Interest	-	-	-	-	-	-	-
Renewals and Replacement	-	-	-	-	-	-	-
Other Mandatory Transfers	-	-	-	-	-	-	-
Total Mandatory Transfers	-	-	-	-	-	-	-
Non-Mandatory Transfers for:							
Transfers to Unexpend.Plant Fund	-	-	-	-	-	-	-
Transfers to Renewal & Replacem.	-	-	-	-	-	5,500	-
Transfers to Other Funds	-	-	-	-	-	-	-
Transfers from Unexpended Plant	-	-	-	-	-	-	-
Trans. from Renewal & Replacem.	-	-	-	-	-	-	-
Transfers from Other Funds	-	-	-	-	-	-	-
Total Non-Mandatory Transfers	-	-	-	-	-	5,500	-
Total Auxiliary Enterprises	230,000	60,000	167,500	116,000	237,500	275,700	100,000
Total Expenditures & Transfers	3,177,300	4,637,200	4,180,700	2,504,500	5,687,000	8,226,800	5,001,100
Other Additions/Deductions	-	-	-	-	-	-	-
Unrestricted Current Fund Balances at End of Period:							
Allocations for Encumbrances	309,300	19,700	40,000	-	45,000	3,300	-
Allocations for Working Capital	137,300	67,600	70,900	629,300	245,000	173,800	950,000
Special Allocations	312,500	688,100	154,500	93,700	1,720,500	403,300	650,100
Unallocated Balances	-	-	-	-	-	-	-
Total Balances	759,100	775,400	265,400	723,000	2,010,500	580,400	1,600,100

Tennessee Board of Regents
Summary of Unrestricted Revenues and Expenditures Budget

	McKenzie	McMinnville	Memphis	Morristown	Murfreesboro	Nashville	Newbern
Unrestricted Current Fund Balances at Beginning of Period:							
Allocation for Encumbrances	-	-	2,800	3,300	2,000	36,900	-
Allocation for Working Capital	72,000	824,300	125,200	151,400	100,000	576,500	97,000
Special Allocations	279,600	54,300	401,100	466,200	2,951,700	1,473,700	343,500
Unallocated Balances	-	-	-	-	-	-	-
Total Balances	351,600	878,600	529,100	620,900	3,053,700	2,087,100	440,500
Revenue:							
A. Education and General							
Tuition and Fees	446,800	1,014,700	3,710,800	2,506,000	1,858,600	2,821,500	1,427,400
Federal Appropriations	-	-	-	-	-	-	-
State Appropriations	1,548,400	1,668,200	5,405,500	4,341,600	4,213,800	5,006,600	2,033,200
Local Appropriations	-	-	-	-	-	-	-
Federal Grants and Contracts	1,500	1,000	7,000	-	2,400	2,500	-
State Grants and Contracts	-	5,000	-	-	-	30,000	-
Local Grants and Contracts	-	-	15,000	-	-	-	-
Private Contracts	-	4,000	-	-	945,000	206,000	30,000
Private Gifts	-	-	-	-	-	-	-
Endowment Income	-	-	-	-	-	-	-
Sales & Services of Ed. Act.	100	6,000	54,000	-	25,000	18,000	18,000
Sales & Services of Other Act.	1,100	1,500	-	-	255,000	5,400	2,000
Other Sources	6,000	4,000	120,000	38,000	34,000	53,900	55,000
Total Educational & General	2,003,900	2,704,400	9,312,300	6,885,600	7,333,800	8,143,900	3,565,600
B. Sales & Services of Aux. Enter:							
Students	100,000	-	52,000	300,000	160,000	100,000	125,000
Intercollegiate Athletics	-	-	-	-	-	-	-
Total Sales & Serv of Aux Ent	100,000	-	52,000	300,000	160,000	100,000	125,000
Total Revenues	2,103,900	2,704,400	9,364,300	7,185,600	7,493,800	8,243,900	3,690,600
Expenditure and Transfers:							
A. Education and General							
Instruction	806,700	1,493,600	4,904,500	4,456,800	5,073,200	5,196,200	1,804,900
Research	-	-	-	-	-	-	-
Public Service	-	-	-	-	-	-	-
Academic Support	118,800	-	-	-	-	16,000	-
Student Services	358,000	222,800	938,400	698,500	494,500	595,800	378,600
Institutional Support	361,900	597,900	2,048,300	941,000	691,300	1,394,700	532,400
Operation & Maintenance of Plant	231,600	237,800	1,016,400	623,200	965,800	972,700	433,600
Scholarships and Fellowships	34,000	19,400	160,000	111,500	39,500	65,000	106,300
Educational & General Expend.	1,911,000	2,571,500	9,067,600	6,831,000	7,264,300	8,240,400	3,255,800

Tennessee Board of Regents
Summary of Unrestricted Revenues and Expenditures Budget

	McKenzie	McMinnville	Memphis	Morristown	Murfreesboro	Nashville	Newbern
Mandatory Transfers for:							
Principal and Interest	-	-	-	-	-	-	-
Renewals and Replacement	-	-	-	-	-	-	-
Loan Fund Matching Grant	-	-	-	-	-	-	-
Other Mandatory Transfers	-	-	-	-	-	-	-
Total Mandatory Transfers	-	-	-	-	-	-	-
Non-Mandatory Transfers for:							
Transfers to Unexpend.Plant Fund	-	-	-	-	167,000	-	-
Transfers to Renewal & Replacem.	100,000	132,900	290,900	-	220,000	-	490,700
Transfers to Other Funds	-	-	-	-	-	-	-
Transfers from Unexpended Plant	-	-	-	-	-	-	-
Trans. from Renewal & Replacem.	-	-	-	-	-	-	-
Transfers from Other Funds	-	-	-	-	-	-	-
Total Non-Mandatory Transfers	100,000	132,900	290,900	-	387,000	-	490,700
Total Educational & General	2,011,000	2,704,400	9,358,500	6,831,000	7,651,300	8,240,400	3,746,500
B. Auxiliary Enterprise Expenditures:							
Students	93,000	-	-	224,300	120,000	70,000	100,000
Intercollegiate Athletics	-	-	-	-	-	-	-
Total Aux. Enterprises Expend	93,000	-	-	224,300	120,000	70,000	100,000
Mandatory Transfers for:							
Principal and Interest	-	-	-	-	-	-	-
Renewals and Replacement	-	-	-	-	-	-	-
Other Mandatory Transfers	-	-	-	-	-	-	-
Total Mandatory Transfers	-	-	-	-	-	-	-
Non-Mandatory Transfers for:							
Transfers to Unexpend.Plant Fund	-	-	-	-	-	-	-
Transfers to Renewal & Replacem.	-	-	-	-	-	-	-
Transfers to Other Funds	-	-	-	-	-	-	-
Transfers from Unexpended Plant	-	-	-	-	-	-	-
Trans. from Renewal & Replacem.	-	-	-	-	-	-	-
Transfers from Other Funds	-	-	-	-	-	-	-
Total Non-Mandatory Transfers	-	-	-	-	-	-	-
Total Auxiliary Enterprises	93,000	-	-	224,300	120,000	70,000	100,000
Total Expenditures & Transfers	2,104,000	2,704,400	9,358,500	7,055,300	7,771,300	8,310,400	3,846,500
Other Additions/Deductions	-	-	-	-	-	-	-
Unrestricted Current Fund Balances at End of Period:							
Allocations for Encumbrances	-	-	2,800	3,300	2,000	36,900	-
Allocations for Working Capital	72,000	822,500	125,100	146,000	100,000	576,500	100,000
Special Allocations	279,500	56,100	407,000	601,900	2,674,200	1,407,200	184,600
Unallocated Balances	-	-	-	-	-	-	-
Total Balances	351,500	878,600	534,900	751,200	2,776,200	2,020,600	284,600

Tennessee Board of Regents
Summary of Unrestricted Revenues and Expenditures Budget

	Oneida	Paris	Pulaski	Ripley	Shelbyville	Whiteville	Total TCATs
Unrestricted Current Fund Balances							
at Beginning of Period:							
Allocation for Encumbrances	1,400	5,000	2,000	-	-	225,000	860,800
Allocation for Working Capital	78,100	100,000	110,000	500,000	1,554,600	35,000	8,105,800
Special Allocations	444,000	551,100	1,112,000	114,400	98,000	1,430,500	18,080,000
Unallocated Balances	-	-	-	-	-	-	-
Total Balances	523,500	656,100	1,224,000	614,400	1,652,600	1,690,500	27,046,600
Revenue:							
A. Education and General							
Tuition and Fees	637,900	724,200	1,453,000	653,500	1,830,500	734,000	41,996,700
Federal Appropriations	-	-	-	-	-	-	-
State Appropriations	1,689,700	2,113,800	2,614,900	1,261,900	3,103,800	1,494,900	75,374,300
Local Appropriations	-	-	-	-	-	-	-
Federal Grants and Contracts	4,200	2,000	100	-	2,900	800	439,200
State Grants and Contracts	-	-	-	-	-	-	72,000
Local Grants and Contracts	-	-	-	-	-	105,000	1,212,700
Private Contracts	-	-	2,500	-	1,300	-	2,004,300
Private Gifts	-	-	-	-	-	-	6,000
Endowment Income	-	-	-	-	-	-	-
Sales & Services of Ed. Act.	5,600	17,200	50,000	11,200	80,200	30,000	824,200
Sales & Services of Other Act.	21,200	-	2,000	-	7,900	-	461,500
Other Sources	2,000	15,500	31,000	121,700	9,000	5,200	877,400
Total Educational & General	2,360,600	2,872,700	4,153,500	2,048,300	5,035,600	2,369,900	123,268,300
B. Sales & Services of Aux. Enter:							
Students	200,000	144,000	215,000	85,000	106,400	114,000	4,077,500
Intercollegiate Athletics	-	-	-	-	-	-	-
Total Sales & Serv of Aux Ent	200,000	144,000	215,000	85,000	106,400	114,000	4,077,500
Total Revenues	2,560,600	3,016,700	4,368,500	2,133,300	5,142,000	2,483,900	127,345,800
Expenditure and Transfers:							
A. Education and General							
Instruction	1,198,200	1,493,600	1,893,300	970,200	2,821,900	1,124,900	70,086,900
Research	-	-	-	-	-	-	-
Public Service	-	-	-	-	-	-	30,000
Academic Support	-	111,900	62,100	-	82,300	-	988,700
Student Services	271,800	201,300	806,900	295,800	682,800	209,600	13,238,200
Institutional Support	564,200	516,800	599,700	496,000	843,500	324,300	20,717,200
Operation & Maintenance of Plant	305,500	363,100	340,700	201,800	562,500	272,500	13,261,200
Scholarships and Fellowships	27,300	93,000	259,700	93,000	41,600	156,300	2,472,000
Educational & General Expend.	2,367,000	2,779,700	3,962,400	2,056,800	5,034,600	2,087,600	120,794,200

Tennessee Board of Regents
Summary of Unrestricted Revenues and Expenditures Budget

	Oneida	Paris	Pulaski	Ripley	Shelbyville	Whiteville	Total TCATs
Mandatory Transfers for:							
Principal and Interest	-	-	-	-	-	-	-
Renewals and Replacement	-	-	-	-	-	-	-
Loan Fund Matching Grant	-	-	-	-	-	-	-
Other Mandatory Transfers	-	-	-	-	-	-	-
Total Mandatory Transfers	-	-	-	-	-	-	-
Non-Mandatory Transfers for:							
Transfers to Unexpend.Plant Fund	-	-	100,000	-	-	-	637,800
Transfers to Renewal & Replacem.	-	200,000	100,000	106,600	-	500,000	3,238,800
Transfers to Other Funds	-	-	-	-	-	-	-
Transfers from Unexpended Plant	-	-	-	-	-	-	-
Trans. from Renewal & Replacem.	-	-	-	-	-	-	-
Transfers from Other Funds	-	-	-	-	-	-	-
Total Non-Mandatory Transfers	-	200,000	200,000	106,600	-	500,000	3,876,600
Total Educational & General	2,367,000	2,979,700	4,162,400	2,163,400	5,034,600	2,587,600	124,670,800
B. Auxiliary Enterprise Expenditures:							
Students	171,000	142,200	191,000	70,000	100,000	105,000	3,498,700
Intercollegiate Athletics	-	-	-	-	-	-	-
Total Aux. Enterprises Expend	171,000	142,200	191,000	70,000	100,000	105,000	3,498,700
Mandatory Transfers for:							
Principal and Interest	-	-	-	-	-	-	-
Renewals and Replacement	-	-	-	-	-	-	-
Other Mandatory Transfers	-	-	-	-	-	-	-
Total Mandatory Transfers	-	-	-	-	-	-	-
Non-Mandatory Transfers for:							
Transfers to Unexpend.Plant Fund	-	-	-	-	-	-	-
Transfers to Renewal & Replacem.	-	-	-	-	-	-	5,500
Transfers to Other Funds	-	-	-	-	-	-	-
Transfers from Unexpended Plant	-	-	-	-	-	-	-
Trans. from Renewal & Replacem.	-	-	-	-	-	-	-
Transfers from Other Funds	-	-	-	-	-	-	-
Total Non-Mandatory Transfers	-	-	-	-	-	-	5,500
Total Auxiliary Enterprises	171,000	142,200	191,000	70,000	100,000	105,000	3,504,200
Total Expenditures & Transfers	2,538,000	3,121,900	4,353,400	2,233,400	5,134,600	2,692,600	128,175,000
Other Additions/Deductions	-	-	-	-	-	-	-
Unrestricted Current Fund Balances at End of Period:							
Allocations for Encumbrances	1,400	5,000	2,000	-	-	-	555,400
Allocations for Working Capital	78,800	100,000	110,100	400,000	1,557,000	35,000	7,847,400
Special Allocations	465,900	445,900	1,127,000	114,300	103,000	1,446,800	17,814,600
Unallocated Balances	-	-	-	-	-	-	-
Total Balances	546,100	550,900	1,239,100	514,300	1,660,000	1,481,800	26,217,400

Tennessee Board of Regents
Summary of Unrestricted Revenues and Expenditures Budget

	TBR	Total System
Unrestricted Current Fund Balances		
at Beginning of Period:		
Allocation for Encumbrances	23,000	5,001,200
Allocation for Working Capital	826,000	24,626,500
Special Allocations	4,070,300	145,824,100
Unallocated Balances	-	-
Total Balances	4,919,300	175,451,800
Revenue:		
A. Education and General		
Tuition and Fees	-	322,120,000
Federal Appropriations	-	-
State Appropriations	23,194,900	419,453,800
Local Appropriations	-	-
Federal Grants and Contracts	4,000	4,169,200
State Grants and Contracts	388,000	720,000
Local Grants and Contracts	-	1,389,100
Private Contracts	8,000	3,071,100
Private Gifts	-	61,200
Endowment Income	-	-
Sales & Services of Ed. Act.	-	2,045,400
Sales & Services of Other Act.	16,516,800	20,062,900
Other Sources	232,700	11,566,700
Total Educational & General	40,344,400	784,659,400
B. Sales & Services of Aux. Enter:		
Students	-	7,010,500
Intercollegiate Athletics	-	-
Total Sales & Serv of Aux Ent	-	7,010,500
Total Revenues	40,344,400	791,669,900
Expenditure and Transfers:		
A. Education and General		
Instruction	-	377,068,600
Research	-	-
Public Service	-	4,095,200
Academic Support	-	55,535,200
Student Services	-	88,615,500
Institutional Support	38,099,500	145,953,300
Operation & Maintenance of Plant	-	85,456,900
Scholarships and Fellowships	5,000	18,771,400
Educational & General Expend.	38,104,500	775,496,100

Tennessee Board of Regents
Summary of Unrestricted Revenues and Expenditures Budget

	TBR	Total System
Mandatory Transfers for:		
Principal and Interest	-	1,047,100
Renewals and Replacement	-	-
Loan Fund Matching Grant	-	-
Other Mandatory Transfers	-	-
Total Mandatory Transfers	-	1,047,100
Non-Mandatory Transfers for:		
Transfers to Unexpend.Plant Fund	-	7,873,600
Transfers to Renewal & Replacem.	2,239,900	6,504,200
Transfers to Other Funds	-	165,700
Transfers from Unexpended Plant	-	-
Trans. from Renewal & Replacem.	-	-
Transfers from Other Funds	-	(934,200)
Total Non-Mandatory Transfers	2,239,900	13,609,300
Total Educational & General	40,344,400	790,152,500
B. Auxiliary Enterprise Expenditures:		
Students	-	4,970,700
Intercollegiate Athletics	-	-
Total Aux. Enterprises Expend	-	4,970,700
Mandatory Transfers for:		
Principal and Interest	-	-
Renewals and Replacement	-	-
Other Mandatory Transfers	-	-
Total Mandatory Transfers	-	-
Non-Mandatory Transfers for:		
Transfers to Unexpend.Plant Fund	-	-
Transfers to Renewal & Replacem.	-	365,600
Transfers to Other Funds	-	934,200
Transfers from Unexpended Plant	-	-
Trans. from Renewal & Replacem.	-	-
Transfers from Other Funds	-	-
Total Non-Mandatory Transfers	-	1,299,800
Total Auxiliary Enterprises	-	6,270,500
Total Expenditures & Transfers	40,344,400	796,423,000
Other Additions/Deductions	-	-
Unrestricted Current Fund Balances at End of Period:		
Allocations for Encumbrances	23,000	3,880,400
Allocations for Working Capital	826,000	24,576,400
Special Allocations	4,070,300	142,241,900
Unallocated Balances	-	-
Total Balances	4,919,300	170,698,700

Tennessee Board of Regents
 Summary of Unrestricted Revenues with Percentages by Major Budget Category

		Tuition & Fees	%	State Appropriation	%	Sales & Services	%	Other E&G Sources	%	Total E&G	%	Auxiliaries	Total Unrestricted
CHSCC	6/30/2020	31,104,074	47.05%	33,685,000	50.95%	312,530	0.47%	1,013,752	1.53%	66,115,356	100.00%	1,686,528	67,801,884
	6/30/2021	28,740,200	46.01%	33,084,400	52.96%	203,500	0.33%	443,000	0.71%	62,471,100	100.00%	465,000	62,936,100
	7/1/2021	29,132,300	44.69%	35,383,900	54.28%	260,000	0.40%	413,400	0.63%	65,189,600	100.00%	765,000	65,954,600
CLSCC	6/30/2020	11,859,425	47.85%	12,310,100	49.67%	27,671	0.11%	586,995	2.37%	24,784,191	100.00%	129,091	24,913,282
	6/30/2021	11,119,300	44.24%	11,937,900	47.49%	18,500	0.07%	2,060,700	8.20%	25,136,400	100.00%	121,000	25,257,400
	7/1/2021	11,369,300	44.54%	12,983,600	50.87%	18,500	0.07%	1,153,800	4.52%	25,525,200	100.00%	132,300	25,657,500
COSCC	6/30/2020	23,613,408	58.05%	16,710,725	41.08%	27,735	0.07%	323,192	0.79%	40,675,060	100.00%	243,512	40,918,572
	6/30/2021	21,885,900	54.06%	17,543,100	43.33%	25,700	0.06%	1,029,500	2.54%	40,484,200	100.00%	70,000	40,554,200
	7/1/2021	21,252,500	52.08%	19,457,800	47.68%	25,700	0.06%	72,500	0.18%	40,808,500	100.00%	125,600	40,934,100
DSCC	6/30/2020	10,198,231	48.43%	10,542,875	50.07%	4,887	0.02%	310,722	1.48%	21,056,715	100.00%	54,899	21,111,614
	6/30/2021	10,213,800	48.30%	10,717,100	50.68%	4,400	0.02%	209,900	0.99%	21,145,200	100.00%	40,000	21,185,200
	7/1/2021	10,258,300	46.34%	11,573,100	52.27%	4,300	0.02%	303,300	1.37%	22,139,000	100.00%	40,000	22,179,000
JSCC	6/30/2020	16,857,638	49.95%	15,035,363	44.55%	968,861	2.87%	887,766	2.63%	33,749,628	100.00%	105,627	33,855,255
	6/30/2021	13,722,800	42.74%	14,879,600	46.35%	525,800	1.64%	2,977,700	9.27%	32,105,900	100.00%	145,000	32,250,900
	7/1/2021	13,663,000	43.44%	16,231,800	51.61%	483,300	1.54%	1,071,500	3.41%	31,449,600	100.00%	145,000	31,594,600
MSCC	6/30/2020	24,581,837	57.40%	17,576,300	41.04%	66,715	0.16%	600,955	1.40%	42,825,807	100.00%	204,519	43,030,326
	6/30/2021	20,799,400	49.67%	19,334,000	46.17%	67,200	0.16%	1,673,300	4.00%	41,873,900	100.00%	100,000	41,973,900
	7/1/2021	21,226,800	47.73%	22,742,100	51.14%	57,500	0.13%	447,500	1.01%	44,473,900	100.00%	100,000	44,573,900
NASCC	6/30/2020	26,788,678	51.76%	23,420,650	45.25%	7,307	0.01%	1,539,627	2.97%	51,756,262	100.00%	339,961	52,096,223
	6/30/2021	23,953,900	48.28%	22,732,000	45.82%	300	0.00%	2,927,500	5.90%	49,613,700	100.00%	249,200	49,862,900
	7/1/2021	24,914,200	50.54%	23,865,400	48.41%	500	0.00%	515,600	1.05%	49,295,700	100.00%	259,200	49,554,900
NESCC	6/30/2020	20,723,569	48.65%	21,288,950	49.97%	12,424	0.03%	574,483	1.35%	42,599,426	100.00%	119,563	42,718,989
	6/30/2021	18,099,900	43.69%	23,013,900	55.55%	13,000	0.03%	305,600	0.74%	41,432,400	100.00%	207,500	41,639,900
	7/1/2021	18,049,600	39.33%	24,803,000	54.04%	13,000	0.03%	3,030,600	6.60%	45,896,200	100.00%	122,500	46,018,700
PSCC	6/30/2020	38,386,172	50.43%	34,951,300	45.92%	40,787	0.05%	2,734,820	3.59%	76,113,079	100.00%	427,479	76,540,558
	6/30/2021	32,699,000	43.24%	35,442,700	46.87%	45,000	0.06%	7,439,300	9.84%	75,626,000	100.00%	400,000	76,026,000
	7/1/2021	33,394,000	44.99%	38,338,200	51.65%	45,000	0.06%	2,443,800	3.29%	74,221,000	100.00%	400,000	74,621,000

Tennessee Board of Regents
 Summary of Unrestricted Revenues with Percentages by Major Budget Category

		Tuition & Fees	%	State Appropriation	%	Sales & Services	%	Other E&G Sources	%	Total E&G	%	Auxiliaries	Total Unrestricted
RSCC	6/30/2020	22,199,202	47.16%	24,009,763	51.01%	27,623	0.06%	830,687	1.76%	47,067,275	100.00%	209,633	47,276,908
	6/30/2021	19,193,800	42.76%	23,966,500	53.39%	29,200	0.07%	1,696,500	3.78%	44,886,000	100.00%	200,000	45,086,000
	7/1/2021	18,942,400	40.66%	25,979,900	55.77%	37,200	0.08%	1,623,100	3.48%	46,582,600	100.00%	212,000	46,794,600
STCC	6/30/2020	33,344,553	49.89%	30,340,888	45.40%	150,491	0.23%	2,998,285	4.49%	66,834,217	100.00%	526,187	67,360,404
	6/30/2021	25,414,500	40.52%	29,938,100	47.74%	71,300	0.11%	7,292,400	11.63%	62,716,300	100.00%	248,000	62,964,300
	7/1/2021	26,031,600	40.51%	31,476,900	48.98%	79,500	0.12%	6,671,400	10.38%	64,259,400	100.00%	249,000	64,508,400
VSCC	6/30/2020	33,959,582	55.68%	26,385,325	43.26%	29,836	0.05%	612,279	1.00%	60,987,022	100.00%	299,686	61,286,708
	6/30/2021	30,150,600	50.81%	27,806,100	46.86%	133,700	0.23%	1,252,400	2.11%	59,342,800	100.00%	257,000	59,599,800
	7/1/2021	30,652,700	49.19%	30,919,200	49.62%	133,700	0.21%	611,100	0.98%	62,316,700	100.00%	257,000	62,573,700
WSCC	6/30/2020	23,976,859	47.36%	25,594,900	50.55%	76,447	0.15%	981,493	1.94%	50,629,699	100.00%	141,515	50,771,214
	6/30/2021	21,692,500	43.82%	25,474,600	51.46%	31,500	0.06%	2,308,500	4.66%	49,507,100	100.00%	190,200	49,697,300
	7/1/2021	21,236,600	43.44%	27,129,700	55.49%	63,000	0.13%	460,000	0.94%	48,889,300	100.00%	125,400	49,014,700
Total Comm Colleges	6/30/2020	317,593,228	50.80%	291,852,139	46.68%	1,753,314	0.28%	13,995,056	2.24%	625,193,737	100.00%	4,488,200	629,681,937
	6/30/2021	277,685,600	45.80%	295,870,000	48.80%	1,169,100	0.19%	31,616,300	5.21%	606,341,000	100.00%	2,692,900	609,033,900
	7/1/2021	280,123,300	45.11%	320,884,600	51.67%	1,221,200	0.20%	18,817,600	3.03%	621,046,700	100.00%	2,933,000	623,979,700
Athens	6/30/2020	900,897	32.24%	1,731,200	61.95%	6,130	0.22%	156,063	5.59%	2,794,290	100.00%	183,739	2,978,029
	6/30/2021	858,700	31.40%	1,730,600	63.28%	4,800	0.18%	140,600	5.14%	2,734,700	100.00%	150,000	2,884,700
	7/1/2021	860,700	30.29%	1,835,200	64.59%	4,100	0.14%	141,100	4.97%	2,841,100	100.00%	135,000	2,976,100
Chattanooga	6/30/2020	2,544,094	34.29%	4,722,100	63.65%	22,714	0.31%	129,626	1.75%	7,418,534	100.00%	-	7,418,534
	6/30/2021	2,376,000	33.13%	4,713,100	65.72%	8,500	0.12%	74,000	1.03%	7,171,600	100.00%	-	7,171,600
	7/1/2021	2,408,000	32.63%	4,874,800	66.06%	23,000	0.31%	74,000	1.00%	7,379,800	100.00%	-	7,379,800
Covington	6/30/2020	773,163	35.67%	1,350,700	62.31%	6,840	0.32%	37,026	1.71%	2,167,729	100.00%	181,428	2,349,157
	6/30/2021	967,900	39.22%	1,350,200	54.71%	3,300	0.13%	146,600	5.94%	2,468,000	100.00%	75,000	2,543,000
	7/1/2021	922,300	35.80%	1,504,300	58.39%	3,200	0.12%	146,600	5.69%	2,576,400	100.00%	75,000	2,651,400
Crossville	6/30/2020	1,253,796	33.51%	2,236,550	59.78%	4,119	0.11%	247,018	6.60%	3,741,483	100.00%	233,731	3,975,214
	6/30/2021	1,675,100	40.09%	2,417,900	57.86%	18,300	0.44%	67,400	1.61%	4,178,700	100.00%	200,000	4,378,700
	7/1/2021	1,624,000	38.50%	2,509,500	59.49%	16,500	0.39%	68,500	1.62%	4,218,500	100.00%	200,000	4,418,500

Tennessee Board of Regents
 Summary of Unrestricted Revenues with Percentages by Major Budget Category

		Tuition & Fees	%	State Appropriation	%	Sales & Services	%	Other E&G Sources	%	Total E&G	%	Auxiliaries	Total Unrestricted
Crump	6/30/2020	1,206,531	39.54%	1,678,300	55.00%	30,972	1.01%	135,816	4.45%	3,051,619	100.00%	95,531	3,147,150
	6/30/2021	1,448,200	42.44%	1,677,500	49.16%	30,700	0.90%	256,100	7.50%	3,412,500	100.00%	52,800	3,465,300
	7/1/2021	1,555,400	41.88%	1,853,800	49.92%	30,700	0.83%	273,700	7.37%	3,713,600	100.00%	25,000	3,738,600
Dickson	6/30/2020	2,374,472	37.84%	3,672,600	58.52%	42,551	0.68%	185,647	2.96%	6,275,270	100.00%	363,982	6,639,252
	6/30/2021	2,516,300	38.17%	3,669,700	55.66%	29,000	0.44%	377,500	5.73%	6,592,500	100.00%	150,000	6,742,500
	7/1/2021	2,550,800	36.79%	4,060,000	58.55%	37,000	0.53%	286,500	4.13%	6,934,300	100.00%	150,000	7,084,300
Elizabethton	6/30/2020	1,657,393	35.73%	2,809,800	60.58%	17,314	0.37%	154,006	3.32%	4,638,513	100.00%	538,431	5,176,944
	6/30/2021	1,736,700	37.37%	2,807,200	60.41%	12,400	0.27%	90,600	1.95%	4,646,900	100.00%	500,000	5,146,900
	7/1/2021	1,529,800	33.16%	2,995,500	64.94%	12,100	0.26%	75,600	1.64%	4,613,000	100.00%	489,100	5,102,100
Harriman	6/30/2020	870,732	32.88%	1,744,900	65.88%	6,056	0.23%	26,777	1.01%	2,648,465	100.00%	228,535	2,877,000
	6/30/2021	891,500	33.44%	1,744,200	65.42%	6,500	0.24%	24,000	0.90%	2,666,200	100.00%	255,000	2,921,200
	7/1/2021	931,500	32.66%	1,890,200	66.27%	6,500	0.23%	24,000	0.84%	2,852,200	100.00%	255,000	3,107,200
Hartsville	6/30/2020	1,065,121	27.98%	2,258,200	59.32%	670	0.02%	482,546	12.68%	3,806,537	100.00%	178,887	3,985,424
	6/30/2021	1,202,600	29.17%	2,254,600	54.68%	50,200	1.22%	615,700	14.93%	4,123,100	100.00%	86,000	4,209,100
	7/1/2021	1,362,500	29.67%	2,377,500	51.77%	55,000	1.20%	797,500	17.37%	4,592,500	100.00%	92,000	4,684,500
Hohenwald	6/30/2020	1,216,907	35.84%	1,784,725	52.56%	15,794	0.47%	378,156	11.14%	3,395,582	100.00%	206,280	3,601,862
	6/30/2021	1,341,900	34.73%	2,112,900	54.69%	15,000	0.39%	393,500	10.19%	3,863,300	100.00%	185,500	4,048,800
	7/1/2021	1,360,900	33.62%	2,329,100	57.54%	15,000	0.37%	343,000	8.47%	4,048,000	100.00%	180,000	4,228,000
Jacksboro	6/30/2020	837,649	35.86%	1,466,200	62.77%	6,051	0.26%	25,984	1.11%	2,335,884	100.00%	112,488	2,448,372
	6/30/2021	916,500	38.10%	1,463,900	60.85%	4,000	0.17%	21,200	0.88%	2,405,600	100.00%	150,300	2,555,900
	7/1/2021	833,300	34.95%	1,542,200	64.68%	5,000	0.21%	4,000	0.17%	2,384,500	100.00%	120,000	2,504,500
Jackson	6/30/2020	1,388,534	25.90%	3,542,300	66.07%	104,829	1.96%	325,653	6.07%	5,361,316	100.00%	274,487	5,635,803
	6/30/2021	1,598,800	28.67%	3,539,900	63.47%	116,000	2.08%	322,500	5.78%	5,577,200	100.00%	280,000	5,857,200
	7/1/2021	1,757,000	30.53%	3,686,800	64.06%	120,000	2.08%	191,700	3.33%	5,755,500	100.00%	240,000	5,995,500
Knoxville	6/30/2020	2,621,418	37.64%	4,134,600	59.36%	130,598	1.88%	78,473	1.13%	6,965,089	100.00%	311,634	7,276,723
	6/30/2021	3,054,800	40.59%	4,130,400	54.89%	149,900	1.99%	190,000	2.52%	7,525,100	100.00%	315,000	7,840,100
	7/1/2021	3,102,500	40.46%	4,290,100	55.95%	152,800	1.99%	122,300	1.60%	7,667,700	100.00%	315,000	7,982,700

Tennessee Board of Regents
 Summary of Unrestricted Revenues with Percentages by Major Budget Category

	Tuition & Fees	%	State Appropriation	%	Sales & Services	%	Other E&G Sources	%	Total E&G	%	Auxiliaries	Total Unrestricted
Livingston												
6/30/2020	1,849,690	34.90%	2,851,550	53.80%	63,248	1.19%	536,092	10.11%	5,300,580	100.00%	117,920	5,418,500
6/30/2021	1,379,100	29.84%	2,849,800	61.66%	28,000	0.61%	365,000	7.90%	4,621,900	100.00%	100,000	4,721,900
7/1/2021	1,379,100	28.14%	3,129,000	63.84%	28,000	0.57%	365,000	7.45%	4,901,100	100.00%	100,000	5,001,100
McKenzie												
6/30/2020	465,838	23.32%	1,494,100	74.79%	130	0.01%	37,643	1.88%	1,997,711	100.00%	124,386	2,122,097
6/30/2021	413,900	21.62%	1,492,500	77.95%	100	0.01%	8,100	0.42%	1,914,600	100.00%	100,000	2,014,600
7/1/2021	446,800	22.30%	1,548,400	77.27%	100	0.00%	8,600	0.43%	2,003,900	100.00%	100,000	2,103,900
McMinnville												
6/30/2020	880,916	34.43%	1,592,400	62.23%	3,293	0.13%	82,129	3.21%	2,558,738	100.00%	41,771	2,600,509
6/30/2021	1,036,400	39.18%	1,589,500	60.08%	3,800	0.14%	15,800	0.60%	2,645,500	100.00%	-	2,645,500
7/1/2021	1,014,700	37.52%	1,668,200	61.68%	6,000	0.22%	15,500	0.57%	2,704,400	100.00%	-	2,704,400
Memphis												
6/30/2020	3,213,001	37.10%	5,214,600	60.20%	46,722	0.54%	187,133	2.16%	8,661,456	100.00%	125,450	8,786,906
6/30/2021	3,630,800	40.28%	5,187,200	57.55%	54,000	0.60%	142,000	1.58%	9,014,000	100.00%	52,000	9,066,000
7/1/2021	3,710,800	39.85%	5,405,500	58.05%	54,000	0.58%	142,000	1.52%	9,312,300	100.00%	52,000	9,364,300
Morristown												
6/30/2020	2,204,861	33.77%	4,128,738	63.25%	65,351	1.00%	129,183	1.98%	6,528,133	100.00%	241,021	6,769,154
6/30/2021	2,189,100	34.43%	4,114,200	64.72%	10,000	0.16%	44,000	0.69%	6,357,300	100.00%	275,000	6,632,300
7/1/2021	2,506,000	36.39%	4,341,600	63.05%	-	0.00%	38,000	0.55%	6,885,600	100.00%	300,000	7,185,600
Murfreesboro												
6/30/2020	1,787,456	25.98%	3,781,000	54.95%	25,048	0.36%	1,287,249	18.71%	6,880,753	100.00%	228,089	7,108,842
6/30/2021	1,833,700	26.69%	3,774,000	54.94%	25,000	0.36%	1,236,400	18.00%	6,869,100	100.00%	110,000	6,979,100
7/1/2021	1,858,600	25.34%	4,213,800	57.46%	25,000	0.34%	1,236,400	16.86%	7,333,800	100.00%	160,000	7,493,800
Nashville												
6/30/2020	2,446,355	32.15%	4,802,500	63.11%	39,011	0.51%	321,711	4.23%	7,609,577	100.00%	177,436	7,787,013
6/30/2021	2,755,500	35.02%	4,797,200	60.97%	18,000	0.23%	297,800	3.78%	7,868,500	100.00%	120,000	7,988,500
7/1/2021	2,821,500	34.65%	5,006,600	61.48%	18,000	0.22%	297,800	3.66%	8,143,900	100.00%	100,000	8,243,900
Newbern												
6/30/2020	1,269,895	38.28%	1,932,300	58.25%	44,183	1.33%	70,887	2.14%	3,317,265	100.00%	299,928	3,617,193
6/30/2021	1,321,300	39.41%	1,928,300	57.52%	13,500	0.40%	89,300	2.66%	3,352,400	100.00%	130,000	3,482,400
7/1/2021	1,427,400	40.03%	2,033,200	57.02%	18,000	0.50%	87,000	2.44%	3,565,600	100.00%	125,000	3,690,600
Oneida												
6/30/2020	748,049	30.82%	1,624,600	66.94%	4,494	0.19%	49,854	2.05%	2,426,997	100.00%	197,725	2,624,722
6/30/2021	676,400	28.88%	1,623,100	69.30%	5,600	0.24%	37,000	1.58%	2,342,100	100.00%	200,000	2,542,100
7/1/2021	637,900	27.02%	1,689,700	71.58%	5,600	0.24%	27,400	1.16%	2,360,600	100.00%	200,000	2,560,600

Tennessee Board of Regents
 Summary of Unrestricted Revenues with Percentages by Major Budget Category

	Tuition & Fees	%	State Appropriation	%	Sales & Services	%	Other E&G Sources	%	Total E&G	%	Auxiliaries	Total Unrestricted
Paris												
6/30/2020	865,034	29.31%	2,027,000	68.68%	28,436	0.96%	31,091	1.05%	2,951,561	100.00%	227,291	3,178,852
6/30/2021	792,500	27.87%	2,026,000	71.25%	13,200	0.46%	12,000	0.42%	2,843,700	100.00%	160,000	3,003,700
7/1/2021	724,200	25.21%	2,113,800	73.58%	17,200	0.60%	17,500	0.61%	2,872,700	100.00%	144,000	3,016,700
Pulaski												
6/30/2020	1,222,375	31.85%	2,518,000	65.61%	62,371	1.63%	35,331	0.92%	3,838,077	100.00%	189,450	4,027,527
6/30/2021	1,340,700	34.01%	2,515,000	63.80%	50,000	1.27%	36,100	0.92%	3,941,800	100.00%	200,000	4,141,800
7/1/2021	1,453,000	34.98%	2,614,900	62.96%	50,000	1.20%	35,600	0.86%	4,153,500	100.00%	215,000	4,368,500
Ripley												
6/30/2020	505,117	28.77%	1,213,200	69.11%	13,465	0.77%	23,770	1.35%	1,755,552	100.00%	201,989	1,957,541
6/30/2021	600,000	30.95%	1,211,200	62.48%	8,100	0.42%	119,100	6.14%	1,938,400	100.00%	87,600	2,026,000
7/1/2021	653,500	31.90%	1,261,900	61.61%	11,200	0.55%	121,700	5.94%	2,048,300	100.00%	85,000	2,133,300
Shelbyville												
6/30/2020	1,595,631	33.99%	2,987,775	63.64%	49,255	1.05%	62,149	1.32%	4,694,810	100.00%	52,318	4,747,128
6/30/2021	1,602,500	33.46%	2,978,800	62.20%	80,200	1.67%	127,900	2.67%	4,789,400	100.00%	106,400	4,895,800
7/1/2021	1,830,500	36.35%	3,103,800	61.64%	80,200	1.59%	21,100	0.42%	5,035,600	100.00%	106,400	5,142,000
Whiteville												
6/30/2020	547,679	25.70%	1,442,200	67.66%	23,524	1.10%	118,036	5.54%	2,131,439	100.00%	113,202	2,244,641
6/30/2021	674,200	28.07%	1,440,500	59.98%	27,000	1.12%	260,000	10.83%	2,401,700	100.00%	111,000	2,512,700
7/1/2021	734,000	30.97%	1,494,900	63.08%	30,000	1.27%	111,000	4.68%	2,369,900	100.00%	114,000	2,483,900
Total TCATs												
6/30/2020	38,312,604	33.24%	70,742,138	61.38%	863,169	0.75%	5,335,049	4.63%	115,252,960	100.00%	5,247,129	120,500,089
6/30/2021	40,831,100	34.52%	71,139,400	60.15%	785,100	0.66%	5,510,200	4.66%	118,265,800	100.00%	4,151,600	122,417,400
7/1/2021	41,996,700	34.07%	75,374,300	61.15%	824,200	0.67%	5,073,100	4.12%	123,268,300	100.00%	4,077,500	127,345,800
TBR												
6/30/2020	-	0.00%	16,442,100	45.61%	-	0.00%	19,608,720	54.39%	36,050,820	100.00%	-	36,050,820
6/30/2021	-	0.00%	19,214,300	52.13%	-	0.00%	17,644,900	47.87%	36,859,200	100.00%	-	36,859,200
7/1/2021	-	0.00%	23,194,900	57.49%	-	0.00%	17,149,500	42.51%	40,344,400	100.00%	-	40,344,400
Total System												
6/30/2020	355,905,832	55.23%	379,036,377	35.95%	2,616,483	1.12%	38,938,825	7.70%	776,497,517	100.00%	9,735,329	786,232,846
6/30/2021	318,516,700	54.63%	386,223,700	36.57%	1,954,200	1.51%	54,771,400	7.30%	761,466,000	100.00%	6,844,500	768,310,500
7/1/2021	322,120,000	53.91%	419,453,800	37.61%	2,045,400	1.44%	41,040,200	7.04%	784,659,400	100.00%	7,010,500	791,669,900

Tennessee Board of Regents
Summary of Unrestricted Educational and General Expenditure Budget with Percentages by Function

	ChSCC	%	CISCC	%	CoSCC	%	DSCC	%	JSCC	%	MSCC	%	NASCC	%
Instruction														
6/30/2020	32,893,397	54.47%	11,798,554	47.94%	16,400,791	53.01%	9,684,432	49.75%	13,344,973	46.58%	18,690,264	51.48%	20,983,678	48.36%
6/30/2021	33,783,900	54.91%	11,646,700	47.95%	17,259,900	52.77%	10,327,700	50.45%	13,840,300	46.20%	19,088,100	47.50%	19,566,200	46.08%
7/1/2021	35,367,100	54.74%	12,480,900	48.80%	17,825,000	50.57%	10,717,200	49.18%	14,042,500	44.77%	20,767,700	47.02%	22,908,600	44.61%
Research														
6/30/2020	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%
6/30/2021	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%
7/1/2021	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%
Public Service														
6/30/2020	50,000	0.08%	112,937	0.46%	109,330	0.35%	88,516	0.45%	47,337	0.17%	403,553	1.11%	-	0.00%
6/30/2021	50,000	0.08%	74,500	0.31%	132,100	0.40%	37,200	0.18%	55,600	0.19%	682,700	1.70%	-	0.00%
7/1/2021	50,000	0.08%	76,600	0.30%	105,500	0.30%	24,600	0.11%	58,100	0.19%	786,900	1.78%	-	0.00%
Academic Support														
6/30/2020	5,603,957	9.28%	1,445,910	5.88%	1,534,429	4.96%	779,212	4.00%	3,512,716	12.26%	2,926,048	8.06%	5,155,818	11.88%
6/30/2021	5,687,400	9.24%	1,257,800	5.18%	1,573,200	4.81%	705,900	3.45%	3,630,700	12.12%	3,926,900	9.77%	5,466,300	12.87%
7/1/2021	6,094,300	9.43%	1,412,000	5.52%	2,118,800	6.01%	838,400	3.85%	3,792,600	12.09%	4,221,500	9.56%	7,195,200	14.01%
Subtotal														
6/30/2020	38,547,354	63.83%	13,357,401	54.28%	18,044,550	58.33%	10,552,160	54.21%	16,905,026	59.01%	22,019,865	60.65%	26,139,496	60.24%
6/30/2021	39,521,300	64.24%	12,979,000	53.44%	18,965,200	57.98%	11,070,800	54.07%	17,526,600	58.50%	23,697,700	58.97%	25,032,500	58.96%
7/1/2021	41,511,400	64.25%	13,969,500	54.62%	20,049,300	56.88%	11,580,200	53.14%	17,893,200	57.04%	25,776,100	58.36%	30,103,800	58.63%
Student Services														
6/30/2020	6,990,784	11.58%	3,393,394	13.79%	3,845,738	12.43%	2,631,271	13.52%	2,749,009	9.60%	3,476,332	9.58%	5,047,081	11.63%
6/30/2021	6,644,000	10.80%	3,581,900	14.75%	4,147,700	12.68%	2,918,200	14.25%	2,757,200	9.20%	4,276,400	10.64%	5,525,200	13.01%
7/1/2021	7,118,200	11.02%	3,398,600	13.29%	4,668,500	13.24%	3,201,800	14.69%	2,892,200	9.22%	4,724,500	10.70%	6,462,200	12.58%
Institutional Support														
6/30/2020	7,641,165	12.65%	4,327,011	17.58%	4,639,848	15.00%	3,485,159	17.90%	5,178,576	18.08%	5,263,447	14.50%	5,729,826	13.21%
6/30/2021	7,936,000	12.90%	4,441,200	18.29%	4,839,100	14.79%	3,289,600	16.07%	5,637,900	18.82%	6,581,500	16.38%	5,805,700	13.67%
7/1/2021	7,713,600	11.94%	4,393,600	17.18%	5,503,700	15.61%	3,729,800	17.12%	6,249,600	19.92%	7,147,100	16.18%	6,784,000	13.21%
Operation & Maintenance														
6/30/2020	5,569,188	9.22%	2,990,048	12.15%	3,670,047	11.86%	2,257,070	11.59%	2,694,205	9.40%	4,095,243	11.28%	5,760,723	13.28%
6/30/2021	5,569,800	9.05%	2,702,800	11.13%	3,960,800	12.11%	2,488,500	12.15%	2,901,200	9.68%	4,697,700	11.69%	5,321,200	12.53%
7/1/2021	6,217,600	9.62%	3,031,100	11.85%	4,090,500	11.60%	2,531,400	11.62%	3,194,300	10.18%	5,021,000	11.37%	7,098,700	13.82%
Scholarships & Fellowships														
6/30/2020	1,643,823	2.72%	542,572	2.20%	736,873	2.38%	541,259	2.78%	1,120,210	3.91%	1,449,476	3.99%	713,796	1.65%
6/30/2021	1,851,200	3.01%	583,200	2.40%	797,800	2.44%	706,000	3.45%	1,137,000	3.80%	931,900	2.32%	772,300	1.82%
7/1/2021	2,047,900	3.17%	783,200	3.06%	937,700	2.66%	746,900	3.43%	1,138,500	3.63%	1,502,100	3.40%	900,100	1.75%
Total E&G Expenditures														
6/30/2020	60,392,314	100.00%	24,610,426	100.00%	30,937,056	100.00%	19,466,919	100.00%	28,647,026	100.00%	36,304,363	100.00%	43,390,922	100.00%
6/30/2021	61,522,300	100.00%	24,288,100	100.00%	32,710,600	100.00%	20,473,100	100.00%	29,959,900	100.00%	40,185,200	100.00%	42,456,900	100.00%
7/1/2021	64,608,700	100.00%	25,576,000	100.00%	35,249,700	100.00%	21,790,100	100.00%	31,367,800	100.00%	44,170,800	100.00%	51,348,800	100.00%
Transfers														
6/30/2020	4,438,510		47,150		7,738,681		1,467,100		1,923,880		4,500,000		1,434,560	
6/30/2021	344,400		47,600		15,043,400		1,193,800		-		2,500,000		15,081,000	
7/1/2021	2,351,500		47,600		5,610,600		270,300		-		-		81,600	
Auxiliaries														
6/30/2020	1,735,894		40,641		53,583		-		406		14,079		4,216	
6/30/2021	807,700		33,900		71,000		-		-		10,200		6,800	
7/1/2021	911,800		33,900		71,000		-		-		10,200		6,800	
Total E&G Expenditures														
6/30/2020	66,566,718		24,698,217		38,729,320		20,934,019		30,571,312		40,818,442		44,829,698	
6/30/2021	62,674,400		24,369,600		47,825,000		21,666,900		29,959,900		42,695,400		57,544,700	
7/1/2021	67,872,000		25,657,500		40,931,300		22,060,400		31,367,800		44,181,000		51,437,200	

Tennessee Board of Regents
Summary of Unrestricted Educational and General Expenditure Budget with Percentages by Function

	NESCC	%	PSCC	%	RSCC	%	STCC	%	VSCC	%	WSCC	%	Total Community Colleges	%
Instruction														
6/30/2020	17,870,360	50.28%	36,655,053	54.69%	22,231,688	53.51%	29,637,207	43.44%	30,707,731	57.58%	25,217,548	55.13%	286,115,676	51.54%
6/30/2021	18,572,900	48.51%	37,900,800	51.99%	23,775,100	51.75%	26,100,000	42.00%	32,098,400	56.24%	26,909,300	53.73%	290,869,300	50.32%
7/1/2021	20,575,200	47.36%	41,754,400	52.13%	24,487,000	52.38%	27,108,900	42.36%	33,376,700	55.88%	25,570,500	52.75%	306,981,700	49.79%
Research														
6/30/2020	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%
6/30/2021	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%
7/1/2021	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%
Public Service														
6/30/2020	118,185	0.33%	401,673	0.60%	491,481	1.18%	172,879	0.25%	421,768	0.79%	405,204	0.89%	2,822,863	0.51%
6/30/2021	188,200	0.49%	718,100	0.99%	731,500	1.59%	173,400	0.28%	459,000	0.80%	290,800	0.58%	3,593,100	0.62%
7/1/2021	190,300	0.44%	810,100	1.01%	789,000	1.69%	161,200	0.25%	549,400	0.92%	463,500	0.96%	4,065,200	0.66%
Academic Support														
6/30/2020	2,948,887	8.30%	6,395,081	9.54%	1,721,775	4.14%	7,951,938	11.66%	2,681,396	5.03%	2,240,089	4.90%	44,897,256	8.09%
6/30/2021	4,043,000	10.56%	7,274,300	9.98%	2,219,700	4.83%	7,200,000	11.59%	3,432,200	6.01%	2,464,600	4.92%	48,882,000	8.46%
7/1/2021	4,790,300	11.03%	8,018,000	10.01%	2,218,200	4.75%	7,261,000	11.35%	3,771,500	6.31%	2,814,700	5.81%	54,546,500	8.85%
Subtotal														
6/30/2020	20,937,432	58.91%	43,451,807	64.83%	24,444,944	58.84%	37,762,024	55.35%	33,810,895	63.40%	27,862,841	60.92%	333,835,795	60.13%
6/30/2021	22,804,100	59.56%	45,893,200	62.95%	26,726,300	58.17%	33,473,400	53.87%	35,989,600	63.06%	29,664,700	59.23%	343,344,400	59.40%
7/1/2021	25,555,800	58.83%	50,582,500	63.15%	27,494,200	58.82%	34,531,100	53.96%	37,697,600	63.12%	28,848,700	59.51%	365,593,400	59.29%
Student Services														
6/30/2020	4,466,992	12.57%	7,912,286	11.81%	5,838,768	14.05%	8,594,523	12.60%	5,191,074	9.73%	5,615,925	12.28%	65,753,177	11.84%
6/30/2021	5,113,000	13.35%	8,735,800	11.98%	6,484,200	14.11%	7,760,000	12.49%	5,750,800	10.08%	6,410,200	12.80%	70,104,600	12.13%
7/1/2021	5,668,400	13.05%	9,734,300	12.15%	6,653,200	14.23%	8,026,400	12.54%	6,102,700	10.22%	6,726,300	13.87%	75,377,300	12.22%
Institutional Support														
6/30/2020	5,146,354	14.48%	8,349,732	12.46%	5,133,000	12.35%	10,688,978	15.67%	7,704,035	14.45%	5,134,453	11.23%	78,421,584	14.13%
6/30/2021	5,046,200	13.18%	8,947,300	12.27%	5,915,400	12.88%	10,250,000	16.50%	7,967,200	13.96%	5,520,300	11.02%	82,177,400	14.22%
7/1/2021	5,705,200	13.13%	9,725,900	12.14%	5,938,100	12.70%	10,675,500	16.68%	8,316,200	13.92%	5,254,300	10.84%	87,136,600	14.13%
Operation & Maintenance														
6/30/2020	4,864,731	13.69%	6,248,637	9.32%	5,297,018	12.75%	8,638,013	12.66%	5,594,467	10.49%	6,176,717	13.50%	63,856,107	11.50%
6/30/2021	5,176,400	13.52%	7,656,900	10.50%	5,832,700	12.70%	8,100,000	13.04%	5,921,800	10.38%	7,222,900	14.42%	67,552,700	11.69%
7/1/2021	6,362,600	14.65%	8,153,300	10.18%	5,701,500	12.20%	8,325,700	13.01%	6,168,600	10.33%	6,299,400	12.99%	72,195,700	11.71%
Scholarships & Fellowships														
6/30/2020	128,479	0.36%	1,060,263	1.58%	833,257	2.01%	2,534,499	3.72%	1,033,032	1.94%	950,393	2.08%	13,287,932	2.39%
6/30/2021	150,000	0.39%	1,669,700	2.29%	983,700	2.14%	2,556,500	4.11%	1,441,100	2.53%	1,268,500	2.53%	14,848,900	2.57%
7/1/2021	150,000	0.35%	1,903,000	2.38%	957,700	2.05%	2,435,900	3.81%	1,441,100	2.41%	1,350,300	2.79%	16,294,400	2.64%
Total E&G Expenditures														
6/30/2020	35,543,988	100.00%	67,022,725	100.00%	41,546,987	100.00%	68,218,037	100.00%	53,333,503	100.00%	45,740,329	100.00%	555,154,595	100.00%
6/30/2021	38,289,700	100.00%	72,902,900	100.00%	45,942,300	100.00%	62,139,900	100.00%	57,070,500	100.00%	50,086,600	100.00%	578,028,000	100.00%
7/1/2021	43,442,000	100.00%	80,099,000	100.00%	46,744,700	100.00%	63,994,600	100.00%	59,726,200	100.00%	48,479,000	100.00%	616,597,400	100.00%
Transfers														
6/30/2020	1,600,424		6,423,178		4,010,482		295,049		6,949,749		3,327,037		44,155,800	
6/30/2021	11,565,600		4,720,000		4,260,000		220,700		200,400		1,839,900		57,016,800	
7/1/2021	65,600		420,000		10,600		249,700		200,400		526,300		9,834,200	
Auxiliaries														
6/30/2020	-		217,118		41,836		575,805		102,887		16,123		2,802,588	
6/30/2021	-		100,000		45,400		264,100		25,000		10,600		1,374,700	
7/1/2021	-		100,000		39,300		264,100		25,000		9,900		1,472,000	
Total E&G Expenditures														
6/30/2020	37,144,412		73,663,021		45,599,305		69,088,891		60,386,139		49,083,489		602,112,983	
6/30/2021	49,855,300		77,722,900		50,247,700		62,624,700		57,295,900		51,937,100		636,419,500	
7/1/2021	43,507,600		80,619,000		46,794,600		64,508,400		59,951,600		49,015,200		627,903,600	

Tennessee Board of Regents
 Summary of Unrestricted Educational and General Expenditure Budget with Percentages by Function

	Athens	%	Chattanooga	%	Covington	%	Crossville	%	Crump	%	Dickson	%	Elizabethton	%
Instruction														
6/30/2020	1,334,254	55.57%	4,912,804	72.59%	1,023,883	55.43%	2,114,049	59.84%	1,498,358	54.86%	3,220,681	54.86%	2,363,313	57.68%
6/30/2021	1,569,000	58.41%	5,174,400	73.97%	959,700	44.54%	2,273,600	57.31%	1,800,100	54.12%	3,547,300	54.33%	2,696,300	59.38%
7/1/2021	1,633,900	58.92%	5,341,800	72.81%	980,600	44.09%	2,344,000	55.61%	1,988,500	53.81%	3,633,000	53.88%	2,658,100	56.19%
Research														
6/30/2020	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%
6/30/2021	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%
7/1/2021	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%
Public Service														
6/30/2020	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%
6/30/2021	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%
7/1/2021	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%
Academic Support														
6/30/2020	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	326,280	5.56%	-	0.00%
6/30/2021	-	0.00%	22,000	0.31%	-	0.00%	-	0.00%	10,000	0.30%	369,900	5.67%	-	0.00%
7/1/2021	-	0.00%	15,000	0.20%	-	0.00%	-	0.00%	20,000	0.54%	334,300	4.96%	-	0.00%
Subtotal														
6/30/2020	1,334,254	55.57%	4,912,804	72.59%	1,023,883	55.43%	2,114,049	59.84%	1,498,358	54.86%	3,546,961	60.42%	2,363,313	57.68%
6/30/2021	1,569,000	58.41%	5,196,400	74.28%	959,700	44.54%	2,273,600	57.31%	1,810,100	54.42%	3,917,200	59.99%	2,696,300	59.38%
7/1/2021	1,633,900	58.92%	5,356,800	73.01%	980,600	44.09%	2,344,000	55.61%	2,008,500	54.36%	3,967,300	58.84%	2,658,100	56.19%
Student Services														
6/30/2020	233,569	9.73%	749,414	11.07%	276,814	14.99%	288,005	8.15%	305,319	11.18%	708,963	12.08%	472,991	11.54%
6/30/2021	230,900	8.60%	615,400	8.80%	289,500	13.44%	417,000	10.51%	420,000	12.63%	769,700	11.79%	515,200	11.35%
7/1/2021	231,600	8.35%	790,400	10.77%	297,900	13.39%	448,000	10.63%	465,300	12.59%	842,700	12.50%	572,200	12.10%
Institutional Support														
6/30/2020	573,075	23.87%	438,850	6.48%	322,619	17.47%	693,786	19.64%	575,107	21.06%	969,832	16.52%	889,542	21.71%
6/30/2021	610,200	22.71%	455,500	6.51%	579,400	26.89%	777,700	19.60%	573,900	17.25%	1,073,000	16.43%	882,000	19.42%
7/1/2021	631,200	22.76%	455,700	6.21%	603,600	27.14%	826,200	19.60%	643,800	17.42%	1,167,200	17.31%	968,100	20.46%
Operation & Maintenance														
6/30/2020	253,391	10.55%	667,221	9.86%	245,821	13.31%	390,049	11.04%	214,989	7.87%	629,933	10.73%	343,221	8.38%
6/30/2021	274,300	10.21%	708,300	10.12%	269,600	12.51%	439,100	11.07%	255,900	7.69%	691,400	10.59%	423,200	9.32%
7/1/2021	274,300	9.89%	714,000	9.73%	283,900	12.76%	536,400	12.73%	290,500	7.86%	705,000	10.46%	505,800	10.69%
Scholarships & Fellowships														
6/30/2020	6,907	0.29%	-	0.00%	(22,121)	-1.20%	46,682	1.32%	137,365	5.03%	14,843	0.25%	28,556	0.70%
6/30/2021	2,000	0.07%	20,000	0.29%	56,500	2.62%	59,500	1.50%	266,300	8.01%	78,200	1.20%	24,400	0.54%
7/1/2021	2,000	0.07%	20,000	0.27%	58,300	2.62%	60,500	1.44%	287,000	7.77%	60,000	0.89%	26,600	0.56%
Total E&G Expenditures														
6/30/2020	2,401,196	100.00%	6,768,289	100.00%	1,847,016	100.00%	3,532,571	100.00%	2,731,138	100.00%	5,870,532	100.00%	4,097,623	100.00%
6/30/2021	2,686,400	100.00%	6,995,600	100.00%	2,154,700	100.00%	3,966,900	100.00%	3,326,200	100.00%	6,529,500	100.00%	4,541,100	100.00%
7/1/2021	2,773,000	100.00%	7,336,900	100.00%	2,224,300	100.00%	4,215,100	100.00%	3,695,100	100.00%	6,742,200	100.00%	4,730,800	100.00%
Transfers														
6/30/2020	489,000		221,600		-		(1)		-		200,000		(1,509,060)	
6/30/2021	241,700		150,000		943,300		2,208,100		1,489,500		750,000		3,718,000	
7/1/2021	-		150,000		514,100		-		23,600		200,000		-	
Auxiliaries														
6/30/2020	163,093		-		170,652		188,185		129,548		297,946		483,504	
6/30/2021	140,000		-		75,000		145,000		46,900		100,000		450,000	
7/1/2021	140,000		-		75,000		145,000		21,000		100,000		450,000	
Total E&G Expenditures														
6/30/2020	3,053,289		6,989,889		2,017,668		3,720,755		2,860,686		6,368,478		3,072,067	
6/30/2021	3,068,100		7,145,600		3,173,000		6,320,000		4,862,600		7,379,500		8,709,100	
7/1/2021	2,913,000		7,486,900		2,813,400		4,360,100		3,739,700		7,042,200		5,180,800	

Tennessee Board of Regents
Summary of Unrestricted Educational and General Expenditure Budget with Percentages by Function

	Harriman	%	Hartsville	%	Hohenwald	%	Jacksboro	%	Jackson	%	Knoxville	%	Livingston	%
Instruction														
6/30/2020	1,377,026	55.15%	1,970,945	57.22%	1,819,081	59.68%	1,260,818	59.31%	2,835,145	54.61%	3,512,572	57.28%	2,509,604	61.59%
6/30/2021	1,499,500	57.27%	2,212,000	53.87%	2,277,200	60.94%	1,493,200	61.26%	2,918,200	52.97%	4,041,600	59.21%	3,353,300	63.32%
7/1/2021	1,662,700	59.28%	2,534,000	55.36%	2,299,600	60.64%	1,487,400	62.27%	2,841,000	52.13%	4,547,400	58.80%	2,896,900	59.11%
Research														
6/30/2020	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%
6/30/2021	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%
7/1/2021	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%
Public Service														
6/30/2020	-	0.00%	-	0.00%	-	0.00%	(32)	0.00%	-	0.00%	1,800	0.03%	-	0.00%
6/30/2021	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	30,000	0.44%	-	0.00%
7/1/2021	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	30,000	0.39%	-	0.00%
Academic Support														
6/30/2020	-	0.00%	103,245	3.00%	-	0.00%	-	0.00%	89,347	1.72%	108,599	1.77%	-	0.00%
6/30/2021	-	0.00%	110,200	2.68%	-	0.00%	-	0.00%	99,700	1.81%	-	0.00%	-	0.00%
7/1/2021	-	0.00%	123,800	2.70%	-	0.00%	-	0.00%	104,500	1.92%	-	0.00%	-	0.00%
Subtotal														
6/30/2020	1,377,026	55.15%	2,074,190	60.22%	1,819,081	59.68%	1,260,786	59.31%	2,924,492	56.33%	3,622,971	59.08%	2,509,604	61.59%
6/30/2021	1,499,500	57.27%	2,322,200	56.55%	2,277,200	60.94%	1,493,200	61.26%	3,017,900	54.78%	4,071,600	59.65%	3,353,300	63.32%
7/1/2021	1,662,700	59.28%	2,657,800	58.07%	2,299,600	60.64%	1,487,400	62.27%	2,945,500	54.05%	4,577,400	59.19%	2,896,900	59.11%
Student Services														
6/30/2020	278,068	11.14%	163,837	4.76%	373,292	12.25%	266,550	12.54%	712,939	13.73%	731,157	11.92%	418,387	10.27%
6/30/2021	274,700	10.49%	166,900	4.06%	368,000	9.85%	261,900	10.75%	701,000	12.72%	822,000	12.04%	498,400	9.41%
7/1/2021	274,900	9.80%	181,500	3.97%	356,400	9.40%	263,100	11.02%	791,300	14.52%	954,000	12.34%	614,100	12.53%
Institutional Support														
6/30/2020	592,106	23.71%	795,848	23.11%	591,295	19.40%	373,102	17.55%	857,595	16.52%	1,002,841	16.35%	770,261	18.90%
6/30/2021	506,300	19.34%	902,700	21.98%	605,500	16.20%	413,600	16.97%	833,300	15.13%	1,047,600	15.35%	985,700	18.61%
7/1/2021	525,300	18.73%	953,400	20.83%	627,200	16.54%	380,400	15.93%	867,400	15.92%	1,243,100	16.07%	912,600	18.62%
Operation & Maintenance														
6/30/2020	237,256	9.50%	406,875	11.81%	237,225	7.78%	217,225	10.22%	602,199	11.60%	756,079	12.33%	364,245	8.94%
6/30/2021	311,600	11.90%	528,300	12.87%	291,300	7.80%	222,500	9.13%	803,300	14.58%	777,900	11.40%	406,800	7.68%
7/1/2021	315,300	11.24%	598,200	13.07%	304,200	8.02%	233,600	9.78%	686,900	12.60%	860,400	11.13%	425,500	8.68%
Scholarships & Fellowships														
6/30/2020	12,590	0.50%	3,693	0.11%	26,922	0.88%	8,069	0.38%	94,709	1.82%	18,990	0.31%	12,424	0.30%
6/30/2021	26,400	1.01%	186,300	4.54%	195,000	5.22%	46,200	1.90%	153,400	2.78%	106,900	1.57%	52,000	0.98%
7/1/2021	26,400	0.94%	186,300	4.07%	205,000	5.41%	24,000	1.00%	158,400	2.91%	98,900	1.28%	52,000	1.06%
Total E&G Expenditures														
6/30/2020	2,497,046	100.00%	3,444,443	100.00%	3,047,815	100.00%	2,125,732	100.00%	5,191,934	100.00%	6,132,038	100.00%	4,074,921	100.00%
6/30/2021	2,618,500	100.00%	4,106,400	100.00%	3,737,000	100.00%	2,437,400	100.00%	5,508,900	100.00%	6,826,000	100.00%	5,296,200	100.00%
7/1/2021	2,804,600	100.00%	4,577,200	100.00%	3,792,400	100.00%	2,388,500	100.00%	5,449,500	100.00%	7,733,800	100.00%	4,901,100	100.00%
Transfers														
6/30/2020	308,900		260,000		-		(4,853)		-		(107,059)		897,800	
6/30/2021	-		-		1,726,000		-		500,000		2,005,500		377,000	
7/1/2021	142,700		-		220,800		-		-		222,800		-	
Auxiliaries														
6/30/2020	142,788		149,394		157,835		100,107		315,635		270,784		88,742	
6/30/2021	230,000		54,500		185,500		118,500		231,600		268,500		100,000	
7/1/2021	230,000		60,000		167,500		116,000		237,500		270,200		100,000	
Total E&G Expenditures														
6/30/2020	2,948,734		3,853,837		3,205,650		2,220,986		5,507,569		6,295,763		5,061,463	
6/30/2021	2,848,500		4,160,900		5,648,500		2,555,900		6,240,500		9,100,000		5,773,200	
7/1/2021	3,177,300		4,637,200		4,180,700		2,504,500		5,687,000		8,226,800		5,001,100	

Tennessee Board of Regents
Summary of Unrestricted Educational and General Expenditure Budget with Percentages by Function

	McKenzie	%	McMinnville	%	Memphis	%	Morristown	%	Murfreesboro	%	Nashville	%	Newbern	%
Instruction														
6/30/2020	821,146	44.86%	1,296,988	56.54%	3,311,608	49.76%	4,142,385	65.61%	4,164,450	68.26%	4,741,944	63.12%	1,548,425	60.87%
6/30/2021	849,600	44.43%	1,420,400	57.48%	4,938,400	54.49%	4,584,700	64.97%	4,648,500	68.64%	5,000,800	62.07%	1,751,100	55.02%
7/1/2021	806,700	42.21%	1,493,600	58.08%	4,904,500	54.09%	4,456,800	65.24%	5,073,200	69.84%	5,196,200	63.06%	1,804,900	55.44%
Research														
6/30/2020	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%
6/30/2021	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%
7/1/2021	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%
Public Service														
6/30/2020	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%
6/30/2021	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%
7/1/2021	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%
Academic Support														
6/30/2020	119,484	6.53%	25	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%
6/30/2021	114,100	5.97%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%
7/1/2021	118,800	6.22%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	16,000	0.19%	-	0.00%
Subtotal														
6/30/2020	940,630	51.39%	1,297,013	56.54%	3,311,608	49.76%	4,142,385	65.61%	4,164,450	68.26%	4,741,944	63.12%	1,548,425	60.87%
6/30/2021	963,700	50.39%	1,420,400	57.48%	4,938,400	54.49%	4,584,700	64.97%	4,648,500	68.64%	5,000,800	62.07%	1,751,100	55.02%
7/1/2021	925,500	48.43%	1,493,600	58.08%	4,904,500	54.09%	4,456,800	65.24%	5,073,200	69.84%	5,212,200	63.25%	1,804,900	55.44%
Student Services														
6/30/2020	351,490	19.20%	223,769	9.76%	874,039	13.13%	632,986	10.03%	394,573	6.47%	561,525	7.47%	265,049	10.42%
6/30/2021	374,300	19.57%	237,900	9.63%	859,100	9.48%	772,700	10.95%	493,400	7.29%	592,000	7.35%	372,600	11.71%
7/1/2021	358,000	18.73%	222,800	8.66%	938,400	10.35%	698,500	10.23%	494,500	6.81%	595,800	7.23%	378,600	11.63%
Institutional Support														
6/30/2020	336,302	18.37%	556,557	24.26%	1,546,080	23.23%	940,584	14.90%	673,568	11.04%	1,228,402	16.35%	428,219	16.83%
6/30/2021	380,500	19.90%	571,800	23.14%	2,084,700	23.00%	913,300	12.94%	667,700	9.86%	1,378,900	17.12%	513,100	16.12%
7/1/2021	361,900	18.94%	597,900	23.25%	2,048,300	22.59%	941,000	13.78%	691,300	9.52%	1,394,700	16.93%	532,400	16.35%
Operation & Maintenance														
6/30/2020	191,701	10.47%	209,638	9.14%	902,689	13.56%	580,891	9.20%	854,976	14.01%	931,125	12.39%	269,963	10.61%
6/30/2021	176,900	9.25%	226,500	9.17%	969,300	10.70%	654,100	9.27%	923,400	13.63%	1,019,400	12.65%	459,300	14.43%
7/1/2021	231,600	12.12%	237,800	9.25%	1,016,400	11.21%	623,200	9.12%	965,800	13.30%	972,700	11.80%	433,600	13.32%
Scholarships & Fellowships														
6/30/2020	10,251	0.56%	6,831	0.30%	21,376	0.32%	16,437	0.26%	13,170	0.22%	49,137	0.65%	32,291	1.27%
6/30/2021	17,000	0.89%	14,700	0.59%	211,000	2.33%	131,500	1.86%	39,500	0.58%	65,000	0.81%	86,300	2.71%
7/1/2021	34,000	1.78%	19,400	0.75%	160,000	1.76%	111,500	1.63%	39,500	0.54%	65,000	0.79%	106,300	3.26%
Total E&G Expenditures														
6/30/2020	1,830,374	100.00%	2,293,808	100.00%	6,655,792	100.00%	6,313,283	100.00%	6,100,737	100.00%	7,512,133	100.00%	2,543,947	100.00%
6/30/2021	1,912,400	100.00%	2,471,300	100.00%	9,062,500	100.00%	7,056,300	100.00%	6,772,500	100.00%	8,056,100	100.00%	3,182,400	100.00%
7/1/2021	1,911,000	100.00%	2,571,500	100.00%	9,067,600	100.00%	6,831,000	100.00%	7,264,300	100.00%	8,240,400	100.00%	3,255,800	100.00%
Transfers														
6/30/2020	606,000		-		-		1		530,000		784,900		-	
6/30/2021	200,000		155,000		5,976,800		1,000,000		515,000		50,000		2,091,300	
7/1/2021	100,000		132,900		290,900		-		387,000		-		490,700	
Auxiliaries														
6/30/2020	128,680		41,771		-		228,856		212,650		121,943		238,456	
6/30/2021	93,000		-		-		224,300		90,000		70,000		110,000	
7/1/2021	93,000		-		-		224,300		120,000		70,000		100,000	
Total E&G Expenditures														
6/30/2020	2,565,054		2,335,579		6,655,792		6,542,140		6,843,387		8,418,976		2,782,403	
6/30/2021	2,205,400		2,626,300		15,039,300		8,280,600		7,377,500		8,176,100		5,383,700	
7/1/2021	2,104,000		2,704,400		9,358,500		7,055,300		7,771,300		8,310,400		3,846,500	

Tennessee Board of Regents
Summary of Unrestricted Educational and General Expenditure Budget with Percentages by Function

	Oneida	%	Paris	%	Pulaski	%	Ripley	%	Shelbyville	%	Whiteville	%	Total TCATs	%
Instruction														
6/30/2020	1,179,240	51.17%	1,617,443	57.28%	1,707,930	51.47%	701,455	43.00%	2,321,844	57.08%	1,004,772	54.58%	60,312,163	58.56%
6/30/2021	1,196,800	50.58%	1,512,800	54.87%	1,764,500	48.02%	851,200	44.47%	2,556,500	54.44%	1,061,700	54.03%	67,952,400	58.27%
7/1/2021	1,198,200	50.62%	1,493,600	53.73%	1,893,300	47.78%	970,200	47.17%	2,821,900	56.05%	1,124,900	53.88%	70,086,900	58.02%
Research														
6/30/2020	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%
6/30/2021	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%
7/1/2021	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%
Public Service														
6/30/2020	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	1,768	0.00%
6/30/2021	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	30,000	0.03%
7/1/2021	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	30,000	0.02%
Academic Support														
6/30/2020	-	0.00%	118,461	4.20%	58,398	1.76%	-	0.00%	84,534	2.08%	-	0.00%	1,008,373	0.98%
6/30/2021	-	0.00%	99,100	3.59%	59,000	1.61%	-	0.00%	80,300	1.71%	-	0.00%	964,300	0.83%
7/1/2021	-	0.00%	111,900	4.03%	62,100	1.57%	-	0.00%	82,300	1.63%	-	0.00%	988,700	0.82%
Subtotal														
6/30/2020	1,179,240	51.17%	1,735,904	61.47%	1,766,328	53.23%	701,455	43.00%	2,406,378	59.16%	1,004,772	54.58%	61,322,304	59.54%
6/30/2021	1,196,800	50.58%	1,611,900	58.47%	1,823,500	49.63%	851,200	44.47%	2,636,800	56.15%	1,061,700	54.03%	68,946,700	59.12%
7/1/2021	1,198,200	50.62%	1,605,500	57.76%	1,955,400	49.35%	970,200	47.17%	2,904,200	57.68%	1,124,900	53.88%	71,105,600	58.87%
Student Services														
6/30/2020	245,953	10.67%	272,598	9.65%	651,960	19.65%	295,097	18.09%	545,253	13.40%	245,609	13.34%	11,539,206	11.20%
6/30/2021	270,100	11.42%	225,600	8.18%	691,200	18.81%	284,700	14.88%	656,900	13.99%	192,600	9.80%	12,373,700	10.61%
7/1/2021	271,800	11.48%	201,300	7.24%	806,900	20.36%	295,800	14.38%	682,800	13.56%	209,600	10.04%	13,238,200	10.96%
Institutional Support														
6/30/2020	574,670	24.94%	462,615	16.38%	474,924	14.31%	439,667	26.95%	696,939	17.13%	339,195	18.42%	18,143,581	17.62%
6/30/2021	569,700	24.08%	508,000	18.43%	479,600	13.05%	472,400	24.68%	802,600	17.09%	320,500	16.31%	19,909,200	17.07%
7/1/2021	564,200	23.84%	516,800	18.59%	599,700	15.13%	496,000	24.12%	843,500	16.75%	324,300	15.53%	20,717,200	17.15%
Operation & Maintenance														
6/30/2020	295,650	12.83%	332,665	11.78%	351,438	10.59%	193,190	11.84%	404,634	9.95%	218,321	11.86%	11,302,610	10.97%
6/30/2021	301,300	12.73%	353,700	12.83%	393,800	10.72%	218,400	11.41%	557,700	11.88%	251,800	12.81%	12,909,100	11.07%
7/1/2021	305,500	12.91%	363,100	13.06%	340,700	8.60%	201,800	9.81%	562,500	11.17%	272,500	13.05%	13,261,200	10.98%
Scholarships & Fellowships														
6/30/2020	8,960	0.39%	20,021	0.71%	73,500	2.22%	1,776	0.11%	14,649	0.36%	33,056	1.80%	691,084	0.67%
6/30/2021	28,100	1.19%	57,700	2.09%	286,200	7.79%	87,200	4.56%	41,600	0.89%	138,300	7.04%	2,477,200	2.12%
7/1/2021	27,300	1.15%	93,000	3.35%	259,700	6.55%	93,000	4.52%	41,600	0.83%	156,300	7.49%	2,472,000	2.05%
Total E&G Expenditures														
6/30/2020	2,304,473	100.00%	2,823,803	100.00%	3,318,150	100.00%	1,631,185	100.00%	4,067,853	100.00%	1,840,953	100.00%	102,998,785	100.00%
6/30/2021	2,366,000	100.00%	2,756,900	100.00%	3,674,300	100.00%	1,913,900	100.00%	4,695,600	100.00%	1,964,900	100.00%	116,615,900	100.00%
7/1/2021	2,367,000	100.00%	2,779,700	100.00%	3,962,400	100.00%	2,056,800	100.00%	5,034,600	100.00%	2,087,600	100.00%	120,794,200	100.00%
Transfers														
6/30/2020	135,501		199,900		-		-		500,000		-		3,512,629	
6/30/2021	25,000		250,000		1,300,000		1,221,400		-		400,000		27,293,600	
7/1/2021	-		200,000		200,000		106,600		-		500,000		3,882,100	
Auxiliaries														
6/30/2020	140,464		205,532		183,812		166,021		46,408		111,862		4,484,668	
6/30/2021	171,000		152,200		185,000		75,000		100,000		102,000		3,518,000	
7/1/2021	171,000		142,200		191,000		70,000		100,000		105,000		3,498,700	
Total E&G Expenditures														
6/30/2020	2,580,438		3,229,235		3,501,962		1,797,206		4,614,261		1,952,815		110,996,082	
6/30/2021	2,562,000		3,159,100		5,159,300		3,210,300		4,795,600		2,466,900		147,427,500	
7/1/2021	2,538,000		3,121,900		4,353,400		2,233,400		5,134,600		2,692,600		128,175,000	

Tennessee Board of Regents
Summary of Unrestricted Educational and General Expenditure Budget with Percentages by Function

	TBR	%	Total System	%
Instruction				
6/30/2020	-	0.00%	346,427,839	50.24%
6/30/2021	-	0.00%	358,821,700	49.04%
7/1/2021	-	0.00%	377,068,600	48.62%
Research				
6/30/2020	-	0.00%	-	0.00%
6/30/2021	-	0.00%	-	0.00%
7/1/2021	-	0.00%	-	0.00%
Public Service				
6/30/2020	-	0.00%	2,824,631	0.41%
6/30/2021	-	0.00%	3,623,100	0.50%
7/1/2021	-	0.00%	4,095,200	0.53%
Academic Support				
6/30/2020	-	0.00%	45,905,629	6.66%
6/30/2021	-	0.00%	49,846,300	6.81%
7/1/2021	-	0.00%	55,535,200	7.16%
Subtotal				
6/30/2020	-	0.00%	395,158,099	57.31%
6/30/2021	-	0.00%	412,291,100	56.34%
7/1/2021	-	0.00%	436,699,000	56.31%
Student Services				
6/30/2020	-	0.00%	77,292,383	11.21%
6/30/2021	-	0.00%	82,478,300	11.27%
7/1/2021	-	0.00%	88,615,500	11.43%
Institutional Support				
6/30/2020	31,340,992	99.64%	127,906,157	18.55%
6/30/2021	37,108,200	99.81%	139,194,800	19.02%
7/1/2021	38,099,500	99.97%	145,953,300	18.82%
Operation & Maintenance				
6/30/2020	-	0.00%	75,158,717	10.90%
6/30/2021	-	0.00%	80,461,800	11.00%
7/1/2021	-	0.00%	85,456,900	11.02%
Scholarships & Fellowships				
6/30/2020	(595)	0.36%	13,978,421	2.03%
6/30/2021	5,000	0.19%	17,331,100	2.37%
7/1/2021	5,000	0.03%	18,771,400	2.42%
Total E&G Expenditures				
6/30/2020	31,340,397	100.00%	689,493,777	100.00%
6/30/2021	37,113,200	100.00%	731,757,100	100.00%
7/1/2021	38,104,500	100.00%	775,496,100	100.00%
Transfers				
6/30/2020	2,154,932		49,823,361	
6/30/2021	11,142,400		95,452,800	
7/1/2021	2,239,900		15,956,200	
Auxiliaries				
6/30/2020	-		7,287,256	
6/30/2021	-		4,892,700	
7/1/2021	-		4,970,700	
Total E&G Expenditures				
6/30/2020	33,495,329		746,604,394	
6/30/2021	48,255,600		832,102,600	
7/1/2021	40,344,400		796,423,000	

Tennessee Board of Regents
 Summary of Unrestricted Educational and General Expenditure Budget by Natural Classification

	ChSCC	%	CISCC	%	CoSCC	%	DSCC	%	JSCC	%	MSCC	%	NASCC	%
Salaries														
6/30/2020	35,572,122	58.90%	12,642,221	51.37%	17,686,753	57.17%	10,326,753	53.05%	15,371,832	53.66%	19,888,872	54.78%	24,551,868	56.58%
6/30/2021	35,972,900	58.47%	12,469,800	51.34%	16,612,200	50.79%	10,262,700	50.13%	15,061,400	50.27%	21,542,300	53.61%	23,306,800	54.90%
7/1/2021	37,094,500	57.41%	13,390,900	52.36%	18,960,900	53.79%	11,709,800	53.74%	16,025,300	51.09%	23,713,600	53.69%	28,234,200	54.99%
Employee Benefits														
6/30/2020	12,978,062	21.49%	5,099,241	20.72%	5,268,486	17.03%	4,939,800	25.38%	6,660,395	23.25%	6,809,283	18.76%	8,484,756	19.55%
6/30/2021	13,593,500	22.10%	5,000,900	20.59%	6,357,800	19.44%	4,498,100	21.97%	7,347,400	24.52%	8,478,300	21.10%	8,722,300	20.54%
7/1/2021	14,318,900	22.16%	4,939,500	19.31%	7,237,800	20.53%	4,912,300	22.54%	7,949,100	25.34%	8,999,900	20.38%	9,544,500	18.59%
Travel														
6/30/2020	417,738	0.69%	189,577	0.77%	219,271	0.71%	156,978	0.81%	200,730	0.70%	367,982	1.01%	96,876	0.22%
6/30/2021	364,600	0.59%	182,000	0.75%	255,200	0.78%	133,000	0.65%	211,600	0.71%	362,000	0.90%	58,700	0.14%
7/1/2021	812,600	1.26%	208,100	0.81%	421,100	1.19%	317,900	1.46%	222,000	0.71%	589,200	1.33%	109,300	0.21%
Operating Expenses														
6/30/2020	10,815,960	17.91%	6,657,292	27.05%	7,641,688	24.70%	3,915,671	20.11%	6,377,360	22.26%	8,938,322	24.62%	10,220,216	23.55%
6/30/2021	11,155,700	18.13%	6,635,200	27.32%	9,365,200	28.63%	5,286,800	25.82%	7,310,000	24.40%	9,800,600	24.39%	10,309,400	24.28%
7/1/2021	11,617,700	17.98%	7,020,300	27.45%	8,567,400	24.30%	4,726,100	21.69%	7,157,000	22.82%	10,843,100	24.55%	12,686,800	24.71%
Capital Outlay														
6/30/2020	608,432	1.01%	22,095	0.09%	120,858	0.39%	127,717	0.66%	36,709	0.13%	299,904	0.83%	37,206	0.09%
6/30/2021	435,600	0.71%	200	0.00%	120,200	0.37%	292,500	1.43%	29,500	0.10%	2,000	0.00%	59,700	0.14%
7/1/2021	765,000	1.18%	17,200	0.07%	62,500	0.18%	124,000	0.57%	14,400	0.05%	25,000	0.06%	774,000	1.51%
Total Unrestricted E&G														
6/30/2020	60,392,314	100.00%	24,610,426	100.00%	30,937,056	100.00%	19,466,919	100.00%	28,647,026	100.00%	36,304,363	100.00%	43,390,922	100.00%
6/30/2021	61,522,300	100.00%	24,288,100	100.00%	32,710,600	100.00%	20,473,100	100.00%	29,959,900	100.00%	40,185,200	100.00%	42,456,900	100.00%
7/1/2021	64,608,700	100.00%	25,576,000	100.00%	35,249,700	100.00%	21,790,100	100.00%	31,367,800	100.00%	44,170,800	100.00%	51,348,800	100.00%

Tennessee Board of Regents
Summary of Unrestricted Educational and General Expenditure Budget by Natural Classification

	NESCC	%	PSCC	%	RSCC	%	STCC	%	VSCC	%	WSCC	%	Community Colleges	%
Salaries														
6/30/2020	20,284,523	57.07%	39,254,544	58.57%	24,121,954	58.06%	36,672,346	53.76%	31,266,786	58.63%	25,429,631	55.60%	313,070,205	56.39%
6/30/2021	20,818,200	54.37%	40,498,500	55.55%	25,016,900	54.45%	34,085,600	54.85%	32,222,000	56.46%	26,865,300	53.64%	314,734,600	54.45%
7/1/2021	22,416,600	51.60%	44,225,700	55.21%	26,607,400	56.92%	37,209,300	58.14%	34,010,100	56.94%	25,863,700	53.35%	339,462,000	55.05%
Employee Benefits														
6/30/2020	8,579,012	24.14%	14,130,766	21.08%	8,090,499	19.47%	13,371,830	19.60%	11,808,527	22.14%	11,078,359	24.22%	117,299,016	21.13%
6/30/2021	8,725,100	22.79%	15,093,900	20.70%	8,781,500	19.11%	11,522,700	18.54%	12,580,000	22.04%	12,309,000	24.58%	123,010,500	21.28%
7/1/2021	8,787,000	20.23%	17,416,300	21.74%	8,899,600	19.04%	11,808,300	18.45%	13,013,100	21.79%	11,696,500	24.13%	129,522,800	21.01%
Travel														
6/30/2020	179,397	0.50%	389,068	0.58%	373,049	0.90%	608,962	0.89%	315,176	0.59%	384,404	0.84%	3,899,208	0.70%
6/30/2021	412,900	1.08%	293,900	0.40%	496,200	1.08%	108,900	0.18%	341,800	0.60%	390,200	0.78%	3,611,000	0.62%
7/1/2021	527,500	1.21%	1,010,300	1.26%	489,600	1.05%	132,100	0.21%	517,500	0.87%	547,900	1.13%	5,905,100	0.96%
Operating Expenses														
6/30/2020	6,267,888	17.63%	12,709,875	18.96%	8,750,633	21.06%	15,840,424	23.22%	9,903,350	18.57%	8,661,389	18.94%	116,700,068	21.02%
6/30/2021	8,006,000	20.91%	16,806,800	23.05%	11,577,500	25.20%	16,036,000	25.81%	11,813,500	20.70%	10,361,200	20.69%	134,463,900	23.26%
7/1/2021	11,360,300	26.15%	17,258,000	21.55%	10,578,000	22.63%	14,427,200	22.54%	12,072,300	20.21%	10,290,200	21.23%	138,604,400	22.48%
Capital Outlay														
6/30/2020	233,168	0.66%	538,472	0.80%	210,852	0.51%	1,724,475	2.53%	39,664	0.07%	186,546	0.41%	4,186,098	0.75%
6/30/2021	327,500	0.86%	209,800	0.29%	70,200	0.15%	386,700	0.62%	113,200	0.20%	160,900	0.32%	2,208,000	0.38%
7/1/2021	350,600	0.81%	188,700	0.24%	170,100	0.36%	417,700	0.65%	113,200	0.19%	80,700	0.17%	3,103,100	0.50%
Total Unrestricted E&G														
6/30/2020	35,543,988	100.00%	67,022,725	100.00%	41,546,987	100.00%	68,218,037	100.00%	53,333,503	100.00%	45,740,329	100.00%	555,154,595	100.00%
6/30/2021	38,289,700	100.00%	72,902,900	100.00%	45,942,300	100.00%	62,139,900	100.00%	57,070,500	100.00%	50,086,600	100.00%	578,028,000	100.00%
7/1/2021	43,442,000	100.00%	80,099,000	100.00%	46,744,700	100.00%	63,994,600	100.00%	59,726,200	100.00%	48,479,000	100.00%	616,597,400	100.00%

Tennessee Board of Regents
 Summary of Unrestricted Educational and General Expenditure Budget by Natural Classification

	Athens	%	Chattanooga	%	Covington	%	Crossville	%	Crump	%	Dickson	%	Elizabethton	%
Salaries														
6/30/2020	1,271,368	52.95%	3,429,128	50.66%	988,525	53.52%	1,794,034	50.79%	1,440,833	52.76%	3,429,467	58.42%	2,323,900	56.71%
6/30/2021	1,474,800	54.90%	3,527,900	50.43%	1,127,400	52.32%	1,828,800	46.10%	1,650,900	49.63%	3,597,300	55.09%	2,481,500	54.65%
7/1/2021	1,541,400	55.59%	3,783,300	51.57%	1,175,800	52.86%	1,882,600	44.66%	1,855,900	50.23%	3,820,000	56.66%	2,418,400	51.12%
Employee Benefits														
6/30/2020	562,528	23.43%	1,345,476	19.88%	467,117	25.29%	768,393	21.75%	574,130	21.02%	1,367,589	23.30%	937,160	22.87%
6/30/2021	591,600	22.02%	1,429,700	20.44%	493,600	22.91%	980,500	24.72%	647,400	19.46%	1,503,800	23.03%	1,031,600	22.72%
7/1/2021	591,600	21.33%	1,623,500	22.13%	495,800	22.29%	990,700	23.50%	722,000	19.54%	1,658,500	24.60%	1,102,600	23.31%
Travel														
6/30/2020	7,143	0.30%	48,738	0.72%	7,231	0.39%	13,234	0.37%	15,997	0.59%	17,156	0.29%	31,908	0.78%
6/30/2021	1,200	0.04%	52,800	0.75%	9,500	0.44%	31,500	0.79%	7,100	0.21%	5,800	0.09%	3,200	0.07%
7/1/2021	3,200	0.12%	67,200	0.92%	13,000	0.58%	39,500	0.94%	28,700	0.78%	14,900	0.22%	70,000	1.48%
Operating Expenses														
6/30/2020	560,157	23.33%	1,904,540	28.14%	384,143	20.80%	951,216	26.93%	700,178	25.64%	1,047,925	17.85%	782,650	19.10%
6/30/2021	618,800	23.03%	1,852,700	26.48%	524,200	24.33%	1,126,100	28.39%	1,020,800	30.69%	1,422,600	21.79%	926,500	20.40%
7/1/2021	636,800	22.96%	1,862,900	25.39%	539,700	24.26%	1,302,300	30.90%	1,088,500	29.46%	1,248,800	18.52%	1,139,800	24.09%
Capital Outlay														
6/30/2020	-	0.00%	40,407	0.60%	-	0.00%	5,694	0.16%	-	0.00%	8,395	0.14%	22,005	0.54%
6/30/2021	-	0.00%	132,500	1.89%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	98,300	2.16%
7/1/2021	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%	-	0.00%
Total Unrestricted E&G														
6/30/2020	2,401,196	100.00%	6,768,289	100.00%	1,847,016	100.00%	3,532,571	100.00%	2,731,138	100.00%	5,870,532	100.00%	4,097,623	100.00%
6/30/2021	2,686,400	100.00%	6,995,600	100.00%	2,154,700	100.00%	3,966,900	100.00%	3,326,200	100.00%	6,529,500	100.00%	4,541,100	100.00%
7/1/2021	2,773,000	100.00%	7,336,900	100.00%	2,224,300	100.00%	4,215,100	100.00%	3,695,100	100.00%	6,742,200	100.00%	4,730,800	100.00%

Tennessee Board of Regents
 Summary of Unrestricted Educational and General Expenditure Budget by Natural Classification

	Harriman	%	Hartsville	%	Hohenwald	%	Jacksboro	%	Jackson	%	Knoxville	%	Livingston	%
Salaries														
6/30/2020	1,420,813	56.90%	1,923,280	55.84%	1,637,390	53.72%	1,230,166	57.87%	2,742,256	52.82%	3,383,189	55.17%	2,256,285	55.37%
6/30/2021	1,444,200	55.15%	2,025,800	49.33%	1,840,200	49.24%	1,457,800	59.81%	2,719,600	49.37%	3,602,200	52.77%	2,457,700	46.40%
7/1/2021	1,595,100	56.87%	2,237,000	48.87%	1,907,200	50.29%	1,412,400	59.13%	2,657,100	48.76%	4,121,700	53.29%	2,752,800	56.17%
Employee Benefits														
6/30/2020	542,910	21.74%	848,802	24.64%	752,065	24.68%	484,798	22.81%	1,298,420	25.01%	1,273,091	20.76%	983,590	24.14%
6/30/2021	554,600	21.18%	877,100	21.36%	957,400	25.62%	574,500	23.57%	1,233,300	22.39%	1,256,400	18.41%	1,308,000	24.70%
7/1/2021	594,800	21.21%	957,900	20.93%	986,800	26.02%	544,800	22.81%	1,216,200	22.32%	1,505,500	19.47%	1,294,600	26.41%
Travel														
6/30/2020	11,806	0.47%	12,164	0.35%	11,343	0.37%	9,089	0.43%	29,504	0.57%	31,671	0.52%	9,415	0.23%
6/30/2021	10,700	0.41%	26,000	0.63%	13,200	0.35%	2,000	0.08%	2,300	0.04%	4,100	0.06%	14,500	0.27%
7/1/2021	19,500	0.70%	49,000	1.07%	16,400	0.43%	7,900	0.33%	27,200	0.50%	73,600	0.95%	13,000	0.27%
Operating Expenses														
6/30/2020	521,517	20.89%	660,197	19.17%	638,077	20.94%	401,679	18.90%	1,121,754	21.61%	1,443,337	23.54%	816,544	20.04%
6/30/2021	609,000	23.26%	1,177,500	28.67%	916,200	24.52%	403,100	16.54%	1,330,600	24.15%	1,941,800	28.45%	1,152,000	21.75%
7/1/2021	595,200	21.22%	1,333,300	29.13%	872,000	22.99%	423,400	17.73%	1,549,000	28.42%	2,033,000	26.29%	840,700	17.15%
Capital Outlay														
6/30/2020	-	0.00%	-	0.00%	8,940	0.29%	-	0.00%	-	0.00%	750	0.01%	9,087	0.22%
6/30/2021	-	0.00%	-	0.00%	10,000	0.27%	-	0.00%	223,100	4.05%	21,500	0.31%	364,000	6.87%
7/1/2021	-	0.00%	-	0.00%	10,000	0.26%	-	0.00%	-	0.00%	-	0.00%	-	0.00%
Total Unrestricted E&G														
6/30/2020	2,497,046	100.00%	3,444,443	100.00%	3,047,815	100.00%	2,125,732	100.00%	5,191,934	100.00%	6,132,038	100.00%	4,074,921	100.00%
6/30/2021	2,618,500	100.00%	4,106,400	100.00%	3,737,000	100.00%	2,437,400	100.00%	5,508,900	100.00%	6,826,000	100.00%	5,296,200	100.00%
7/1/2021	2,804,600	100.00%	4,577,200	100.00%	3,792,400	100.00%	2,388,500	100.00%	5,449,500	100.00%	7,733,800	100.00%	4,901,100	100.00%

Tennessee Board of Regents
Summary of Unrestricted Educational and General Expenditure Budget by Natural Classification

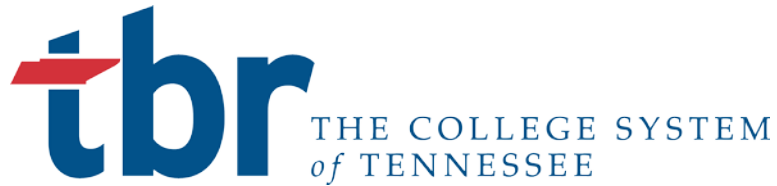
	McKenzie	%	McMinnville	%	Memphis	%	Morristown	%	Murfreesboro	%	Nashville	%	Newbern	%
Salaries														
6/30/2020	779,536	42.59%	1,341,649	58.49%	3,537,635	53.15%	3,479,409	55.11%	3,399,403	55.72%	4,348,881	57.89%	1,372,198	53.94%
6/30/2021	870,400	45.51%	1,339,900	54.22%	5,164,400	56.99%	3,647,400	51.69%	3,534,900	52.19%	4,260,800	52.89%	1,534,100	48.21%
7/1/2021	803,000	42.02%	1,356,900	52.77%	5,357,700	59.09%	3,749,500	54.89%	3,871,400	53.29%	4,490,800	54.50%	1,592,200	48.90%
Employee Benefits														
6/30/2020	401,572	21.94%	457,375	19.94%	1,298,532	19.51%	1,363,988	21.61%	1,239,702	20.32%	1,578,113	21.01%	548,840	21.57%
6/30/2021	416,100	21.76%	520,500	21.06%	1,754,600	19.36%	1,660,300	23.53%	1,404,200	20.73%	1,838,300	22.82%	717,300	22.54%
7/1/2021	395,800	20.71%	534,000	20.77%	1,743,700	19.23%	1,596,000	23.36%	1,382,800	19.04%	1,723,000	20.91%	717,200	22.03%
Travel														
6/30/2020	4,387	0.24%	7,093	0.31%	17,235	0.26%	39,987	0.63%	80,300	1.32%	17,350	0.23%	2,904	0.11%
6/30/2021	1,000	0.05%	10,500	0.42%	60,100	0.66%	21,300	0.30%	83,700	1.24%	23,000	0.29%	6,500	0.20%
7/1/2021	12,300	0.64%	10,500	0.41%	48,800	0.54%	41,800	0.61%	120,400	1.66%	73,700	0.89%	12,000	0.37%
Operating Expenses														
6/30/2020	517,603	28.28%	487,691	21.26%	1,792,167	26.93%	1,409,053	22.32%	1,304,192	21.38%	1,567,789	20.87%	614,505	24.16%
6/30/2021	597,800	31.26%	600,400	24.29%	1,998,200	22.05%	1,727,300	24.48%	1,539,600	22.73%	1,934,000	24.01%	924,500	29.05%
7/1/2021	699,900	36.62%	670,100	26.06%	1,907,200	21.03%	1,443,700	21.13%	1,573,600	21.66%	1,946,900	23.63%	934,400	28.70%
Capital Outlay														
6/30/2020	127,276	6.95%	-	0.00%	10,223	0.15%	20,846	0.33%	77,140	1.26%	-	0.00%	5,500	0.22%
6/30/2021	27,100	1.42%	-	0.00%	85,200	0.94%	-	0.00%	210,100	3.10%	-	0.00%	-	0.00%
7/1/2021	-	0.00%	-	0.00%	10,200	0.11%	-	0.00%	316,100	4.35%	6,000	0.07%	-	0.00%
Total Unrestricted E&G														
6/30/2020	1,830,374	100.00%	2,293,808	100.00%	6,655,792	100.00%	6,313,283	100.00%	6,100,737	100.00%	7,512,133	100.00%	2,543,947	100.00%
6/30/2021	1,912,400	100.00%	2,471,300	100.00%	9,062,500	100.00%	7,056,300	100.00%	6,772,500	100.00%	8,056,100	100.00%	3,182,400	100.00%
7/1/2021	1,911,000	100.00%	2,571,500	100.00%	9,067,600	100.00%	6,831,000	100.00%	7,264,300	100.00%	8,240,400	100.00%	3,255,800	100.00%

Tennessee Board of Regents
Summary of Unrestricted Educational and General Expenditure Budget by Natural Classification

	Oneida	%	Paris	%	Pulaski	%	Ripley	%	Shelbyville	%	Whiteville	%	Total TCATs	%
Salaries														
6/30/2020	1,266,201	54.95%	1,489,986	52.77%	1,750,297	52.75%	873,326	53.54%	2,318,603	57.00%	983,492	53.42%	56,211,250	54.57%
6/30/2021	1,224,000	51.73%	1,414,400	51.30%	1,784,900	48.58%	951,300	49.70%	2,469,600	52.59%	945,300	48.11%	60,377,500	51.77%
7/1/2021	1,254,300	52.99%	1,406,300	50.59%	2,043,500	51.57%	1,057,500	51.41%	2,714,900	53.92%	951,500	45.58%	63,810,200	52.83%
Employee Benefits														
6/30/2020	599,111	26.00%	676,597	23.96%	719,617	21.69%	375,819	23.04%	996,206	24.49%	432,086	23.47%	22,893,627	22.23%
6/30/2021	606,500	25.63%	714,000	25.90%	831,500	22.63%	482,900	25.23%	1,126,200	23.98%	409,400	20.84%	25,921,300	22.23%
7/1/2021	606,900	25.64%	633,900	22.80%	887,900	22.41%	512,200	24.90%	1,200,600	23.85%	421,900	20.21%	26,641,200	22.06%
Travel														
6/30/2020	8,935	0.39%	8,399	0.30%	23,006	0.69%	4,649	0.29%	1,512	0.04%	1,145	0.06%	473,301	0.46%
6/30/2021	7,400	0.31%	3,000	0.11%	4,000	0.11%	300	0.02%	5,900	0.13%	100	0.01%	410,700	0.35%
7/1/2021	8,400	0.35%	10,500	0.38%	55,000	1.39%	8,000	0.39%	16,400	0.33%	9,000	0.43%	869,900	0.72%
Operating Expenses														
6/30/2020	430,226	18.67%	535,125	18.95%	786,084	23.69%	377,248	23.13%	751,532	18.47%	424,230	23.04%	22,931,359	22.26%
6/30/2021	528,100	22.32%	595,500	21.60%	1,046,900	28.49%	479,400	25.05%	1,093,900	23.30%	610,100	31.05%	28,697,600	24.61%
7/1/2021	497,400	21.01%	699,000	25.15%	969,000	24.45%	479,100	23.29%	1,102,700	21.90%	705,200	33.78%	29,093,600	24.09%
Capital Outlay														
6/30/2020	-	0.00%	113,696	4.03%	39,146	1.18%	143	0.01%	-	0.00%	-	0.00%	489,248	0.48%
6/30/2021	-	0.00%	30,000	1.09%	7,000	0.19%	-	0.00%	-	0.00%	-	0.00%	1,208,800	1.04%
7/1/2021	-	0.00%	30,000	1.08%	7,000	0.18%	-	0.00%	-	0.00%	-	0.00%	379,300	0.31%
Total Unrestricted E&G														
6/30/2020	2,304,473	100.00%	2,823,803	100.00%	3,318,150	100.00%	1,631,185	100.00%	4,067,853	100.00%	1,840,953	100.00%	102,998,785	100.00%
6/30/2021	2,366,000	100.00%	2,756,900	100.00%	3,674,300	100.00%	1,913,900	100.00%	4,695,600	100.00%	1,964,900	100.00%	116,615,900	100.00%
7/1/2021	2,367,000	100.00%	2,779,700	100.00%	3,962,400	100.00%	2,056,800	100.00%	5,034,600	100.00%	2,087,600	100.00%	120,794,200	100.00%

Tennessee Board of Regents
Summary of Unrestricted Educational and General Expenditure Budget by Natural Classification

	TBR	%	Total System	%
Salaries				
6/30/2020	12,978,356	41.41%	382,259,811	55.44%
6/30/2021	13,657,600	36.80%	388,769,700	53.13%
7/1/2021	14,099,400	37.00%	417,371,600	53.82%
Employee Benefits				
6/30/2020	4,900,689	15.64%	145,093,332	21.04%
6/30/2021	4,755,300	12.81%	153,687,100	21.00%
7/1/2021	5,271,200	13.83%	161,435,200	20.82%
Travel				
6/30/2020	254,387	0.81%	4,626,896	0.67%
6/30/2021	301,100	0.81%	4,322,800	0.59%
7/1/2021	301,100	0.79%	7,076,100	0.91%
Operating Expenses				
6/30/2020	13,035,913	41.59%	152,667,340	22.14%
6/30/2021	18,399,200	49.58%	181,560,700	24.81%
7/1/2021	18,432,800	48.37%	186,130,800	24.00%
Capital Outlay				
6/30/2020	171,052	0.55%	4,846,398	0.70%
6/30/2021	-	0.00%	3,416,800	0.47%
7/1/2021	-	0.00%	3,482,400	0.45%
Total Unrestricted E&G				
6/30/2020	31,340,397	100.00%	689,493,777	100.00%
6/30/2021	37,113,200	100.00%	731,757,100	100.00%
7/1/2021	38,104,500	100.00%	775,496,100	100.00%



BOARD TRANSMITTAL

MEETING: Committee on Finance and Business Operations

SUBJECT: Capital Budget Request Fiscal Year 2022-23

DATE: June 17, 2021

PRESENTER: Executive Director, Dick Tracy

PRESENTATION REQUIREMENTS: 10 Minutes

ACTION REQUIRED: Roll Call Vote

STAFF'S
RECOMMENDATION: Approve

The Committee will consider approval of the Capital Maintenance Budget Request for fiscal year 2022-23. The recommended Capital Maintenance Budget Request is attached for your review.

FY 22/23 Capital Maintenance Annual Renewal Request

	Institution	Project	2022-2023	Notes
1	PSCC	HVAC & Electrical Upgrades and Repairs Phase 2	1,100,000	Second of 2 phases
2	WSCC	Campbell College Cntr Fire & Safety Remediation	1,700,000	
3	DSCC	Campus Roof Drain Replacements	270,000	
4	CoSCC	Several Buildings Roof Replacements	1,280,000	
5	ChSCC	Elevator Installation	1,220,000	
6	NaSCC	HVAC and Cooling Tower Repairs	800,000	
7	JSCC	Administration Building HVAC Updates	820,000	
8	CISCC	Campus HVAC Updates	1,000,000	
9	RSCC	Multiple Building HVAC Corrections	1,800,000	
10	VSCC	HVAC Upgrades	3,200,000	
11	STCC	Mechanical Systems and Infrastructure Updates	4,000,000	
12	MSCC	Parking and Roadway Repairs	1,220,000	
13	NeSCC	Powers Math and Science Building Updates	1,550,000	
14	TCAT Harriman	Building D Foundation Repairs	280,000	
15	TCAT Murfreesboro	Fire Alarm System Installation	380,000	
16	TCAT Nashville	Fire Alarm System Installation and/or Upgrades	670,000	
17	CISCC	Student Center Roof Replacement	600,000	
18	TCAT Statewide	TCAT Roofing System Upgrades A	1,800,000	First of multi phases
19	PSCC	Boiler and Cooling Tower Replacement	850,000	
20	ChSCC	Central Plant Modernization	1,280,000	
21	TCAT Statewide	TCAT MPE Updates A	1,640,000	
22	NaSCC	Parking Lot Repairs	330,000	
23	DSCC	Campus Paving and Repairs	470,000	
24	WSCC	Parking Lot and Lighting Improvements	1,450,000	First of 2 phases
25	TCAT Livingston	Doors and Windows Renovation	380,000	
26	TCAT Chattanooga	TCAT 1 and 2 Interior Renovations A	1,534,000	First of 2 phases
27	TCAT Statewide	TCAT Maintenance Repairs A	1,270,000	First of multi-phases

FY 22/23 Capital Maintenance Annual Renewal Request *continued*

Institution	Project	2022-2023	Notes	
28	TCAT Crump	Fire and Security System Installation	340,000	
29	JSCC	McWherter Center Chiller and Boiler Updaters	650,000	
30	TCAT Statewide	TCAT Parking and Paving Updates A	590,000	First of multi phases
31	JSCC	Multiple Building Fire Alarm Upgrades	500,000	
32	TCAT Murfreesboro	Smyrna Fire Alarm System Upgrades	430,000	THEC target \$35,724,000
33	TCAT Statewide	TCAT Roofing System Upgrades B	670,000	Second of multi phases
34	ChSCC	CETAS Lift Station Replacement	530,000	
35	PSCC	Air Handling Units and Chiller Replacement	1,250,000	
36	TCAT Statewide	TCAT MPE Updates B	830,000	Second of multi phases
37	DSCC	Exterior Window Updates	430,000	
38	TCAT Jacksboro	Repair/Replace Bay Doors, Windows, and Doors	310,000	
39	ChSCC	CETAS Sculpture Lab Re-roof	200,000	
40	CISCC	Administration Roof Replacement	460,000	
41	WSCC	Morristown Campus Exterior Building Repair	1,110,000	
42	RSCC	Parking Lot/Drainage/Sidewalk Repairs	780,000	
43	PSCC	Egress Codes Renovation	1,500,000	
44	CoSCC	Several Buildings HVAC Updates	850,000	
45	DSCC	HVAC System Upgrades	390,000	
46	RSCC	Cumberland and Scott Campus HVAC Corrections	680,000	
47	MSCC	Backup Power and Utility Upgrades	1,350,000	
48	JSCC	Campus Electrical Distribution Upgrades	1,300,000	
49	TCAT Statewide	TCAT MPE Updates C	640,000	Third of multi phases
50	TCAT Chattanooga	Truck Driving School Site Improvements	430,000	
51	WSCC	Greenville Parking Lot and Lighting Improvements	500,000	
52	STCC	Building Envelope Repairs	1,600,000	
53	VSCC	Parking Lot Improvements	1,250,000	TBR target \$52,254,846
Annual Maintenance Request		\$52,464,000		

TBR institutions submitted 25 additional projects at \$23,194,000 of unmet maintenance needs for a total request of \$75,658,000. Listing and back-up for these projects are available upon request.

Additional FY 22/23 Capital Maintenance Project

	Institution	Project	2021-2022	Notes
54	TCAT Statewide	TCAT Parking and Paving Updates B	930,000	
55	TCAT Chattanooga	TCAT 1 and 2 Interior Renovations B	1,534,000	
56	ChSCC	CETAS Sculpture Lab Renovation	1,820,000	
57	TCAT Crump	Install Farm Operations Plots	100,000	
58	TCAT Crump	Administration Building Updates	1,240,000	
59	TCAT Nashville	Building Interior Updates	530,000	
60	TCAT Statewide	TCAT Maintenance Repairs B	1,170,000	
61	TCAT Statewide	TCAT Maintenance Repairs C	740,000	
62	PSCC	Campus Security Access Control	320,000	
63	PSCC	Magnolia Campus ADA Corrections	350,000	
64	JSCC	Multiple Building Roof Repairs	850,000	
65	PSCC	McWherter Elevator	630,000	
66	TCAT Livingston	Stormwater Drainage System Upgrades	260,000	
67	ChSCC	Child Development Center Lab Modernization	3,030,000	
68	VSCC	Lighting Improvements	430,000	
69	MSCC	HVAC Equipment and Controls Upgrade	1,300,000	
70	VSCC	Exterior Repairs	750,000	
71	PSCC	Building Envelope Repairs	800,000	
72	ChSCC	Health Science Center Building Envelope Repairs	560,000	
73	PSCC	Campus Paving and Repairs	950,000	
74	ChSCC	Omni Building Envelope Repairs	1,500,000	
75	JSCC	Multiple Building Window Replacements	1,270,000	
76	DSCC	Auditorium Upgrades	870,000	
77	MSCC	Interior Building Repairs	860,000	
78	TCAT Livingston	Comprehensive Building Plumbing Upgrades	400,000	
Additional Maintenance Projects:			\$23,194,000	

BOARD TRANSMITTAL

MEETING: Committee on Finance and Business Operations

SUBJECT: New TBR Policy 7.04.00.00, Traffic and Parking

DATE: June 17, 2021

PRESENTER: Brian Lapps, General Counsel

PRESENTATION REQUIREMENTS: 5 minutes with discussion

ACTION REQUIRED: Roll Call Vote

STAFF'S
RECOMMENDATION: Approval

BACKGROUND INFORMATION:

As previously explained, TBR needs to implement draft Rule 0240-01-06, Traffic and Parking (the "Rule") for legal compliance reasons. This new policy implements the Rule.

The Board must consider all comments received from the public at the June 15, 2021, Rulemaking Hearing and any written comments submitted in advance of the Rulemaking Hearing. As of June 2, 2021, TBR had received one written comment suggesting (1) that the nature of the maximum fines be explicit and (2) for purposes of transparency and open government, that the Board consider the amount of institutional fines following a chance for public comment. Those revisions are included in the attached version of the policy. If more comments are received at the Rulemaking Hearing, the Board may make changes to the draft Rule based on those comments, and the final version of this policy may need to be revised to be consistent with the Rule.

Unless decided otherwise by the Board, a vote to approve this policy:

- (1) Is contingent on the Board approving the Rule;
- (2) Delegates to General Counsel the authority to make changes to this policy to conform to the final version of Rule as approved by the Board; and
- (3) Includes an effective date that is simultaneous with the effective date of the Rule.

Attachment

Traffic and Parking: 7.04.00.00

Policy/Guideline Area

Safety and Security

Applicable Divisions

TCATs, Community Colleges, System Office

Purpose

To facilitate and regulate the safety and orderly operation of motor vehicles on TBR institution property or institution-controlled property and to provide parking facilities for their operation within the limits of available space.

Definitions

As used in this policy:

- “Motor vehicle” means any self-propelled vehicle that is capable of exceeding twenty- five (25) miles per hour.
- “Employee” means all faculty, executive, administrative, professional and support staff employed in the service of and whose compensation is paid by a TBR institution. “Employee” does not include independent contractors who provide goods or services to the institution or student workers as defined in TBR Policy 5.01.01.00.

Policy/Guideline

I. Administration of Policy

- A. Institutions shall identify an administrative unit or administrator responsible for implementation and enforcement of this policy.
- B. Any person operating a motor vehicle on the property of a TBR institution or controlled by a TBR institution is required to obey this policy as a condition of parking or operating a motor vehicle on institution property or institution-controlled property.
- C. The issuance of a parking permit does not guarantee a parking space. The inability to locate a designated parking space does not diminish the responsibility to park in accordance with this policy.
- D. The absence of “no parking” signs or painted curbs/lines does not imply that parking is allowed. Parking in designated lots is restricted to designated spaces only. Motor vehicles parked outside of designated spaces are subject to citation and towing, and the owner/operator may be subject to disciplinary or administrative action.
- E. The institution shall have no responsibility for theft or damage to any motor vehicle or its contents operated or parked on institution property or institution-controlled property.
- F. This policy is enforceable seven (7) days a week, twenty-four (24) hours a day, including holidays and breaks.

II. Registration and Parking Permits

- A. Institutions may require students, employees, and visitors to register motor vehicles and/or obtain parking permits in order to park on institution property or institution-controlled property.
- B. Reasonable costs/fees may be assessed in association with the motor vehicle registration or permit process. Any fees or costs associated with registration of motor vehicles, together with appropriate information sufficient to justify the fee/cost amount, shall be submitted for review and approval by the Chancellor, and then the Board of Regents.
- C. Institutions choosing to utilize parking permits shall identify locations where parking permits are available for pickup and purchase by students, visitors, and employees.
- D. Lost or stolen parking permits must be reported to the institution.
- E. If the institution utilizes parking permits, only motor vehicles properly displaying a parking permit, visitor pass, or those motor vehicles legally parked where no permit is required may be parked on institution property or institution-controlled property.
- F. Parking permit holders are only eligible for one (1) parking permit at a time. Permits may be moved from one motor vehicle to another. Parking permits may not be transferred from one person to another.

III. Parking Zones

- A. Institutions shall clearly designate lots for which parking permits are required and the types of permits required for such lots.
- B. Persons utilizing disabled parking spaces must have a state-issued disability license plate or disability placard. All students, faculty, and staff who have a state-issued placard or license plate should be registered with the institution to ensure access to the appropriate disabled parking spaces on institution property or institution-controlled property.
- C. Motorcycles, motor bikes, and motor scooters must display a motorcycle permit (if issued by the institution) and are only permitted to park in parking spaces designated as "motorcycle parking" or in other regularly marked parking spaces. Operating these motor vehicles on any surface other than designated streets or parking areas is prohibited.

IV. Motor Vehicle Operation

- A. Operators of motor vehicles on institution property or institution-controlled property, which includes city streets running through campus, must obey all traffic rules, regulations, postings, and directions of law enforcement, regardless of whether the rule, regulation, posting, or direction is included in these rules, and all applicable traffic rules, regulations, postings, or directions.
- B. Violations of posted speed limits, the reckless operation of a motor vehicle on institution property or institution-controlled property, including but not limited to, squealing tires or sliding the motor vehicle.
- C. All persons operating motor vehicles are responsible for maintaining proper control of the motor vehicle, safe operation, and observance of traffic control signs, barriers, and devices.

- D. Operating a motor vehicle in any area other than a street or a roadway intended for motor vehicles is prohibited.
- E. Pedestrians have the right of way at established pedestrian crossings, except where regulated by traffic control lights or police officers.
- F. Individuals riding bicycles must comply with all applicable traffic rules, regulations, postings, or directions.

V. Violations.

- A. The following are non-exclusive examples of violations of these rules.

- 1. Registration

- a. Unauthorized possession of a parking permit;
- b. Falsification of registration information; and
- c. Illegal use, unauthorized use, reproduction or alteration of a parking permit or temporary parking permit.

- 2. Parking

- a. In a no parking zone;
- b. No permit or visitor pass where required;
- c. Improper display of permit or visitor pass;
- d. Parked outside of lines or appropriately marked parking space;
- e. In such a manner as to block or obstruct traffic, street, sidewalk, driveway, fire hydrant, building entrance or exit, or another motor vehicle;
- f. In a fire lane;
- g. Overtime in a metered space;
- h. Illegal entry/exit in an access-controlled or gated parking facility, which includes, but is not limited to, tailgating another motor vehicle;
- i. Non-operative vehicle parked on institution property or institution-controlled property for longer than seven (7) days without permission from the institution;
- j. Breaking the gate in an access-controlled gated parking facility; and
- k. Disability parking violation, as defined by State law (including, but not limited to, unauthorized use of a disabled parking space, ramp, plate, or placard; parking a motor vehicle so that a portion of the motor vehicle encroaches into a disabled space in a manner that restricts, or reasonably could restrict, a person confined to a wheelchair from exiting or entering a motor vehicle properly parked within a disabled parking space). Fines for violating the disabled parking laws cannot be suspended or waived where prohibited by T.C.A. § 55-21-108.

B. Campus police officers may issue citations for violations of this policy, city or county ordinances, and/or state laws. Individuals who receive a citation for violations of city or county ordinances and/or state laws must appear in court on the court date listed on the citation or pay the citation fine if appearance in court is not required.

C. Fines

1. Fines may be set as determined by each institution but shall not exceed the greater of fifty dollars (\$50.00) or the amount set by any state law, or any county or municipal ordinance in the institution's jurisdiction for the same offense. Provided, however, if a state statute requires that a fine be set at more than fifty dollars (\$50.00), the institution shall set the fine in compliance with the statute. Any such citation written as a violation of a city or county ordinance and/or state law will be resolved by a court; any such violation issued as an institutional citation shall not involve a fine of greater than fifty dollars (\$50.00).
2. Fine amounts must receive prior review and approval by the Chancellor and then the Board of Regents. Proposed fines shall be submitted to the Chancellor together with information sufficient to justify the fine. Fine amounts shall include consideration of state/county/municipal fines for the same offense, fines for the same offense at similarly situated institutions, association to enforcement costs at the institution, and/or the unique parking and traffic considerations at each institution.
3. Once adopted or amended, all fines shall be affirmatively communicated to the faculty, staff, and students of the institution through its website.

VI. Enforcement

- A. An institution, without advance notice, may tow, boot, or remove to a place of storage at the owner's expense any motor vehicle that is parked in a fire lane, designated disabled parking space, spaces reserved for designated motor vehicles, or motor vehicles parked in such a manner as to impede the flow of traffic or disrupt the orderly affairs of the institution.
- B. An institution may tow, boot, or remove to a place of storage at the owner's expense any motor vehicle that has unpaid parking citations as long as advance notice and an opportunity to contest has been given. Windshield notices and/or other methods of notification will be used to provide the operator of the motor vehicle with advance notice of the intent to tow and the operator's right to a contest.
- C. An institution may revoke parking privileges for repeated and/or deliberate parking or moving violations.
- D. Any student who receives \$100.00 or more in traffic and/or parking violations on institution property or institution-controlled property during any semester may be subject to disciplinary action.
- E. Parking permits, if utilized, are issued to persons, not motor vehicles, and are required to be affixed to a motor vehicle. Permit holders are responsible for citations incurred with their permit. Persons will also be held liable for a violation incurred by a motor vehicle without a permit when that motor vehicle is reasonably shown to be associated with the person.
- F. Any student, employee, or visitor who has received an institution-issued citation may appeal the citation within fifteen (15) business days of the date of issuance. Citations issued by the

institution and not appealed must be paid within fifteen (15) business days of the issuance date of the citation.

VII. Appeals

- A. Any student who has received an institution-issued citation may appeal the citation to the administrator or committee responsible for hearing student appeals within fifteen (15) days of the issuance date of the citation. Each institution shall provide instructions for appeals on its website. Appeals may be filed in person or online. All decisions by the administrator or committee responsible for student appeals are final.
- B. Any employee who has received an institution-issued citation may appeal the citation to the administrator or committee responsible for hearing employee appeals within fifteen (15) days of the issuance date of the citation. Each institution shall provide instructions for appeals on its website. Appeals may be filed in person or online. All decisions by the administrator or committee responsible for employee appeals are final.
- C. Any person not affiliated with the institution who has received an institution-issued citation may appeal the citation within fifteen (15) days of the issuance date of the citation. Each institution shall provide instructions on its website for appeals and the name of the administrator responsible for resolving appeals. Appeals may be filed in person or online. All decisions by the administrator responsible for appeals by unaffiliated individuals are final.

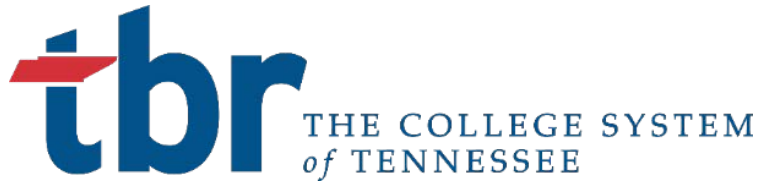
Sources

Authority

T.C.A. § 49-8-203; All State and Federal Statutes, Acts, Codes, Rules and Regulations referenced in this policy.

History

NEW Policy approved at Board Meeting, June 18, 2021.



Tennessee Board of Regents
Workforce Development Committee
June 17, 2021

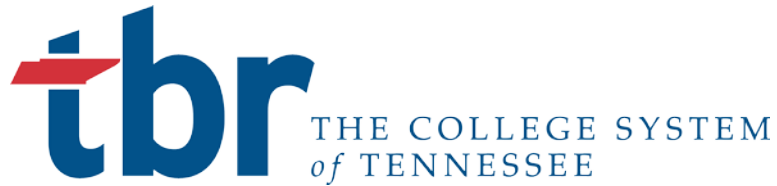
AGENDA

1. UPDATE ON CENTER FOR WORKFORCE DEVELOPMENT PROJECTS *(TCAT Murfreesboro President Carol Puryear)*

President Puryear will review current workforce development projects and activities, including apprenticeships, campus workforce initiatives, and the Governor's Correctional Education Initiative.

2. MEETING INDUSTRY NEEDS: INDIGO AG, INC. *(TCAT Murfreesboro President Carol G. Puryear)*

Tennessee's strong agricultural sector accounts for 9% of the state's economy. The Center for Workforce Development had an opportunity to coordinate workforce needs, academic credentials and dual enrollment to meet the needs of the agriculture industry. President Puryear will feature a multimedia presentation highlighting TBR campus development of agronomy programs for Indigo Ag, Inc.



BOARD TRANSMITTAL

MEETING: Workforce Development Committee

SUBJECT: Update on Center for Workforce Development
Projects

DATE: June 17, 2021

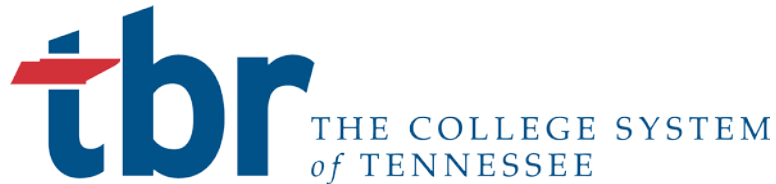
PRESENTER: TCAT Murfreesboro President Carol Puryear

PRESENTATION REQUIREMENTS: 6 minutes

ACTION REQUIRED: None; Information Only

STAFF'S RECOMMENDATION: N/A

President Puryear will review current workforce development projects and activities, including apprenticeships, campus workforce initiatives, and the Governor's Correctional Education Initiative.



BOARD TRANSMITTAL

MEETING: Workforce Development Committee

SUBJECT: Meeting Industry Needs: Indigo Ag, Inc.

DATE: June 17, 2021

PRESENTER: TCAT Murfreesboro President Carol Puryear

PRESENTATION REQUIREMENTS: 15 minutes

ACTION REQUIRED: None; Information Only

STAFF'S RECOMMENDATION: N/A

Tennessee's strong agricultural sector accounts for 9% of the state's economy. The Center for Workforce Development had an opportunity to coordinate workforce needs, academic credentials and dual enrollment to meet the needs of the agriculture industry. President Puryear will feature a multimedia presentation highlighting TBR campus development of agronomy programs for Indigo Ag, Inc.



Tennessee Board of Regents
Committee on Personnel and Compensation
June 17, 2021

AGENDA

1. CONSENT AGENDA

a. Proposed Revisions to TBR Policy 5.01.00.00 General Personnel

The Committee will review for approval proposed revisions to the General Personnel Policy – 5.01.00.00.

b. New Employee Discipline Policy

The Committee will review for approval a request to add a new policy on employee discipline.

c. Proposed Revisions to TBR Policy 7.01.00.00 Firearms and Other Weapons

The Committee will review for approval proposed revisions to the Firearms and Other Weapons policy – 7.01.00.00

2. APPROVAL OF JUNE 1, 2021 SPECIAL CALLED MEETING

Approval of the minutes of the June 1, 2021 special called personnel and compensation meeting that includes action taken on the compensation strategies.

3. TENURE AND PROMOTION RECOMMENDATIONS AT TENNESSEE COLLEGES OF APPLIED TECHNOLOGY (TCATs)

The TCATs request approval to grant promotion to sixty-three (63) faculty members. There are no requests for tenure.

4. TENURE AND PROMOTION RECOMMENDATIONS AT COMMUNITY COLLEGES

The Community Colleges request approval to grant tenure to eighty-three (83) faculty members. Additionally, the Community Colleges request approval to grant promotion to one hundred and ninety-two (192) faculty members.

5. FACULTY PROMOTIONAL INCREASES

The community colleges request approval to grant faculty promotional increases to one-hundred-ninety-two (192) faculty members and the Tennessee Colleges of Applied Technology request approval to grant faculty promotional increases to sixty-three (63) members.

6. INSTITUTIONAL REQUESTS FOR AMENDED COMPENSATION PLANS

One (1) institution requests approval of an amended compensation plan to address market changes.

7. INSTITUTIONAL REQUESTS FOR COMPENSATION PLAN PAYMENTS FROM THE STATE SALARY INCREASE POOL

Three (3) colleges requests to use some or all of the state funding for their compensation plans and have submitted a proposal for review and approval.

8. EXECUTIVE INCENTIVE PAYMENTS

Recommendations for executive incentive pay are brought before the Committee for review and approval.

9. APPROVAL OF PRESIDENT EMERITUS CONTRACTS

The community colleges request the review and approval of six (6) individuals to be appointed President Emeritus for the fiscal year 2021 - 2022.

10. APPROVAL OF FACULTY EMERITUS

Five (5) faculty emeritus candidates are being recommended to the Board for consideration and approval.

11. EVALUATION OF THE CHANCELLOR

A performance review of the Chancellor is required every two years. The purpose of this item is consideration by the Committee of the Chancellor's performance review.



Tennessee Board of Regents
Committee on Personnel and Compensation
Thursday, June 17, 2021

AGENDA

1. CONSENT AGENDA

A. Revisions to TBR Policy 5.01.00.00 General Personnel

The Committee will review for approval proposed revisions to the General Personnel Policy – 5.01.00.00.

B. New Employee Discipline Policy

The Committee will review for approval a request to add a new policy on employee discipline.

C. Revisions to TBR Policy 7.01.00.00 Firearms and Other Weapons

The Committee will review for approval proposed revisions to the Firearms and Other Weapons policy – 7.01.00.00

BOARD TRANSMITTAL

MEETING: Personnel & Compensation Committee Meeting

SUBJECT: General Personnel Policy

DATE: June 17, 2021

PRESENTER: April Preston, Associate Vice Chancellor

PRESENTATION REQUIREMENT: 5 minutes with discussion

ACTION REQUIRED: Roll Call Vote

STAFF'S
RECOMMENDATION: Approve

The General Personnel Policy has not had major revisions since 2013. The recommended changes to the General Personnel policy include:

- Inclusion of employment at will language, elimination of employment contracts;
- Moving the part-time instructional faculty rates to an exhibit, so they may be updated as needed;
- Clarification of additional compensation for additional administrative duties and return to faculty;
- Inclusion of sample calculation for transitioning from a 12-month administrative position to a 9-month faculty position during the academic year;
- Reference to new Employee Disciplinary Policy;
- Clarification on Budget Reduction Actions.

Related TBR Policy/Guideline:
(new) Employee Disciplinary Policy
P-010- Personnel Transactions & Recommended Forms

attachment

General Personnel Policy: 5.01.00.00

Policy Area

Personnel Policies

Applicable Divisions

TCATs, Community Colleges, System Office

Purpose

The following General Personnel Policy of the Tennessee Board of Regents is hereby adopted to delegate to the presidents- ~~and Chancellor of community colleges~~, the authority and responsibility hereinafter specified concerning personnel, which the Board finds to be necessary and appropriate for the efficient administration of the institutions, and to establish standards, guidelines, and reporting requirements for the exercise of the delegated authority. ~~The policy also cites specified authority and responsibility concerning personnel assigned to presidents of the Tennessee Colleges of Applied Technology and the Chancellor.~~

Definitions

- ~~• Promotion - is defined as an increase in position or rank brought about by means of assuming the duties of a new or vacant position of higher classification, or assuming duties which warrant a reclassification of present position to one at a higher level.~~
- ~~• Demotion - is defined as a decrease in position or rank brought about by means of assuming the duties of a vacant position of lower classification, the realignment of duties presently performed which warrant a reclassification of present position to one at a lower level, or the assignment of a position at a lower classification subsequent to the disciplinary procedure or disqualification from present duties as a result of mental or physical incapacity to perform the required work.~~
- ~~• Reclassification - when an employee's duties and responsibilities change and may include an appropriate salary adjustment.~~
- ~~• Lateral Transfer - is defined as the assumption of duties of another position at the same level.~~
- ~~• Immediate family - is defined as any of the following named members of the employee's household at the time the employee reports for duty at their new official station: spouse, children (including stepchildren, adopted children, or foster children)~~

~~unmarried and under 21 years of age or physically or mentally incapable of supporting themselves regardless of age, or dependent parents of the employee and the employee's spouse.~~

- ~~• Define staff and administrative staff.~~

Policy

I. Scope of Delegation

A. Presidents

1. The appointments and terminations which require the prior approval of the ~~community college~~ president and the Chancellor include:
 - a. All Vice Presidents or other executives reporting directly to the President (academic, business, student affairs, etc.), including all interim appointments; and
 - b. ~~Directors and chairs of the Centers of Emphasis and Excellence, including interim appointments; and~~
 - c. Any other positions which may be designated by the Chancellor.

B. ~~TCAT Presidents~~

- ~~1. The appointments, changes of status, compensation, and termination of the TCAT assistant directors shall be subject to the prior approval of the Chancellor.~~
- ~~2. No offer of employment can be made for positions requiring the Chancellor's approval until the on-line appointment form has been signed by the Chancellor or designee. and the monitor, where required~~
- ~~3. The president has the authority to establish institutional policy or practice for appointments and terminations not requiring the Chancellor's approval, provided that any Such practices or polices shall not be inconsistent with TBR guidelines and policies.~~

C.B. Chancellor

- ~~1. The Chancellor has the authority to employ professional and staff employees as appropriate for the efficient discharge of official duties of the System Office.~~
- ~~2. The Chancellor shall adopt appropriate procedures to govern the recruitment, selection, promotion and reassignment of System Office employees, such procedures to be consistent with relevant Board policies.~~

3-1. Appointments for Positions Reporting to the Chancellor - All appointment recommendations for positions reporting directly to the Chancellor shall be subject to the following approval process:

- a. Recommendations for the positions of General Counsel, ~~Chief Information Officer,~~ and ~~all~~ Vice Chancellors reporting to the Chancellor, including interim appointments, shall be submitted to the Board Committee on ~~Compensation and~~ Personnel and Compensation and the full Board of Regents for prior approval before employing a candidate; and
- b. For recommendations related to all other positions reporting directly to the Chancellor, the Chancellor may employ the individual without prior notice to or approval by the Board.

~~For appointments requiring Board approval, The Committee on Personnel and Compensation shall approve interim appointments for permanent positions that require Board approval. if an emergency situation arises, appropriate measures will be taken to approve appointments in the interim through the Committee on Compensation and Personnel and Compensation, which will have full authority to act on behalf of the Board.~~

D.C. ~~The president of a community college, or a Tennessee College of Applied Technology~~ Presidents is-are authorized to appoint, determine the compensation ~~and~~ change of status of, and terminate all other employees at the institution

subject to the [TBR Bylaws and](#) provisions of this and other relevant Board, and institution, policies and procedures, ~~and the Board approved Compensation Plan Guideline.~~

~~1. The president may delegate the foregoing authority to a designated person or persons at the institution provided that all appointments and compensation of faculty and administrative personnel executives shall be subject to the approval of the president.~~

~~Subsequent rReferences to the president of an institution include the president or appropriate designee.~~

~~E. Notwithstanding any other policy or agreement, in the event of a severe state budget shortfall or state impoundment, the Chancellor may give specific written authorization to presidents upon their request to reduce payroll costs, including, but not limited to, reducing compensation across the board for the remainder of the fiscal year, to mandating furloughs without pay and/or to reducing the amount of time to be worked, on an institution by institution basis.~~

~~1. Any request submitted by presidents shall include a description of the campus constituent groups represented on the presidents committee advising on the budget reduction process. (See also Section V. H below regarding reductions in force).~~

~~F. The President of a Tennessee College of Applied Technology may not delegate the foregoing authority.~~

~~II. Appointments~~

~~Presidents of a community college, or a Tennessee College of Applied Technology (TCAT) Presidents are authorized to appoint and employ personnel within the scope of delegation provided in Section IA for positions at the institution which have been approved by the Board in an operating budget (work~~

program) at a level of compensation which does not exceed the amount specified in the operating budget; provided that new appointments to approved positions may be made at a level of compensation in excess of the amount specified where funds are available, subject to confirmation of the transfer of budgeted funds by the Chancellor.

A. No employment agreement, or contract, or letter of agreement shall be used in the appointment or employment of personnel unless the form of agreement, contract, or letter has been approved by the Chancellor or designee.

~~New administrative positions shall not be established in an institution's administrative organization, by including them in the budget cycle. only filled following approval. To add positions out of cycle, a request is to be submitted for Chancellor approval, using the on-line form available on the TBR- HR website. and no major change in the administrative organization of an institution shall be made, unless approved by the Chancellor.~~

B. The minimum qualifications for the appointment of faculty at community colleges shall be the Minimum Rank Criteria for Professional Personnel in Instruction, Public Service, and Research set forth in Board Policy No. 5.02.02.30, which is incorporated herein by reference.

1. The minimum criteria for tenure-track or tenure appointments at Tennessee Colleges of Applied Technology are specified in Board Policy No. 5.02.02.10.

~~2.1. All part time or temporary faculty must be appointed according to the provisions of Board Policy.~~

C. The minimum qualifications for the appointment of all personnel other than faculty shall be determined by the president or designee, based upon the duties and responsibilities of the position, and shall be recorded and maintained by the

~~institution, subject to any minimum qualifications for personnel positions which may be established by the Board.~~

II. Nature of Appointments

A. Faculty, including part-time and temporary faculty, at community colleges shall be employed pursuant to the types of appointments specified in Board Policy No. 5.02.02.30, ~~which is incorporated herein by reference.~~

B. Faculty-, including part-time and temporary faculty, at Tennessee Colleges of Applied Technology shall be employed pursuant to the types of appointment specified in Board Policy No. 5.02.02.10, ~~which is incorporated herein by reference.~~

C. ~~Employees Personnel~~ other than faculty, i.e., “staff,” are employed on an at-will basis. This means that staff are free to terminate/resign from their employment at any time, either with or without a reason and with or without notice. TBR and TBR institutions also have the right to terminate staff at any time, with or without a reason and with or without notice, provided that the basis for termination is not because of: participation in protected activities, unlawful discrimination, or other considerations prohibited under federal/state law-. Supervisors shall consult with Human Resources and/or TBR Office of General Counsel prior to terminating the employment of any staff employee. Although TBR and TBR institutions may choose to terminate a staff employee for cause and/or gross misconduct, neither cause nor gross misconduct is required.

1. Only the Board and Chancellor have the authority to enter into staff employment contracts for a specified period of time, or to make any agreement contrary to this at-will arrangement. Any such agreement must be in writing and signed by an appropriate Board Member or by the Chancellor.

2. Any staff employment contract in effect at the time of this policy revision (December 10, 2020 June 30, 2021) shall terminate upon its expiration, and the institution shall not renew it. upon its expiration.

3. Appointment letters for staff shall be substantially consistent with Exhibit 2— within TBR Guideline P-010. Any variations to the existing template provided, must be reviewed and approved by the Office of General Counsel. shall be appointed to serve at the pleasure of the president or, at the System Office, the Chancellor.

D. All part-time or temporary faculty must be appointed according to the provisions of Board Policy.

E.D. All full-time personnel, including faculty, shall be required to devote a minimum of 37.5 hours per week to their duties institution or college, and shall maintain appropriate office hours as determined by the president or designee.

1. Presidents are authorized to use flexibility as appropriate in determining the structure of the work week for faculty to recognize variations from traditional instructional formats such as afforded by online instruction, distance education, or other unique methods of instructional delivery.
2. Implementation Calculation of the 37.5-hour work week is governed by Procedure P-020. shall follow such guidelines as promulgated by the Chancellor.

F.E. Within the requirement of a minimum of 37.5 hours per week, faculty at community colleges shall be required to carry a full teaching load, which shall be fifteen (15) credit hours or the equivalent per term for undergraduate courses, twelve (12) credit hours or the equivalent per term for graduate courses, two hundred and twenty-five (225) non-credit contact hour or the equivalent per term. All equivalent teaching load activities shall be subject to prior review and approval by the president or designee. Within the requirement of a minimum of

37.5 hours per week, faculty at Tennessee Colleges of Applied Technology shall normally be required to carry thirty (30) contact hours per week of teaching.

~~G.F. In addition to the requirement of Section III.D above, full-time administrative personnel shall be required to devote sufficient time to complete their assigned duties and responsibilities. When administrative personnel are appointed on an academic year basis, such personnel shall be required to devote sufficient time to fully perform the administrative responsibilities for the academic year, including periods preceding or following the academic year.~~

H.G. Personnel at community colleges who are appointed on an academic year basis shall be on duty for not less than nine months, which shall commence from the time designated by the president prior to the institution's registration first day of class for the fall term of each year through the time designated by the president at the end of the spring term, and shall be subject to call for duty during that period regardless of whether classes are in session.

III.II. Compensation

- A. The president is responsible for compliance with all federal and state laws and regulations, and all Board policies and directives, concerning compensation for employees, ~~and~~ Compensation for employees shall be subject to limitations imposed by the Board or the General Assembly.
- B. All regular full-time ~~salaried~~ personnel, whether on an academic or fiscal year appointment, shall be paid twelve (12) monthly installments each year, provided that exceptions may be made upon termination, or as approved by the Chancellor.
- C. All full-time and part-time employees are required to participate in the automatic deposit program for the direct deposit of their salaries or wages. Each campus has the option to require student workers to participate in the direct deposit program ~~as long as there is no charge to the student~~ unless ~~exempted~~

prohibited by Federal Work Study Guidelines. Institutions shall not charge employees or students for direct deposit.

D. Part-time instructional personnel shall be paid on the basis of the credit or non-credit hours taught at community colleges and on the basis of clock hours taught at TCATs, pursuant to the rates set forth below in exhibit 1 (?) which shall be considered maximum rates for compensation of part-time faculty.

1. Community Colleges

a. Level Rate per Semester Credit Hour

- 1. \$700
- 2. \$750
- 3. \$800
- 4. \$850

2. Colleges of Applied Technology

a. Level Rate per Clock Hour

- 1. \$30
- 2. \$32
- 3. \$35
- 4. \$40

E. Each institution will develop criteria for assigning part-time faculty to the four levels. The criteria may include such factors as educational qualifications, market differentials, and professional experience.

F. Exceptions to the schedule may be approved by presidents based on bona fide market conditions.

G. The president shall ensure that all employees shall be paid equal wages or salaries for equal work in positions the performance of which requires equal skill,

~~effort and responsibility, and which are performed under similar working conditions, except where pay differentials are based upon:~~

- ~~1. market factors,~~
- ~~2. a merit or evaluation system,~~
- ~~3. length of service, or~~
- ~~4. any other proper, non-discriminatory basis.~~

~~When any of the foregoing bases are relied upon to justify pay differentials for employees in similar positions as described above, the basis and the attendant circumstances shall be substantiated in writing and maintained by the institution.~~

~~H. Overtime payments and compensatory time are available to employees nont-exempt employees under from the FLSA. Procedure P-020, Implementation of the 37.5 hour work week provides detailsThe Chancellor is authorized to issue guidelines relative to the use of compensatory time and payment of overtime and the rates pertinent to each.~~

I.F. Each institution shall develop policies and procedures for the administration of the compensation system at the institution ~~subject to the approval of the Chancellor, and~~ subject to the Compensation Plan Guideline promulgated by the Board. This includes reclassifications and degree changes.

G. Temporary Administrative Duties For Faculty

1. Faculty members may be asked to temporarily assume administrative responsibilities which entail moving from an academic year to a fiscal year ~~appointment~~contract with the assignment of additional duties. This temporary appointment may be on a long-term or short-term basis but is still considered a temporary appointment subject to this policy. Temporary appointments are distinct from ~~This does not apply when a faculty member is hired into a~~ permanent at will administrative positions.

~~such as a deanship or Vice President position that~~ which requires a ~~twelve-month appointment~~contract.

2. Temporary administrative responsibilities may ~~justify~~~~necessitate the~~ ~~awarding of~~ an administrative stipend in addition to ~~regular~~~~the~~ ~~previously established~~ salary. The stipend amount or any other understanding concerning compensation must be set out in a new ~~appointment letterly-executed contract~~. The ~~appointment letter~~:~~contract~~;

a. Should include a statement that the stipend is awarded as compensation for the additional administrative responsibilities and will be removed at the time the administrative responsibilities end; or

b. Should otherwise address how compensation ~~will~~ ~~would~~ be affected at the end of an administrative appointment.

3. ~~If the appointment letter does not identify the means for calculating a salary upon the end of the administrative appointment, the stipend shall be removed, and the employee shall receive a salary of 80% of the administrative annual salary, if returning to an academic year appointment. The institution may choose to exceed the 80% number on the basis of comparable faculty salaries, including rank, merit, length of service, experience, degrees and yearly percentage increase in salary. The limitations on maximum salary set out in subsection ___ shall apply. Unless the Chancellor approves an exception, an employee returning or moving to a 9-month faculty position shall not receive a salary greater than the highest paid 9-month faculty member in the department.~~

3.4. The awarding of an administrative stipend is an issue separate from that of conversion from an academic year to a fiscal year

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

4.5. The following illustrates the procedure defined above.

- a. A faculty member making \$260,000 on an academic contract is converted to a fiscal year contract at a salary of \$275,000.
- b. In addition, a \$1,4,500 administrative stipend is added and so indicated because of additional duties. The total amount of salary is then \$26,50079,500.
- c. At the time the faculty member serving as administrator returns to a faculty position on an academic year basis, the administrative stipend will end.
- d. Then the base faculty salary is reduced to an academic year contract at a rate of no less than 80% of the fiscal year salary contract. ~~The institution may choose to exceed the 80% number on the basis of comparable faculty salaries, including rank, merit, length of service, experience, degrees and yearly percentage increase in salary.~~

H. Faculty ~~Appointed to Regular~~ ~~Accepting and Returning to a 12-month~~ Administrative Position and Return to Faculty Assignment (non-Temporary)

1. When a faculty member ~~is offered~~ appointed on a regular 12-month administrative position returns to regular faculty, unless otherwise agreed to in writing, the manner for determining the 9-month faculty salary shall take into account the following considerations: faculty salary at time of moving into administrative position, rank, merit, length of service, experience, performance, degrees and any across the board increase in salary awarded to faculty while the individual serviced as an administrator. ~~on a~~

permanent, at will basis, the appointment letter should identify the salary for the position and the manner of calculating an appropriate 9-month salary should the faculty member return to a 9-month teaching position.

—If no appointment letter identifies the means of calculating a salary upon returning to the faculty, the president shall base the salary on comparable faculty salaries in the department, including rank, merit, length of service, experience, performance, degrees and yearly percentage increase in salary.

2. Unless the Chancellor approves an exception, an administrator returning or moving to a 9-month faculty position shall not receive a salary greater than the highest-paid 9-month faculty member in the department.
3. For individuals transitioning from a twelve (12) month administrative position or salary basis to a 9-month faculty position, or for new faculty hires that begin service after the start of an academic year or an academic term, institutions should apply the following process to establish the employee's monthly salary for the remainder of the fiscal year:
 - a. Divide the previously determined academic year (9- month) salary by the number of workdays in the academic year to get the daily rate.
 - b. Multiply the daily rate by the number of workdays that have passed in the academic year without the faculty member working in the 9-month position.
 - c. Subtract that amount from the annual salary.

d. Pay the remainder of the total academic year salary amount in equal monthly installments over the remaining fiscal year period.

e. Example

1. \$54,000 academic year salary/166 days in academic year = \$325/day

2. 50 days elapsed in the academic year prior to faculty assignment

3. \$325 X 50 days into academic year = \$16,250

5.4. \$54,000-\$16,250 = \$37,750 owed to faculty in equal monthly installments over remainder of the fiscal year.

IV.III. Changes of Status and Terminations

- A. The president is authorized to approve changes of status (i.e., transfers, promotions, demotions, or other changes in duties or responsibilities) of personnel within the scope of the delegation provided for in Section IA, provided that when a change of status would cause the employee to be within the scope of positions subject to approval of the Chancellor, the change of status will be subject to the Chancellor's approval.
- B. ~~The president of each TBR college may establish procedures for accomplishing promotions, demotions, and transfers between institutions within the Tennessee Board of Regents System, in such manner as to ensure fair and equitable treatment to all personnel, and in accordance with established TBR policies. Any such action must be taken within the parameters of the institution's or system office's Affirmative Action Plan, and must be reviewed and certified by the institutional Affirmative Action Officer.~~
- C. Inter-institutional promotions, demotions, and transfers must be discussed and approved by the appointing authorities of the two institutions concerned prior to ~~any discussion with~~ making an offer to the candidate. ~~Any candidate~~ An

employee promoted must meet all established minimum qualifications as determined by the appointing authority.

D. Promotion of Faculty - The promotion of faculty shall be subject to Board Policy No. 5.02.02.30 for community colleges, and Board Policy No. 5.02.02.10 for Tennessee Colleges of Applied Technology.

E. Promotion of ~~StaffNon-faculty~~ - Promotions of ~~staff personnel other than faculty~~ should be made pursuant to any established and written criteria developed by the institution. Promotions and transfers are an acceptable means of filling vacancies. However, such promotions and transfers must be achieved within the parameters of applicable policies and institutional affirmative action plans. In addition, any vacant position created by that promotion, if filled, must be filled within the provisions of applicable policies~~y this Policy~~ and applicable guidelines.

F. Terminations and Transfers - The president is authorized to terminate and transfer all personnel within the scope of the delegation of authority provided for in Section IA, provided that terminations of faculty shall be pursuant to the provisions of Board Policy No. 5.02.03.70 for community colleges, or Board Policy No. 5.02.03.10 for Colleges of Applied Technology. Terminations of staff and other non-faculty shall be pursuant to the provisions of Board Policy – Employee Discipline 5.XX.XX.XX

F.G. Absence from Duty - An employee who is absent from duty for three (3) consecutive business days without giving notice to the appropriate manager concerning the reason for such absence and without securing permission to be on leave is considered as having resigned not in good standing effective at the end of the third business day.

~~G. Termination for Gross Misconduct~~

~~1. Gross misconduct may include, but is not necessarily limited to:~~

~~a. Any act or omission which may seriously disrupt or disturb the normal operation of the institution/System Office;~~

- ~~b. Any work-related conduct which would subject the employee to criminal conviction;~~
 - ~~c. Theft or dishonesty;~~
 - ~~d. Gross insubordination;~~
 - ~~e. Willful d Destruction of institution/System Office property;~~
 - ~~f. Falsification of records;~~
 - ~~g. Acts of moral turpitude;~~
 - ~~h. Reporting for duty under the influence of intoxicants;~~
 - ~~i. The illegal use, manufacture, possession, distribution, or dispensing of controlled substances or alcohol;~~
 - ~~j. Disorderly conduct;~~
 - ~~k. Provoking a fight;~~
 - ~~l. And/or such other similar acts involving intolerable behavior by the employee.~~
- ~~2. In determining eligibility for unemployment compensation benefits, the definition of gross misconduct utilized by the Tennessee Department of Employment Security is not affected by the definition outlined in this section.~~
 - ~~3. In the case of gross misconduct, immediate disciplinary action, up to and including termination, should be taken.~~
 - ~~4. An employee suspected of theft of institutional property may not resign as an alternative to discharge after the investigation has been completed. Unless advance approval of the~~
 - ~~5. Any exceptions to this requirement must be made by the institution's President, after consultation with the Vice Chancellor for Business and Finance, is obtained.~~
 - ~~6. If the employee resigns during the investigation, the employment records must reflect the situation at the date of resignation and the outcome of the investigation.~~

~~7. Refer to Annual Leave Policy 5.01.01.01 and Sick Leave Policy 5.01.01.07 regarding the loss of unused leave if termination of employment is due to gross misconduct. Refer to T.C.A. §§ 8-35-124 and 8-50-807(d) for the loss of retirement benefits related to gross misconduct termination.~~

H. Budget Reduction Actions -- Reductions in Force (RIF) and Furloughs (Applicable to employees other than tenured faculty)

1. In the event of a budget shortfall, state impoundment, ~~or other~~ substantial revenue reduction, or other need to reduce personnel costs, an institution shall consult with the Chancellor and the Office of General Counsel ~~and~~ prior to beginning the planning process for significant personnel-related budget reduction measures (e.g., ~~across-the-board compensation reductions, furloughs without pay, reductions in time worked by employees, and reductions in force)~~ ~~a president shall consult with the Chancellor and obtain legal advice from the Office of General Counsel.~~ The Chancellor must approve of any such actions.
2. A reduction in force (RIF) is a layoff for an indefinite period of time, generally with no expectation of recall, of one or more employees resulting from the elimination of one or more positions due to lack of funding, reorganization, restructuring or ~~similar~~ other reason.
3. A furlough is a temporary reduction of hours, days, or weeks, resulting in a proportional reduction in pay, generally for a finite period of time and with retention of benefits.
4. After consultation with ~~seeking legal advice from the~~ Office of General Counsel, an institution ~~college~~ must provide a written rationale for a RIF or furlough. The written rationale should explain the basis for the decision and identify the functional area(s) affected, review the budgetary implications, and include specific written criteria to identify the duties that will be reassigned

and/or eliminated. The rationale must include the reasons why the positions proposed for RIF or furlough were selected.

5. The factors used in determining which positions to furlough and/or eliminate and which employees to furlough and/or lay off include, but are not limited to:
 - a. The department or area that is being affected;
 - b. Length of service in the position and/or length of service at the institution or college;
 - c. Past written performance appraisals and disciplinary action;
 - d. Functions that will be eliminated and functional needs of the unit; and
 - e. Qualifications and skills needed to perform remaining duties of the affected units.
6. Written notification to the affected employees must be given as far in advance of the effective date as possible.
7. Employees affected by a RIF must receive notification when vacancies occur for like positions at their former campuses within 12 months of the RIF.
- I. Nothing in this policy should be construed to preclude the use of other budget reduction tools, including, but not limited to, reductions in hours worked and reductions in compensation. Colleges should consult the Office of General Counsel when considering use of such tools.

~~Each institution shall develop a consistent and equitable method of notifying and terminating faculty and non-faculty employees in the event that a reduction in force, reorganization or elimination of any occupational classification within a unit becomes necessary.~~

- ~~8. The college, after seeking legal advice from the Office of General Counsel, must provide method should include a written rationale for to the reduction that includes, review of the institution's operations, identification of the functional area(s) affected, a review of the budgetary implications involved,~~

~~and development of the specific written criteria to be used in identifying the duties that will be reassigned and/or eliminated in the event of a reduction. The rationale must include the reasons why the positions proposed for layoff were selected.~~

~~9. Only after specified functions/duties have been identified by unit heads and approved by the president, does the review of individual personnel begin.~~

~~10.1. Unit heads in consultation with human resources' staff will assess the specified areas and the employees in those areas in order to make recommendations to the President/Director relative to the specific personnel changes to be made.~~

~~11. In making personnel recommendations to the President, t~~The factors used in determining which positions to eliminate and which employees to lay off~~ reaching the recommended decisions may include, but are not limited to:
~~— The department or area that is being affected;~~~~

~~12. Length of service in the position and/or length of service at the institution or college;~~

~~13. Past written performance appraisals and disciplinary action;~~

~~14. Functions that will be eliminated and functional needs of the unit; and~~

~~15.2. Qualifications and skills needed to perform remaining duties of the affected units.~~

~~16. Prior to a final decision by the president and notification to the employees and in consultation with the staff of General Counsel, the impact of the recommendations shall be considered in light of non-discriminatory requirements, listed in Section F of this policy.~~

~~17.3. In the event of one of the above actions, i~~t is permissible to transfer qualified individuals to vacancies at other departments/divisions, or institutions within the System.~~~~

~~18. Written notification to the affected employees must be given as far in advance of the effective date as possible.~~

~~19. Employees affected by a RIF must receive notification when vacancies occur for like positions at their former campuses within 12 months of the RIF.~~

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

~~V.~~IV. Non-Discrimination Requirements

A. ~~The president shall ensure that~~ All appointments, changes of status, compensation, and terminations must be made ~~are all~~ in compliance with Board Policy No. 5.01.02.00 (EEO Affirmative Action) ~~which is incorporated herein by reference, and that~~ No person shall be ~~is~~ discriminated against on the basis of race, sex, religion, creed, age (as applicable), disability, sexual orientation, gender identity/expression, status as a covered veteran, genetic information, color, ethnic or national origin, and any other category protected by federal or state rights law in any area of employment.

~~B. An annual compliance audit will be conducted by the System Affirmative Action Officer/AA/Equity Officer.~~

~~VI.~~V. Employment Practice Complaints

A. Upon receipt ~~by an institution~~ of any charge or claim alleging violations of state or federal laws or regulations in any area of employment by any state or federal

agency, or by any attorney, a copy of the notice of the charge or claim shall immediately be transmitted to the Office of ~~the~~ General Counsel.

~~B. The president shall initiate an investigation of the charge, and shall report to the General Counsel the results of the investigation.~~

~~C. The Office of the General Counsel will coordinate and approve all responses to the appropriate agency.~~

~~D.B.~~ The ~~institution~~ president shall transmit to the Office of General Counsel copies of all correspondence from or to the state or federal agency involved.

~~E.C.~~ All responses to and interactions with the state or federal agency shall be coordinated through the Office of ~~the~~ General Counsel.

~~F.D.~~ Internal complaints, charges, or claims concerning matters of employment shall be handled through the established procedures at the institution, subject to approval by the president.

~~G. In any case where the president makes a decision which is adverse to the charge or claim of the person, the president shall advise the person of any right of appeal provided by Board policy.~~

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

A. It is a Class A misdemeanor to misrepresent academic credentials.

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

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

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

~~VIII.~~VII. Records and Reporting Requirements

- A. The ~~institution president~~ shall maintain full and complete records on all personnel, including all appointments, compensation, change of status, and termination as specified in Policy 1.12.01.00, Records Retention and Disposal of Records.

~~IX.~~VIII. Exceptions

- A. The Chancellor is authorized to approve exceptions to the provisions of this policy; or to suspend the provisions of this policy ~~as to any or all institutions when necessary to ensure proper compliance with Board policies, guidelines, and procedures.~~

Exhibits

Exhibit 1 – Temporary Faculty Compensation Rates

Related Policies

- Equal Employment Opportunity and Affirmative Action
- Faculty Rank & Promotion at TCATs
- Faculty Promotion at Community Colleges
- Academic Freedom, Responsibility, & Tenure at the Tennessee Colleges of Applied Technology
- Academic Tenure for Community Colleges
- Contracts Guideline
- Personnel Transactions and Recommended Forms

Sources

Authority

T.C.A. §§ 49-8-203, 49-7-133; T.C.A. §§ 8-35-124, 8-50-807

History

TBR Meetings: June 25, 1976; March 4, 1977; June 26, 1981; September 18, 1981; September 30, 1983; September 16, 1988; March 17, 1989; September 21, 1990; December 7, 1990; March 19, 1993; September 20, 1996; December 6, 1996; June 20, 1997; June 29, 2001; March 15, 2002; December 5, 2003; September 24, 2004; March 30, 2007; September 26, 2008; June 19, 2009 to take effect July 1, 2009; June 24, 2010; Revised September 20, 2013; Revised at Board Meeting June 20, 2019; [Revised at Board Meeting](#) -

General Personnel Policy: 5.01.00.00

Policy Area

Personnel Policies

Applicable Divisions

TCATs, Community Colleges, System Office

Purpose

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

Policy

1. Scope of Delegation

A. Presidents

1. The appointments and terminations which require the prior approval of the president and the Chancellor include:
 - a. All Vice Presidents or other executives reporting directly to the President (academic, business, student affairs, etc.), including all interim appointments;
 - b. Any other positions which may be designated by the Chancellor.
2. No offer of employment can be made for positions requiring the Chancellor's approval until the on-line appointment form has been signed by the Chancellor or designee.
3. The president has the authority to establish institutional policy or practice for appointments and terminations not requiring the Chancellor's approval. Such practices or policies shall not be inconsistent with TBR guidelines and policies.

B. Chancellor

1. Appointments for Positions Reporting to the Chancellor - All appointment recommendations for positions reporting directly to the Chancellor shall be subject to the following approval process:
 - a. Recommendations for the positions of General Counsel, and Vice Chancellors reporting to the Chancellor, including interim appointments, shall be submitted to the Board Committee on Personnel and Compensation and the full Board of Regents for prior approval before employing a candidate; and
 - b. For recommendations related to all other positions reporting directly to the Chancellor, the Chancellor may employ the individual without prior notice to or approval by the Board.
- C. Presidents are authorized to appoint, determine the compensation change of status of, and terminate all other employees at the institution subject to the TBR Bylaws and provisions of this and other relevant Board, and institution, policies and procedures.

II. Nature of Appointments

A. Faculty, including part-time and temporary faculty, at community colleges shall be employed pursuant to the types of appointments specified in Board Policy No. 5.02.02.30.

B. Faculty, including part-time and temporary faculty, at Tennessee Colleges of Applied Technology shall be employed pursuant to the types of appointment specified in Board Policy No. 5.02.02.10.

C. Employees other than faculty, i.e., staff, are employed on an at-will basis. This means that staff are free to terminate/resign from their employment at any time, either with or without a reason and with or without notice. TBR and TBR institutions also have the right to terminate staff at any time, with or without a reason and with or

without notice, provided that the basis for termination is not because of; participation in protected activities, unlawful discrimination, or other considerations prohibited under federal/state law. Supervisors shall consult with Human Resources and/or TBR Office of General Counsel prior to terminating the employment of any staff employee. Although TBR and TBR institutions may choose to terminate a staff employee for cause and/or gross misconduct, neither cause nor gross misconduct is required.

1. Only the Board and Chancellor have the authority to enter into staff employment contracts for a specified period of time, or to make any agreement contrary to this at-will arrangement. Any such agreement must be in writing and signed by an appropriate Board Member or by the Chancellor.
 2. Any staff employment contract in effect at the time of this policy revision (June 30, 2021) shall terminate upon its expiration, and the institution shall not renew it.
 3. Appointment letters for staff shall be substantially consistent with Exhibit ?_ within TBR Guideline P-010. Any variations to the existing template provided, must be reviewed and approved by the Office of General Counsel.
- D. All full-time personnel, including faculty, shall be required to devote a minimum of 37.5 hours per week to their duties and shall maintain appropriate office hours as determined by the president.
1. Presidents are authorized to use flexibility as appropriate in determining the structure of the work week for faculty to recognize variations from traditional instructional formats such as afforded by online instruction, distance education, or other methods of instructional delivery.
 2. Implementation of the 37.5-hour work week is governed by Procedure P-020.
- E. Within the requirement of a minimum of 37.5 hours per week, faculty at community colleges shall be required to carry a full teaching load, which shall be

fifteen (15) credit hours or the equivalent per term for undergraduate courses, two hundred and twenty-five (225) non-credit contact hour or the equivalent per term. All equivalent teaching load activities shall be subject to prior review and approval by the president or designee. Within the requirement of a minimum of 37.5 hours per week, faculty at Tennessee Colleges of Applied Technology shall normally be required to carry thirty (30) contact hours per week of teaching.

- F. Personnel at community colleges who are appointed on an academic year basis shall be on duty for not less than nine months, which shall commence from the time designated by the president prior to the institution's first day of class for the fall term of each year through the time designated by the president at the end of the spring term and shall be subject to call for duty during that period regardless of whether classes are in session.

2. Compensation

- A. The president is responsible for compliance with all federal and state laws and regulations, and all Board policies and directives, concerning compensation for employees. Compensation for employees shall be subject to limitations imposed by the Board or the General Assembly.
- B. All regular full-time personnel, whether on an academic or fiscal year appointment, shall be paid twelve (12) monthly installments each year, provided that exceptions may be made upon termination, or as approved by the Chancellor.
- C. All full-time and part-time employees are required to participate in the automatic deposit program for the direct deposit of their salaries or wages. Each campus has the option to require student workers to participate in the direct deposit program unless prohibited by Federal Work Study Guidelines. Institutions shall not charge employees or students for direct deposit.
- D. Part-time instructional personnel shall be paid on the basis of the credit or non-credit hours taught at community colleges and on the basis of clock hours taught

at TCATs, pursuant to the rates set forth in exhibit 1 which shall be considered maximum rates for compensation of part-time faculty.

- E. Exceptions to the schedule may be approved by presidents based on bona fide market conditions.
- F. Each institution shall develop policies and procedures for the administration of the compensation system at the institution subject to the Compensation Plan Guideline promulgated by the Board. This includes reclassifications and degree changes.
- G. Temporary Administrative Duties For Faculty
 - 1. Faculty members may be asked to temporarily assume administrative responsibilities which entail moving from an academic year to a fiscal year appointment with the assignment of additional duties. This temporary appointment may be on a long-term or short-term basis but is still considered a temporary appointment subject to this policy. Temporary appointments are distinct from permanent at will administrative positions.
 - 2. Temporary administrative responsibilities may justify an administrative stipend in addition to regular salary. The stipend amount or any other understanding concerning compensation must be set out in a new appointment letter. The appointment letter:
 - a. Should include a statement that the stipend is awarded as compensation for the additional administrative responsibilities and will be removed at the time the administrative responsibilities end; or
 - b. Should otherwise address how compensation will be affected at the end of an administrative appointment.
 - 3. If the appointment letter does not identify the means for calculating a salary upon the end of the administrative appointment, the stipend shall be removed, and the employee shall receive a salary of 80% of the annual salary, if returning to an academic year appointment. The institution may choose to exceed the 80%

number on the basis of comparable faculty salaries, including rank, merit, length of service, experience, degrees and yearly percentage increase in salary.

Unless the Chancellor approves an exception, an employee returning or moving to a 9-month faculty position shall not receive a salary greater than the highest paid 9-month faculty member in the department.

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

b. The following illustrates the procedure defined above.

1. A faculty member making \$60,000 on an academic contract is converted to a fiscal year contract at a salary of \$75,000.
2. In addition, a \$4,500 administrative stipend is added and so indicated because of additional duties. The total amount of salary is then \$79,500.
3. At the time the faculty member serving as administrator returns to a faculty position on an academic year basis, the administrative stipend will end.
4. Then the base faculty salary is reduced to an academic year contract at a rate of 80% of the fiscal year salary.

H. Faculty Appointed to Regular 12-month Administrative Position and Return to Faculty Assignment (non-Temporary)

1. When a faculty member appointed on a regular 12-month administrative position returns to regular faculty, unless otherwise agreed to in writing, the manner for determining the 9-month faculty salary shall take into account the following

considerations: faculty salary at time of moving into administrative position, rank, merit, length of service, experience, performance, degrees and any across the board increase in salary awarded to faculty while the individual serviced as an administrator.

- a. Unless the Chancellor approves an exception, an administrator returning or moving to a 9-month faculty position shall not receive a salary greater than the highest-paid 9-month faculty member in the department.
- b. For individuals transitioning from a twelve (12) month administrative position or salary basis to a 9-month faculty position, or for new faculty hires that begin service after the start of an academic year or an academic term, institutions should apply the following process to establish the employee's monthly salary for the remainder of the fiscal year:
 1. Divide the previously determined academic year (9- month) salary by the number of workdays in the academic year to get the daily rate.
 2. Multiply the daily rate by the number of workdays that have passed in the academic year without the faculty member working in the 9-month position.
 3. Subtract that amount from the annual salary.
 4. Pay the remainder of the total academic year salary amount in equal monthly installments over the remaining fiscal year period.
 5. Example:
 - a. $\$54,000 \text{ academic year salary} / 166 \text{ days in academic year} = \$325/\text{day}$

- b. 50 days elapsed in the academic year prior to faculty assignment
- c. $\$325 \times 50 \text{ days into academic year} = \$16,250$
- d. $\$54,000 - \$16,250 = \$37,750$ owed to faculty in equal monthly installments over remainder of the fiscal year.

3. Changes of Status and Terminations

- A. The president is authorized to approve changes of status (i.e., transfers, promotions, demotions, or other changes in duties or responsibilities) of personnel within the scope of the delegation provided for in Section I, provided that when a change of status would cause the employee to be within the scope of positions subject to approval of the Chancellor, the change of status will be subject to the Chancellor's approval.
- B. Inter-institutional promotions, demotions, and transfers must be discussed and approved by the appointing authorities of the two institutions concerned prior to making an offer to the candidate. An employee promoted must meet all established minimum qualifications as determined by the appointing authority.
- C. Promotion of Faculty - The promotion of faculty shall be subject to Board Policy No. 5.02.02.30 for community colleges, and Board Policy No. 5.02.02.10 for Tennessee Colleges of Applied Technology.
- D. Promotion of Staff- Promotions of staff should be made pursuant to any established and written criteria developed by the institution. Promotions and transfers are an acceptable means of filling vacancies. However, such promotions and transfers must be achieved within the parameters of applicable policies and institutional affirmative action plans. In addition, any vacant position created by that promotion, if filled, must be filled within the provisions of applicable policies and applicable guidelines.
- E. Terminations and Transfers - The president is authorized to terminate and transfer all personnel within the scope of the delegation of authority provided for in

Section I, provided that terminations of faculty shall be pursuant to the provisions of Board Policy No. 5.02.03.70 for community colleges, or Board Policy No. 5.02.03.10 for Colleges of Applied Technology. Terminations of staff and other non-faculty shall be pursuant to the provisions of Board Policy –Employee Discipline 5.XX.XX.XX

- F. Absence from Duty - An employee who is absent from duty for three (3) consecutive business days without giving notice to the appropriate manager concerning the reason for such absence and without securing permission to be on leave is considered as having resigned not in good standing effective at the end of the third business day.
- G. Budget Reduction Actions -- Reductions in Force (RIF) and Furloughs (Applicable to employees other than tenured faculty)
 - 1. In the event of a budget shortfall, state impoundment, substantial revenue reduction, or other need to reduce personnel costs, an institution shall consult with the Chancellor and the Office of General Counsel prior to beginning the planning process for significant personnel-related budget reduction measures (e.g., across-the-board compensation reductions, furloughs, reductions in time worked by employees, and reductions in force). The Chancellor must approve of any such actions.
 - 2. A reduction in force (RIF) is a layoff for an indefinite period of time, generally with no expectation of recall, of one or more employees resulting from the elimination of one or more positions due to lack of funding, reorganization, restructuring or other reason.
 - 3. A furlough is a temporary reduction of hours, days, or weeks, resulting in a proportional reduction in pay, generally for a finite period of time and with retention of benefits.
 - 4. After consultation with the Office of General Counsel, an institution must provide a written rationale for a RIF or furlough. The written rationale should explain the

basis for the decision and identify the functional area(s) affected, review the budgetary implications, and include specific written criteria to identify the duties that will be reassigned and/or eliminated. The rationale must include the reasons why the positions proposed for RIF or furlough were selected.

5. The factors used in determining which positions to furlough and/or eliminate and which employees to furlough and/or lay off include, but are not limited to:
 - a. The department or area that is being affected;
 - b. Length of service in the position and/or length of service at the institution or college;
 - c. Past written performance appraisals and disciplinary action;
 - d. Functions that will be eliminated and functional needs of the unit; and
 - e. Qualifications and skills needed to perform remaining duties of the affected units.
6. Written notification to the affected employees must be given as far in advance of the effective date as possible.
7. Employees affected by a RIF must receive notification when vacancies occur for like positions at their former campuses within 12 months of the RIF.
- H. Nothing in this policy should be construed to preclude the use of other budget reduction tools, including, but not limited to, reductions in hours worked and reductions in compensation. Colleges should consult the Office of General Counsel when considering use of such tools.

4. [Non-Discrimination Requirements](#)

- A. All appointments, changes of status, compensation, and terminations must be made in compliance with Board Policy No. 5.01.02.00 (EEO Affirmative Action). No person shall be discriminated against on the basis of race, sex, religion, creed, age (as applicable), disability, sexual orientation, gender identity/expression, status as a covered veteran, genetic information, color,

ethnic or national origin, and any other category protected by federal or state rights law in any area of employment.

5. **Employment Practice Complaints**

- A. Upon receipt of any charge or claim alleging violations of state or federal laws or regulations in any area of employment by any state or federal agency, or by any attorney, a copy of the notice of the charge or claim shall immediately be transmitted to the Office of General Counsel.
- B. The institution shall transmit to the Office of General Counsel copies of all correspondence from or to the state or federal agency involved.
- C. All responses to and interactions with the state or federal agency shall be coordinated through the Office of General Counsel.
- D. Internal complaints, charges, or claims concerning matters of employment shall be handled through the established procedures at the institution, subject to approval by the president.

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

- A. It is a Class A misdemeanor to misrepresent academic credentials.
 - 1. A person commits the offense of misrepresentation of academic credentials who, knowing that the statement is false and with the intent to secure employment at or admission to an institution of higher education in Tennessee, represents, orally or in writing that such person:
 - a. Has successfully completed the required course work for and has been awarded one (1) or more degrees or diplomas from an accredited institution of higher education;
 - b. Has successfully completed the required course work for and has been awarded one (1) or more degrees for diplomas from a particular institution of higher education; or

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

7. Records and Reporting Requirements

- A. The institution shall maintain full and complete records on all personnel, including all appointments, compensation, change of status, and termination as specified in Policy 1.12.01.00, Records Retention and Disposal of Records.

8. Exceptions

- A. The Chancellor is authorized to approve exceptions to the provisions of this policy or to suspend the provisions of this policy.

Exhibits:

Exhibit 1 – Temporary Faculty Compensation Rates

Related Policies:

- [Equal Employment Opportunity and Affirmative Action](#)
- [Faculty Rank & Promotion at TCATs](#)
- [Faculty Promotion at Community Colleges](#)
- [Academic Freedom, Responsibility, & Tenure at the Tennessee Colleges of Applied Technology](#)
- [Academic Tenure for Community Colleges](#)
- [Contracts Guideline](#)
- [Personnel Transactions and Recommended Forms](#)

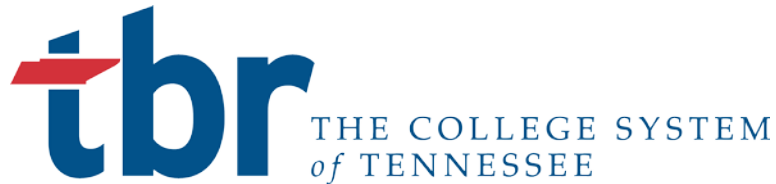
Sources

Authority

T.C.A. §§ 49-8-203, 49-7-133; T.C.A. §§ 8-35-124, 8-50-807

History

TBR Meetings: June 25, 1976; March 4, 1977; June 26, 1981; September 18, 1981; September 30, 1983; September 16, 1988; March 17, 1989; September 21, 1990; December 7, 1990; March 19, 1993; September 20, 1996; December 6, 1996; June 20, 1997; June 29, 2001; March 15, 2002; December 5, 2003; September 24, 2004; March 30, 2007; September 26, 2008; June 19, 2009 to take effect July 1, 2009; June 24, 2010; Revised September 20, 2013; Revised at Board Meeting June 20, 2019; Revised at Board Meeting _____



BOARD TRANSMITTAL

MEETING: Personnel & Compensation Committee Meeting

SUBJECT: Employee Discipline Policy

DATE: June 17, 2021

PRESENTER: April Preston, Associate Vice Chancellor

PRESENTATION REQUIREMENT: 5 minutes with discussion

ACTION REQUIRED: Roll Call Vote

STAFF'S
RECOMMENDATION: Approve

The Employee Disciplinary policy is a new proposed policy. The intent is to provide a fair and equitable means to address the unsatisfactory work performance or work-related behavior, including gross misconduct, of employees (other than faculty and other instructional personnel) who have completed any required initial probationary period. To provide fair and uniform procedures including due process if required by law, to correct, discipline, or terminate employees for unsatisfactory work performance or work-related behavior or for gross misconduct.

attachment

Policy Area

Personnel Policies

Number – 5:XX:XX:XX

Name: Employee Disciplinary Action

Purpose

To provide a fair and equitable means to address the unsatisfactory work performance or work-related behavior, including gross misconduct, of employees (other than faculty and other instructional personnel) who have completed any required initial probationary period. To provide fair and uniform procedures including due process if required by law, to correct, discipline, or terminate employees for unsatisfactory work performance or work-related behavior or for gross misconduct.

Applies To

System Office; Community Colleges; & Colleges of Applied Technology

Policy

I. Unsatisfactory Work Performance or Work-Related Behavior

- A. Disciplinary or other action to improve performance is to be taken with care to assure fairness and equity. Disciplinary action includes the following actions: oral warning, written warning, and performance improvement plan, suspension without pay, demotion, and termination. As warranted by circumstances, an employee may be terminated at any point in the disciplinary process.
- B. Supervisors must contact the human resources (HR) officer prior to taking any disciplinary action other than an oral warning. HR will ensure that such action is appropriate and consistent with college and/or System Office policy. The HR officer may consult with the TBR Office of General Counsel, as appropriate.
- C. Unsatisfactory work performance or work-related behavior is the failure or refusal to carry out job responsibilities, failure to follow college, department, or unit policies or rules.
- D. Reasonable efforts should be made to secure acceptable work performance and work-related behavior. When disciplining an employee, supervisors should consider the nature of the unsatisfactory work performance or work-related behavior, the past record of the employee, and the appropriate corrective action and/or level of discipline. Therefore, as a general rule, corrective and/or

disciplinary action taken for unsatisfactory work performance or work-related behavior should generally begin with an oral or written warning and may be followed by additional oral or written warnings. Written warnings and performance improvement plans should be presented to the employee and should describe the unsatisfactory work performance or work-related behavior and the action necessary to correct the performance or behavior. Should an employee fail to attain a satisfactory level of work performance or work-related behavior despite such warning, additional disciplinary action up to and including termination of employment may be taken. HR should be provided with and retain copies of all disciplinary action, including written warnings and performance improvement plans.

- E. Depending upon the nature of the unsatisfactory work performance or work-related behavior, warnings prior to disciplinary action, including but not limited to termination of employment, may not be required.

II. **Gross Misconduct:** Gross misconduct includes, but is not limited to, the following: theft or dishonesty; gross insubordination; willful destruction of institution or system office property; falsification of records; acts of moral turpitude; reporting for duty under the influence of intoxicants; the illegal use, manufacturing, possessing, distributing, purchasing or dispensing of controlled substances or alcohol; disorderly conduct; provoking a fight; certain violations of policies prohibiting discrimination, retaliation, sexual harassment, and sexual misconduct; and other similar acts involving intolerable behavior by the employee. In a case of gross misconduct, immediate disciplinary action up to and including discharge may be taken. During the investigation of alleged gross misconduct, an employee may be placed on administrative leave with pay.

- A. An employee suspected of theft of institution property may not resign as an alternative to discharge unless the Vice Chancellor of Business and Finance approves in advance.
- B. An employee terminated for gross misconduct or who resigns to avoid dismissal for gross misconduct will not receive payment for accrued unused annual leave. An employee terminated for gross misconduct is not eligible for state Consolidated Omnibus Benefits Rights Act (COBRA) benefits. State Treasury determines eligibility for state retirement benefits if an employee is discharged for gross misconduct.

- III. **Pre-termination/Suspension Meeting.** Before suspending without pay or discharging an employee, the supervisor or other authorized institution official must:
- 1) Consult with the HR office,
 - 2) Advise the employee, orally or in writing, of the charge(s) against the employee; and
 - 3) Provide the employee an opportunity to respond to the HR office.
- IV. **Appeal Process.** Employees wishing to contest disciplinary action may do so consistent with applicable procedures for filing complaints and grievances.

Source

Authority

TCA 8-50-807

History

New policy 2021

Related

P-110- Employee Grievances - Complaints

<https://policies.tbr.edu/guidelines/employee-grievance-complaint-guideline>

P-111 – Support Staff Grievances

<https://policies.tbr.edu/guidelines/support-staff-grievance>

Exhibits

BOARD TRANSMITTAL

MEETING: Committee on Personnel and Compensation
Committee

SUBJECT: Revisions to TBR Policy 7.01.00.00, Firearms and
Other Weapons

DATE: June 17, 2021

PRESENTER: Brian Lapps, General Counsel

PRESENTATION REQUIREMENTS: Consent Agenda

ACTION REQUIRED: Roll Call Vote

STAFF'S
RECOMMENDATION: Approval

BACKGROUND INFORMATION:

Proposed revisions to the TBR Policy 7.01.00.00, Firearms and Other Weapons, are attached in tracked changes and clean copy format.

The proposed policy revisions are:

1. Section I.A. is amended to state that permitless/constitutional carry legislation does not apply to TBR property.
2. Section II.A.8.g. is removed so that full-time employees who are permitted to carry a firearm on campus are now permitted to carry it in a state-owned vehicle. The rationale is that the change will increase safety by allowing employees who are required to drive a campus vehicle, e.g., maintenance staff, to keep the firearm on their person at all times.
3. Section II.B. is amended to clarify that an employee need not have a permit to keep a firearm secured in the employee's vehicle.
4. Rather than referencing a "handgun carry permit," the revised policy references a "handgun carry permit/enhanced handgun carry permit" to reflect current terminology in T.C.A. § 39-17-1351.

Unless decided otherwise by the Board, a vote to approve the policy revisions is effective July 1, 2021.

Attachment

Firearms and Other Weapons: 7.01.00.00

Policy Area

Safety and Security

Applicable Divisions

TCATs, Community Colleges, System Office, Board Members

Purpose

To maintain a safe educational and working environment for students and employees by establishing rules for possessing and carrying firearms and other weapons on TBR institution property.

Definitions

As used in this policy:

- “Carry” means to physically transport a firearm or other weapon on or about the body.
- “Concealed” means not visible to ordinary observation.
- “Employee” means all faculty, executive, administrative, professional and support staff employed in the service of and whose compensation is paid by a TBR institution.
“Employee” does not include independent contractors who provide goods or services to the institution or student workers as defined in TBR Policy 5.01.01.00.
- “Full-time Employee” includes all faculty, executive, administrative, professional and support staff who are employed on a full-time basis by a TBR institution, but does NOT include a person who is enrolled as a student at the institution, regardless of whether the person is also an employee. A full-time employee is one who has a regular work week of at least 37.5 hours, or who is scheduled to carry a full teaching load or its equivalent. This includes full-time modified fiscal year (MODFY) employees, temporary employees and term appointees who have a regular work week of at least 37.5 hours or are scheduled to carry a full teaching load or its equivalent. “Full-time Employee” does NOT include independent contractors who provide goods or services to the institution. For example, if an institution contracts for custodial services or food services, the contractor’s employees are NOT allowed to carry a handgun on the premises, even if they work on the premises full time.
- “Enrolled as a Student” as used in the definition of “Full-time Employee” means to be registered for an academic offering at the TBR institution where one is employed, whether

or not the academic offering is offered for credit or is not for credit. “Enrolled as a Student” does not include being registered for an academic offering that is delivered solely online, with no requirement for the student to appear on campus in order to complete the course.

- “Firearm” means any weapon designed, made or adapted to expel a projectile by the action of an explosive or any device readily convertible to that use.
- “Handgun” means any firearm with a barrel length of less than twelve inches (12”) that is designed, made or adapted to be fired with one (1) hand.
- “Institution Property” means all land, ground, structures, and any other real property owned, operated or controlled by a TBR institution.
- “Motor Vehicle” means a motor vehicle as defined in T.C.A. § 55-1-103.
- “On or About the Person” means carried concealed on the person or carried concealed in a handbag, briefcase or other carrying case that remains within an arm’s reach of the person at all times.
- “Parking Area” means property provided by the TBR institution for the purpose of permitting employees, students, or invitees to park motor vehicles.
- “Possess” means either: (1) direct physical control over a firearm or other weapon at a given time; or (2) the power and intention at any given time to exercise dominion and control over a firearm or other weapon. Examples of possessing a firearm or other weapon include, without limitation, the presence of a firearm or other weapon on or about the person of the employee or in the employee’s motor vehicle, desk, lunch box, locker, tool kit, bag, purse, cabinet, or office.
- “Student” means any person who is admitted and/or registered for study at a TBR institution for the current academic period. This shall include any period of time following admission and/or registration, but preceding the start of classes for any academic period. It will also include any period which follows the end of an academic period through the last day for registration for the succeeding academic period, and during any period while the student is under suspension from the institution.

- “Valid Handgun Carry Permit” or “Enhanced Handgun Carry Permit” means a current handgun carry permit issued by the State of Tennessee under T.C.A. § 39-17-1351 or issued by another state that has been given reciprocity under T.C.A. § 39-17-1351(r).
- “Weapon” means firearm; explosive; explosive weapon; bowie knife; hawk bill knife; ice pick; dagger; slingshot; leaded cane; switchblade knife; blackjack; metal knuckles; razors and razor blades, except those used solely for personal shaving; any sharp pointed or edged instrument, except unaltered nail files and clips and tools used solely for preparation of food instruction and maintenance; or any other weapon of like kind, not used solely for instructional or school-sanctioned ceremonial purposes.

Policy

I. General Prohibition.

- A. Except as otherwise provided in this policy, possession of firearms or other weapons on institution property is prohibited. (T.C.A. § 39- 17-1309). (See Exhibit 1, Guide to Gun Laws on Campus.) The permitless/constitutional carry legislation enacted by PC–108 effective July 1, 2021 does NOT apply to TBR property. The requirements of T.C.A. § 39-17-1309 and this policy remain in effect.

II. Exceptions for Employees with Valid Handgun Carry Permits/Enhanced Handgun Carry Permits.

- A. In accordance with T.C.A. § 39-17-1309(e)(11) and subject to the limitations set forth in this policy, full-time employees who possess a valid handgun carry permit/enhanced handgun carry permit and are authorized to carry a handgun under T.C.A. § 39-17-1351 may carry a handgun on property owned, operated, or controlled by the TBR institution at which they are employed, provided that they are not permitted to carry a handgun openly or in any manner in which the handgun is visible to ordinary observation, unless the employee is carrying, displaying, or employing the handgun in justifiable self-defense or in justifiable defense of another during the commission of a crime in which the employee or other person defended was a victim.

1. Full-time employees who intend to exercise this right to carry a handgun must first register with the law enforcement agency or agencies designated by their employing institution to receive that registration. If an institution has locations in more than one jurisdiction, the employee must register with the law enforcement agency in each jurisdiction where they intend to carry on campus. (See Exhibit 2, Handgun Carry Notification & Summary of Campus Concealed Carry Rights & Responsibilities)
2. The registering employees' names and other identifying information shall be confidential, not open for public inspection and shall not be disclosed except to the administrative officer of the institution responsible for security of the institution. However, that administrative officer will not be provided with the names or other identifying information of employees under their direct supervision or for whom they evaluate job performance.
3. The institution's designated law enforcement agency shall develop and implement policies and procedures regarding the registration and confidentiality.
4. Registered employees may not carry a handgun on the property of any TBR institution other than their employing institution. If two or more institutions share a property, properly registered employees of all sharing institutions may carry on the shared property.
5. Full-time employees who elect to carry a handgun under T.C.A. § 39-17-1309(e)(11) shall have their valid hand-gun carry permit enhanced handgun carry permit in their immediate possession at all times when carrying a handgun and shall display the permit on demand of a law enforcement officer.
6. Part-time employees may not carry a handgun on institution property, even if they have carry permits.
7. The institution's designated law enforcement agency may develop and implement a course or courses to be offered to employees electing to carry a handgun under T.C.A. § 39-17-1309(e)(11). Firearm safety shall be a component of any such

course offered. Institutions are not required to offer such courses. Employees are not required to participate in such courses if they are offered.

8. Employees who elect to carry a handgun under T.C.A. § 39-17-1309(e)(11) are not permitted to carry a handgun at the following times and at the following locations:
 - a. Stadiums, gymnasiums, and auditoriums when school-sponsored events are in progress, such as ball games; pep rallies; convocations; graduations; concerts, plays and other entertainment; etc. This includes such events that are sponsored by recognized student organizations.
 - b. Formal meetings regarding employee or student disciplinary matters.
 - c. Formal meetings regarding tenure issues.
 - d. A hospital, or an office where medical or mental health services are the primary services provided, such as a clinic, student health center or a mental health counseling center.
 - e. Any location where a provision of state or federal law prohibits the carrying of a handgun on that property, including, but not limited to:
 1. On the premises of a child care agency, in any vehicle used by a child care agency to transport children, or in the presence of a child being cared for by a child care agency, such as a campus day care center. (*Source: Rules of the Tennessee Department of Human Services, Chapter 1240-04-03, Licensure Rules for Child Care Centers*);
 2. In or on any public K-12 school building, bus, school campus, grounds, recreation area, athletic field or any other property owned, operated, or while in use by any K-12 board of education, school, or directors for the administration of any public or private K-12 educational institution. This includes buildings or parts of buildings that are dedicated to use by a campus K-12 school, middle college, etc. (*Source: T.C.A. § 39-17-1309*);
 3. In or on any building, bus, campus, grounds, recreation area, athletic field or any other property owned, operated, or while in use by a private institution of

higher education that prohibits possession of firearms on its property. For example, if ~~a TBR~~ institution operates in a facility shared with a private institution of higher education that prohibits firearms on its property, a TBR employee will not be able to carry a handgun into the portion of the facility controlled by the private institution. (*Source: T.C.A. § 39-17-1309*);

4. A public park, playground, civic center or other building facility, area or property which, at the time of the employee's possession of a handgun, the employee knows or should know is being used by board of education, school, college or university board of trustees, regents, or directors for the administration of any public or private educational institution for the purpose of conducting an athletic event or other school-related activity on an athletic field, permanent or temporary, including but not limited to, a football or soccer field, tennis court, basketball court, track, running trail, Frisbee field, or similar multi-use field (*Source: T.C.A. § 39-17-1311*); and
5. A federal facility. (*Source: 18 United States Code -§ 1930*)
- f. Property leased to the institution, if the lessor has prohibited the possession of firearms on the premises.
- ~~g. In any motor vehicle that is owned, operated, or controlled by a TBR institution and that is provided to an employee for use during the course of employment. The Chancellor may grant an exception to this prohibition to Presidents who are provided a TBR vehicle under the terms of their employment agreement.~~
9. The employee shall not possess a handgun:
 - a. While under the influence of alcohol or any controlled substance or controlled substance analogue (*Source: T.C.A. § 39-17-1321*); or
 - b. While consuming liquor, wine, beer, or other alcoholic beverage within the confines of an establishment open to the public where liquor, wine, beer, or other alcoholic beverages are served for consumption on the premises. (*Source: T.C.A. § 39-17-1321*)

10. Employees who elect to carry a handgun under T.C.A. § 39-17-1309(e)(11) shall not disclose the fact that they are carrying a handgun with the intent to intimidate or threaten other employees, students or third parties.

B. Any employee who is legally permitted to possess a firearm under Tennessee law~~the holder of a valid handgun-carry permit recognized in Tennessee~~ may, unless expressly prohibited by federal law, transport and store a firearm or firearm ammunition in the permit holder's motor vehicle while on or utilizing a parking area if:

1. The employee's motor vehicle is parked in a location where it is permitted to be, and
2. The firearm or ammunition being transported or stored in the motor vehicle:
 - a. Is kept from ordinary observation if the employee is in the motor vehicle; or
 - b. Is kept from ordinary observation and locked within the trunk, glove box, or interior of the employee's motor vehicle or a container securely affixed to such motor vehicle if the employee is not in the motor vehicle.
3. An employee transporting, storing or both transporting and storing a firearm or firearm ammunition in accordance with this paragraph does not violate this policy or the law if the firearm or firearm ammunition is observed by another person or security device during the ordinary course of the employee securing the firearm or firearm ammunition from observation in or on a motor vehicle.

C. When on the premises of the TBR institution where they are employed, employees who are registered to carry a handgun on the premises under T.C.A. § 39-17-1309(e)(11) and this policy must have the handgun either:

1. On or about their person, which means that the gun must be carried concealed on the person or it must be carried concealed in a handbag, briefcase or other carrying case that remains within an arm's reach of the person at all times; or
2. Secured in their personal motor vehicle in accordance with T.C.A. § 39- 17-1313.

III. Other Exceptions to the Prohibition on Weapons

A. A person may possess or carry a firearm or other weapon used solely for instructional or school-sanctioned ceremonial purposes on institution property.

- B. A non-student adult may possess a firearm, if the firearm is contained within a private vehicle operated by the adult and is not handled by the adult, or by any other person, while the vehicle is on institution property.
- C. Persons employed in the Army, Air Force, Navy, Coast Guard or Marine service of the United States or any member of the Tennessee National Guard, when in the discharge of their official duties and acting under orders requiring them to carry arms or weapons, may possess the weapons required by the orders.
- D. Civil officers of the United States in the discharge of their official duties may possess required weapons.
- E. Officers and soldiers of the militia and the National Guard, when called into actual service, may possess required weapons.
- F. POST-certified, active-duty law enforcement officers, whether on or off duty, may possess and carry their service firearm on institution property.

IV. [Right to Search for Weapons](#)

- A. Any TBR institution has the right to search for illegally possessed weapons in any area on the institution's premises, including, but not limited to, lockers, furniture, containers, drawers, equipment or other facilities, lunch boxes, brief cases, personal bags, personal toolboxes or tool kits, parking lots, TBR vehicles and other vehicles parked on the institution's premises.
 - 1. **Such searches may only be conducted by law enforcement officers.**

V. [Sanctions](#)

- A. Violation of the applicable laws regarding possession of firearms or other weapons on TBR institution property shall be reported to the law enforcement agency or agencies having jurisdiction and may result in arrest and prosecution.
- B. Violation of this policy and/or the applicable laws regarding possession of firearms or other weapons on TBR institution property shall result in disciplinary action, up to and including immediate termination of employment or expulsion from the institution.

- C. No TBR institution shall take any adverse employment or disciplinary action against an employee or student based solely on the fact that the person has carried a handgun on TBR institution property in compliance with T.C.A. § 39-17- 1309(e)(11) and this policy or stored a firearm or firearm ammunition in a motor vehicle on institution property in compliance with T.C.A. § 39-17-1313.

VI. [Limitations of Liability](#)

- A. Unless carrying a handgun is a requirement of the employee's job description, the carrying of a handgun as allowed by T.C.A. § 39-17-1309(e)(11) is a personal choice of the employee and not a requirement of the employing institution. Consequently, an employee who carries a handgun on property owned, operated or controlled by the TBR institution at which the employee is employed is not:
 - 1. Acting in the course of or scope of their employment when carrying or using the handgun;
 - 2. Entitled to workers' compensation benefits under T.C.A. § 9-8- 307(a)(1)(K) for injuries arising from the carrying or use of a handgun; or
 - 3. Immune from personal liability with respect to use or carrying of a handgun under T.C.A. § 9-8-307(h).
- B. A TBR institution is absolutely immune from claims for monetary damages arising solely from or related to an employee's use of, or failure to use, a handgun by an employee of that institution who has elected to carry a handgun under T.C.A. § 39-17-1309(e)(11).

Exhibits

-  [Exhibit 1 - Guide to Gun Laws on Campus](#) (pdf /50.9 KB)
-  [Exhibit 2 - Handgun Notification Form & Summary](#) (pdf /127.91 KB)

Sources

Authority

T.C.A. § 49-8-203; All State and Federal Statutes, Acts, Codes, Rules and Regulations referenced in this policy; Tennessee Department of Human Services Rule, Chapter 1240-04-03.

History

NEW Policy Adoption; TBR Board Meeting, June 23, 2016, effective July 1, 2016. Revision approved by Board September 15, 2016. Revision approved by Board June 18, 2021, effective July 1, 2021.

Related Policies

- [Prevention of Workplace Violence](#)
- [General Policy on Student Conduct & Disciplinary Sanctions](#)

Firearms and Other Weapons: 7.01.00.00

Policy Area

Safety and Security

Applicable Divisions

TCATs, Community Colleges, System Office, Board Members

Purpose

To maintain a safe educational and working environment for students and employees by establishing rules for possessing and carrying firearms and other weapons on TBR institution property.

Definitions

As used in this policy:

- “Carry” means to physically transport a firearm or other weapon on or about the body.
- “Concealed” means not visible to ordinary observation.
- “Employee” means all faculty, executive, administrative, professional and support staff employed in the service of and whose compensation is paid by a TBR institution.
“Employee” does not include independent contractors who provide goods or services to the institution or student workers as defined in TBR Policy 5.01.01.00.
- “Full-time Employee” includes all faculty, executive, administrative, professional and support staff who are employed on a full-time basis by a TBR institution, but does NOT include a person who is enrolled as a student at the institution, regardless of whether the person is also an employee. A full-time employee is one who has a regular work week of at least 37.5 hours, or who is scheduled to carry a full teaching load or its equivalent. This includes full-time modified fiscal year (MODFY) employees, temporary employees and term appointees who have a regular work week of at least 37.5 hours or are scheduled to carry a full teaching load or its equivalent. “Full-time Employee” does NOT include independent contractors who provide goods or services to the institution. For example, if an institution contracts for custodial services or food services, the contractor’s employees are NOT allowed to carry a handgun on the premises, even if they work on the premises full time.
- “Enrolled as a Student” as used in the definition of “Full-time Employee” means to be registered for an academic offering at the TBR institution where one is employed, whether

or not the academic offering is offered for credit or is not for credit. “Enrolled as a Student” does not include being registered for an academic offering that is delivered solely online, with no requirement for the student to appear on campus in order to complete the course.

- “Firearm” means any weapon designed, made or adapted to expel a projectile by the action of an explosive or any device readily convertible to that use.
- “Handgun” means any firearm with a barrel length of less than twelve inches (12”) that is designed, made or adapted to be fired with one (1) hand.
- “Institution Property” means all land, ground, structures, and any other real property owned, operated or controlled by a TBR institution.
- “Motor Vehicle” means a motor vehicle as defined in T.C.A. § 55-1-103.
- “On or About the Person” means carried concealed on the person or carried concealed in a handbag, briefcase or other carrying case that remains within an arm’s reach of the person at all times.
- “Parking Area” means property provided by the TBR institution for the purpose of permitting employees, students, or invitees to park motor vehicles.
- “Possess” means either: (1) direct physical control over a firearm or other weapon at a given time; or (2) the power and intention at any given time to exercise dominion and control over a firearm or other weapon. Examples of possessing a firearm or other weapon include, without limitation, the presence of a firearm or other weapon on or about the person of the employee or in the employee’s motor vehicle, desk, lunch box, locker, tool kit, bag, purse, cabinet, or office.
- “Student” means any person who is admitted and/or registered for study at a TBR institution for the current academic period. This shall include any period of time following admission and/or registration, but preceding the start of classes for any academic period. It will also include any period which follows the end of an academic period through the last day for registration for the succeeding academic period, and during any period while the student is under suspension from the institution.

- “Valid Handgun Carry Permit” or “Enhanced Handgun Carry Permit” means a current handgun carry permit issued by the State of Tennessee under T.C.A. § 39-17-1351 or issued by another state that has been given reciprocity under T.C.A. § 39-17-1351(r).
- “Weapon” means firearm; explosive; explosive weapon; bowie knife; hawk bill knife; ice pick; dagger; slingshot; leaded cane; switchblade knife; blackjack; metal knuckles; razors and razor blades, except those used solely for personal shaving; any sharp pointed or edged instrument, except unaltered nail files and clips and tools used solely for preparation of food instruction and maintenance; or any other weapon of like kind, not used solely for instructional or school-sanctioned ceremonial purposes.

Policy

I. [General Prohibition.](#)

- A. Except as otherwise provided in this policy, possession of firearms or other weapons on institution property is prohibited. (T.C.A. § 39- 17-1309). (See Exhibit 1, Guide to Gun Laws on Campus.) The permitless/constitutional carry legislation enacted by PC 108 effective July 1, 2021 does NOT apply to TBR property. The requirements of T.C.A. § 39-17-1309 and this policy remain in effect.

II. [Exceptions for Employees with Valid Handgun Carry Permits/Enhanced Handgun Carry Permits.](#)

- A. In accordance with T.C.A. § 39-17-1309(e)(11) and subject to the limitations set forth in this policy, full-time employees who possess a valid handgun carry permit/enhanced handgun carry permit and are authorized to carry a handgun under T.C.A. § 39-17-1351 may carry a handgun on property owned, operated, or controlled by the TBR institution at which they are employed, provided that they are not permitted to carry a handgun openly or in any manner in which the handgun is visible to ordinary observation, unless the employee is carrying, displaying, or employing the handgun in justifiable self-defense or in justifiable defense of another during the commission of a crime in which the employee or other person defended was a victim.

1. Full-time employees who intend to exercise this right to carry a handgun must first register with the law enforcement agency or agencies designated by their employing institution to receive that registration. If an institution has locations in more than one jurisdiction, the employee must register with the law enforcement agency in each jurisdiction where they intend to carry on campus. (See Exhibit 2, Handgun Carry Notification & Summary of Campus Concealed Carry Rights & Responsibilities)
2. The registering employees' names and other identifying information shall be confidential, not open for public inspection and shall not be disclosed except to the administrative officer of the institution responsible for security of the institution. However, that administrative officer will not be provided with the names or other identifying information of employees under their direct supervision or for whom they evaluate job performance.
3. The institution's designated law enforcement agency shall develop and implement policies and procedures regarding the registration and confidentiality.
4. Registered employees may not carry a handgun on the property of any TBR institution other than their employing institution. If two or more institutions share a property, properly registered employees of all sharing institutions may carry on the shared property.
5. Full-time employees who elect to carry a handgun under T.C.A. § 39-17-1309(e)(11) shall have their valid handgun carry permit/enhanced handgun carry permit in their immediate possession at all times when carrying a handgun and shall display the permit on demand of a law enforcement officer.
6. Part-time employees may not carry a handgun on institution property, even if they have carry permits.
7. The institution's designated law enforcement agency may develop and implement a course or courses to be offered to employees electing to carry a handgun under T.C.A. § 39-17-1309(e)(11). Firearm safety shall be a component of any such

course offered. Institutions are not required to offer such courses. Employees are not required to participate in such courses if they are offered.

8. Employees who elect to carry a handgun under T.C.A. § 39-17-1309(e)(11) are not permitted to carry a handgun at the following times and at the following locations:
 - a. Stadiums, gymnasiums, and auditoriums when school-sponsored events are in progress, such as ball games; pep rallies; convocations; graduations; concerts, plays and other entertainment; etc. This includes such events that are sponsored by recognized student organizations.
 - b. Formal meetings regarding employee or student disciplinary matters.
 - c. Formal meetings regarding tenure issues.
 - d. A hospital, or an office where medical or mental health services are the primary services provided, such as a clinic, student health center or a mental health counseling center.
 - e. Any location where a provision of state or federal law prohibits the carrying of a handgun on that property, including, but not limited to:
 1. On the premises of a child care agency, in any vehicle used by a child care agency to transport children, or in the presence of a child being cared for by a child care agency, such as a campus day care center. (*Source: Rules of the Tennessee Department of Human Services, Chapter 1240-04-03, Licensure Rules for Child Care Centers*);
 2. In or on any public K-12 school building, bus, school campus, grounds, recreation area, athletic field or any other property owned, operated, or while in use by any K-12 board of education, school, or directors for the administration of any public or private K-12 educational institution. This includes buildings or parts of buildings that are dedicated to use by a campus K-12 school, middle college, etc. (*Source: T.C.A. § 39-17-1309*);
 3. In or on any building, bus, campus, grounds, recreation area, athletic field or any other property owned, operated, or while in use by a private institution of

higher education that prohibits possession of firearms on its property. For example, if a TBR institution operates in a facility shared with a private institution of higher education that prohibits firearms on its property, a TBR employee will not be able to carry a handgun into the portion of the facility controlled by the private institution. (*Source: T.C.A. § 39-17-1309*);

4. A public park, playground, civic center or other building facility, area or property which, at the time of the employee's possession of a handgun, the employee knows or should know is being used by board of education, school, college or university board of trustees, regents, or directors for the administration of any public or private educational institution for the purpose of conducting an athletic event or other school-related activity on an athletic field, permanent or temporary, including but not limited to, a football or soccer field, tennis court, basketball court, track, running trail, Frisbee field, or similar multi-use field (*Source: T.C.A. § 39-17-1311*); and
 5. A federal facility. (*Source: 18 United States Code § 1930*)
 - f. Property leased to the institution, if the lessor has prohibited the possession of firearms on the premises.
9. The employee shall not possess a handgun:
- a. While under the influence of alcohol or any controlled substance or controlled substance analogue (*Source: T.C.A. § 39-17-1321*); or
 - b. While consuming liquor, wine, beer, or other alcoholic beverage within the confines of an establishment open to the public where liquor, wine, beer, or other alcoholic beverages are served for consumption on the premises. (*Source: T.C.A. § 39-17-1321*)
10. Employees who elect to carry a handgun under T.C.A. § 39-17-1309(e)(11) shall not disclose the fact that they are carrying a handgun with the intent to intimidate or threaten other employees, students or third parties.

- B. Any employee who is legally permitted to possess a firearm under Tennessee law may, unless expressly prohibited by federal law, transport and store a firearm or firearm ammunition in the permit holder's motor vehicle while on or utilizing a parking area if:
1. The employee's motor vehicle is parked in a location where it is permitted to be, and
 2. The firearm or ammunition being transported or stored in the motor vehicle:
 - a. Is kept from ordinary observation if the employee is in the motor vehicle; or
 - b. Is kept from ordinary observation and locked within the trunk, glove box, or interior of the employee's motor vehicle or a container securely affixed to such motor vehicle if the employee is not in the motor vehicle.
 3. An employee transporting, storing or both transporting and storing a firearm or firearm ammunition in accordance with this paragraph does not violate this policy or the law if the firearm or firearm ammunition is observed by another person or security device during the ordinary course of the employee securing the firearm or firearm ammunition from observation in or on a motor vehicle.
- C. When on the premises of the TBR institution where they are employed, employees who are registered to carry a handgun on the premises under T.C.A. § 39-17-1309(e)(11) and this policy must have the handgun either:
1. On or about their person, which means that the gun must be carried concealed on the person or it must be carried concealed in a handbag, briefcase or other carrying case that remains within an arm's reach of the person at all times; or
 2. Secured in their personal motor vehicle in accordance with T.C.A. § 39- 17-1313.

III. [Other Exceptions to the Prohibition on Weapons](#)

- A. A person may possess or carry a firearm or other weapon used solely for instructional or school-sanctioned ceremonial purposes on institution property.
- B. A non-student adult may possess a firearm, if the firearm is contained within a private vehicle operated by the adult and is not handled by the adult, or by any other person, while the vehicle is on institution property.

- C. Persons employed in the Army, Air Force, Navy, Coast Guard or Marine service of the United States or any member of the Tennessee National Guard, when in the discharge of their official duties and acting under orders requiring them to carry arms or weapons, may possess the weapons required by the orders.
- D. Civil officers of the United States in the discharge of their official duties may possess required weapons.
- E. Officers and soldiers of the militia and the National Guard, when called into actual service, may possess required weapons.
- F. POST-certified, active-duty law enforcement officers, whether on or off duty, may possess and carry their service firearm on institution property.

IV. **Right to Search for Weapons**

- A. Any TBR institution has the right to search for illegally possessed weapons in any area on the institution's premises, including, but not limited to, lockers, furniture, containers, drawers, equipment or other facilities, lunch boxes, brief cases, personal bags, personal toolboxes or tool kits, parking lots, TBR vehicles and other vehicles parked on the institution's premises.
 - 1. Such searches may only be conducted by law enforcement officers.

V. **Sanctions**



- A. Violation of the applicable laws regarding possession of firearms or other weapons on TBR institution property shall be reported to the law enforcement agency or agencies having jurisdiction and may result in arrest and prosecution.
- B. Violation of this policy and/or the applicable laws regarding possession of firearms or other weapons on TBR institution property shall result in disciplinary action, up to and including immediate termination of employment or expulsion from the institution.
- C. No TBR institution shall take any adverse employment or disciplinary action against an employee or student based solely on the fact that the person has carried a handgun on TBR institution property in compliance with T.C.A. § 39-17- 1309(e)(11) and this policy

or stored a firearm or firearm ammunition in a motor vehicle on institution property in compliance with T.C.A. § 39-17-1313.

VI. **Limitations of Liability**

- A. Unless carrying a handgun is a requirement of the employee's job description, the carrying of a handgun as allowed by T.C.A. § 39-17-1309(e)(11) is a personal choice of the employee and not a requirement of the employing institution. Consequently, an employee who carries a handgun on property owned, operated or controlled by the TBR institution at which the employee is employed is not:
1. Acting in the course of or scope of their employment when carrying or using the handgun;
 2. Entitled to workers' compensation benefits under T.C.A. § 9-8- 307(a)(1)(K) for injuries arising from the carrying or use of a handgun; or
 3. Immune from personal liability with respect to use or carrying of a handgun under T.C.A. § 9-8-307(h).
- B. A TBR institution is absolutely immune from claims for monetary damages arising solely from or related to an employee's use of, or failure to use, a handgun by an employee of that institution who has elected to carry a handgun under T.C.A. § 39-17-1309(e)(11).

Exhibits

-  [Exhibit 1 - Guide to Gun Laws on Campus](#) (pdf /50.9 KB)
-  [Exhibit 2 - Handgun Notification Form & Summary](#) (pdf /127.91 KB)

Sources

Authority

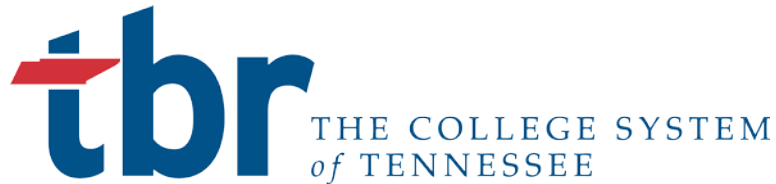
T.C.A. § 49-8-203; All State and Federal Statutes, Acts, Codes, Rules and Regulations referenced in this policy; Tennessee Department of Human Services Rule, Chapter 1240-04-03.

History

NEW Policy Adoption; TBR Board Meeting, June 23, 2016, effective July 1, 2016. Revision approved by Board September 15, 2016. Revision approved by Board June 18, 2021 effective July 1, 2021.

Related Policies

- [Prevention of Workplace Violence](#)
- [General Policy on Student Conduct & Disciplinary Sanctions](#)



BOARD TRANSMITTAL

MEETING: Personnel and Compensation Committee

SUBJECT: Minutes of the Special Called Personnel & Compensation Committee of June 1, 2021

DATE: June 17, 2021

PRESENTER: Yolanda Greene, Chair of Personnel & Compensation Committee

PRESENTATION REQUIREMENT: 5 minutes with discussion

ACTION REQUIRED: Roll Call Vote

STAFF'S RECOMMENDATION: Approval

The Personnel and Compensation Committee met in a special called meeting on June 1, 2021 to review and approve the System Wide Compensation Strategies.

Attachment: Minutes of the June 1, 2021 special called meeting.

**REPORT OF THE COMMITTEE ON PERSONNEL AND
COMPENSATION**

SPECIAL CALLED MEETING

JUNE 1, 2021

The Committee on Personnel and Compensation met electronically in a special called meeting on June 1, 2021.

The first and only item on the agenda for consideration was the System Wide Compensation Strategies.

Using the state salary increase pool, A 2% salary pool would be created of salaries of all regular, full and part-time benefit eligible employees, restricted and unrestricted, on the payroll as of December 31, 2020 and still in active payroll status at the time of payment. All increases from the 2.0% salary pool would be retroactive to January 1, 2021 and would be calculated on the employee's salary as of June 1st. This salary pool will be distributed as a 2.0% across-the-board adjustment.

An additional 2% salary pool would be created of salaries of all regular, full and part-time benefit eligible employees, restricted and

unrestricted, on the payroll as of June 30, 2021. All increases from this 2.0% salary pool would be effective July 1, 2021. Increases from this salary pool may be requested to be distributed as either an additional across-the-board adjustment, a payment on institutional compensation plans, for faculty promotions, or some combination of the three of these.

Institutions would be authorized to provide salary adjustments using uncommitted local funds consistent with the items listed above. Institutions will submit a proposal with their October Budget Revision that includes, the amount of recurring funds encumbered by the proposed increase, the percentage of the compensation funded by group, and which groups if any are excluded from the increase. It is proposed that these adjustments be acted on by the Board during its December meeting. Increases using institutional funds may be effective at a date determined by the institution within the fiscal year.

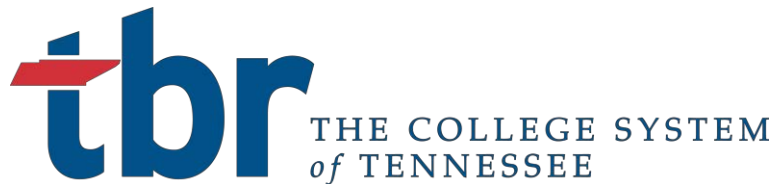
Institutions would be authorized to use non-recurring funds to provide one-time payments to all regular full-time and part-time

employees on payroll as of September 30, 2021 and still in active payroll status at the time of payment. Institutions will submit a proposal in October that includes, the amount of the one-time payment and the requirements used to determine eligibility. The Board authorizes the Chancellor to approve the one-time payment request if the request meets the requirements outlined in the System Wide Compensation Strategies document and the institution can financially afford the payment. The payments will be reported to the Board at the December Board meeting as an interim action item.

Regent Burdine made a motion to accept the strategy recommendations as presented. Regent White provided a second. A roll call vote was taken and the motion was passed.

Respectfully submitted,
Committee on Personnel and Compensation

Yolanda Greene, Chair



BOARD TRANSMITTAL

MEETING: Committee on Personnel and Compensation

SUBJECT: Promotion and Tenure at the Tennessee Colleges of Applied Technology

DATE: June 17, 2021

PRESENTER: Assistant Vice Chancellor Tachaka Hollins

ACTION REQUIRED: Roll Call

STAFF'S RECOMMENDATION: Approval

The Committee will be asked to act on recommendations for granting promotion and tenure to eligible faculty members. A list of the faculty being recommended for promotion and tenure is shown as Attachment A-1 and B-1 respectively.

The recommendations and supporting documents were submitted by the TCAT presidents and were certified by them as having been processed through the approved institutional procedures. They have been reviewed by the Board staff and are endorsed for favorable consideration by the Personnel Committee.

A summary of the tabulations regarding promotion and tenure recommendations for each TCAT has been prepared by the staff. The sixty-three (63) faculty recommended for promotion represent 10.5% of the TCAT instructional staff. There are no (0) faculty members receiving tenure recommendations for this cycle. Tabulation tables for promotion and tenure are shown as Attachments A-2 and B-2. Other observations of interest are listed below.

PROMOTIONS:

The sixty-three (63) promotions are divided into these categories: thirty-seven (37) to Instructor (second rank); twenty (20) to Senior Instructor (third rank); five (5) to Master Instructor (fourth rank); and one (1) to Master Instructor II (highest rank).

TENURE:

With approval of these instructional staff, the total tenured faculty for the TCATs is 11%.

**TENNESSEE COLLEGES OF APPLIED TECHNOLOGY
PROMOTION RECOMMENDATIONS
2021-2022**

College	Name	Proposed Rank
Chattanooga	Nateka Coppock	Instructor
	Bobby Day	Senior Instructor
	Diane Jackson	Senior Instructor
	Elonia James	Instructor
	Kyle Lee	Instructor
	Jeffrey Long	Instructor
	Sherry Pendergrass	Instructor
	Rebecca Stewart	Senior Instructor
	Cynthia Rutledge	Senior Instructor
Covington	Curtis McLemore	Master Instructor
Crossville	Steve Martin	Instructor
	Wanda Reid	Senior Instructor
Crump	Jeremy Cartwright	Instructor
Dickson	Angela Boggess	Instructor
	Connie Shaw	Master Instructor II
	Katherine Sugg	Master Instructor
	Brandon Rives	Senior Instructor
Hartsville	Donald William Butrum*	Instructor
	Justin Delk*	Instructor
	Barbara Leann Gregory*	Instructor
Jacksboro	Chandy Rogers	Master Instructor
Jackson	Kara Courtright	Instructor
	Anita Ozier	Instructor
	Jeffery Presson	Instructor
	Savannah Rushing	Instructor
Knoxville	Anthony Gomez	Instructor
	Andrew Smith	Master Instructor
	Jerry Rimmer	Instructor
	Rebecca Russell	Instructor
McKenzie	Jeremy Tucker	Instructor
McMinnville	Michael Anderson	Instructor
	Richard Nash*	Instructor
	Jamie Rojas	Instructor
Memphis	Dessie Knox	Instructor
	Shelia Schaeffer*	Instructor

**TENNESSEE COLLEGES OF APPLIED TECHNOLOGY
PROMOTION RECOMMENDATIONS
2021-2022**

<u>College</u>	<u>Name</u>	<u>Proposed Rank</u>
	Shelanda Simmons	Instructor
Morristown	Kimberly Brewer	Instructor
	Daniel Cornett	Instructor
	Randy Dunn	Senior Instructor
	Sam Fox	Instructor
	Mike Parton	Senior Instructor
	Tim Solomon	Senior Instructor
	David Stansberry	Senior Instructor
	Fred Starnes	Senior Instructor
	James Youngblood	Instructor
Nashville	Crystal Ammons	Senior Instructor
	Lexy Baker	Instructor
	Vijay Ramcharan	Senior Instructor
	Lacey Reed	Senior Instructor
	Richard Yeager*	Senior Instructor
Newbern	John Akins	Instructor
	Vicki Moody	Senior Instructor
	Christopher Sherron	Instructor
	Shannon Stewart	Master Instructor
	Daniel Taylor*	Instructor
	George Zarecor	Instructor
Pulaski	Tobie Adair	Senior Instructor
	Nicole Neely*	Instructor
	Brent Nelson*	Master Instructor
	Philip Richardson	Instructor
Ripley	Martin Crowder	Senior Instructor
Whiteville	Norine Covington	Senior Instructor
	Erica Pepper	Instructor

* Promotion by Exception

Tennessee Colleges of Applied Technology 2021-2022 PROMOTION SUMMARY DATA						
COLLEGE	NUMBER RECOMMENDED	INSTRUCTOR 2021-2022	SENIOR INSTRUCTOR 2021-2022	MASTER INSTRUCTOR 2021-2022	MASTER INSTRUCTOR II 2021-2022	TOTAL FACULTY 2021-2022
ATHENS	0	0	0	0	0	0
CHATTANOOGA	9	5	4	0	0	9
COVINGTON	1	0	0	1	0	1
CROSSVILLE	2	1	1	0	0	2
CRUMP	1	1	0	0	0	1
DICKSON	4	1	1	1	1	4
ELIZABETHTON	0	0	0	0	0	0
HARRIMAN	0	0	0	0	0	0
HARTSVILLE	3	3	0	0	0	3
HOHENWALD	0	0	0	0	0	0
JACKSBORO	1	0	0	1	0	1
JACKSON	4	4	0	0	0	4
KNOXVILLE	4	3	1	0	0	4
LIVINGSTON	0	0	0	0	0	0
MCKENZIE	1	1	0	0	0	1
MCMINNVILLE	3	3	0	0	0	3
MEMPHIS	3	3	0	0	0	3
MORRISTOWN	9	4	5	0	0	9
MURFREESBORO	0	0	0	0	0	0
NASHVILLE	5	1	4	0	0	5
NEWBERN	6	4	1	1	0	6
ONEIDA	0	0	0	0	0	0
PARIS	0	0	0	0	0	0
PULASKI	4	2	1	1	0	4
RIPLEY	1	0	1	0	0	1
SHELBYVILLE	0	0	0	0	0	0
WHITEVILLE	2	1	1	0	0	2
TOTAL	63	37	20	5	1	63
TOTAL FACULTY SYSTEMWIDE -		602				
% OF TOTAL FACULTY						
PROMOTED SYSTEMWIDE		10.5%				

TENNESSEE COLLEGES OF APPLIED TECHNOLOGY
TENURE RECOMMENDATIONS
2021- 2022

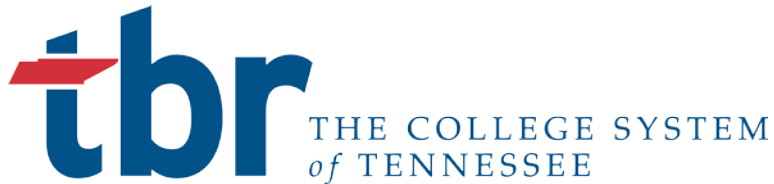
<u>COLLEGE</u>	<u>NAME</u>	<u>PROGRAM</u>	<u>PRESENT RANK</u>
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No tenure recommendations this cycle

**TENNESSEE COLLEGES OF APPLIED TECHNOLOGY
TENURE SUMMARY DATA**

2021-2022

COLLEGE	TOTAL FACULTY	NUMBER RECOMMENDED	TENURED FACULTY	PERCENT OF TENURED FACULTY
ATHENS	10	0	1	10%
CHATTANOOGA	46	0	4	9%
COVINGTON	13	0	2	15%
CROSSVILLE	20	0	4	20%
CRUMP	21	0	1	5%
DICKSON	35	0	0	0%
ELIZABETHTON	23	0	0	0%
HARRIMAN	13	0	2	15%
HARTSVILLE	23	0	3	13%
HOHENWALD	23	0	0	0%
JACKSBORO	16	0	3	19%
JACKSON	26	0	8	31%
KNOXVILLE	43	0	4	9%
LIVINGSTON	16	0	1	6%
MCKENZIE	8	0	1	13%
MCMINNVILLE	21	0	0	0%
MEMPHIS	34	0	5	15%
MORRISTOWN	36	0	14	39%
MURFREESBORO	22	0	0	0%
NASHVILLE	44	0	6	14%
NEWBERN	19	0	2	11%
ONEIDA	14	0	0	0%
PARIS	15	0	0	0%
PULASKI	18	0	3	17%
RIPLEY	10	0	0	0%
SHELBYVILLE	21	0	2	10%
WHITEVILLE	12	0	2	17%
TOTAL	602	0	68	11%
TOTAL FACULTY SYSTEMWIDE	602			
% OF TOTAL FACULTY RECOMMENDED FOR TENURE SYSTEMWIDE	0.0%			



BOARD TRANSMITTAL

MEETING: Committee on Personnel and Compensation

SUBJECT: Review and Approve 2021-22 Tenure and Promotion Recommendations for Community College Faculty

DATE: June 17, 2021

PRESENTER: Executive Vice Chancellor Russ Deaton

PRESENTATION REQUIREMENT: 15 minutes with discussion

ACTION REQUIRED: Roll Call

STAFF'S RECOMMENDATION: Approve

The Board will be asked to approve recommendations for promotion and tenure of faculty serving at the community colleges. Eighty-three (83) faculty members are recommended for tenure. This is an increase from the previous year of sixty-seven (67) recommendations for tenure.

One hundred ninety-two (192) faculty members are recommended for promotion. The number of promotions increased by sixteen (16) from 2020-21.

The following materials are respectfully submitted for consideration.

2021-2022 Community College

TENURE AND PROMOTION RECOMMENDATIONS

The Committee on Personnel and Compensation is asked to act on recommendations for granting tenure and promotion to eligible faculty members at the community colleges. The recommendations are made within the requirements of TBR policies on tenure and promotion.

The community college presidents have submitted these recommendations with supporting materials and have certified that approved campus policies and procedures were followed in each case. TBR staff review indicates that the institutions have been consistent in their application of Board and institutional personnel policies pertaining to these decisions. There are no unusual increases or decreases in percentages of promotion or tenure recommendations over the past five years. The TBR Academic Affairs staff recommends approval of the one recommendation for promotion by exception from Volunteer State Community College. There were no recommendations for tenure by exception. Summary tables, lists of faculty members recommended for

promotion and/or tenure, and justifications for promotions by exception immediately follow a brief staff observation of the recommendations.

TENURE

Table 1 summarizes the impact of tenure recommendations at each community college. Observations summarizing the information in the tables include the following:

(1) Eighty-three (83) faculty members are recommended for tenure.

This is an increase from the previous year of sixty-seven (67) recommendations for tenure. This change is a system-wide increase of 3.5% over a four-year average, which does not represent a trend or notable change.

(2) The percentage of tenured faculty in 2021-22 will range from 29.3% at Nashville State to 78.0% at Pellissippi State. The tenured faculty percentage increases at six community colleges, decreases at six, and remains the same for one, over a four-year moving average.

No unusual deviations are noted by staff analysis.

PROMOTION

Table 2 provides the following summary data:

- (1) One hundred ninety-two (192) faculty members are recommended for promotion in 2021-22. The number of promotions increases by 16 from the 2020-21 total of 176. The three-year average is 184. This increase is within statistical control limits over ten years, and no deviations from normal are noted by staff analysis.
- (2) The percentage of total community college faculty recommended for promotion in 2021-22 ranges from 4% at Roane State to 16% at Motlow State. The range is typical of this process.
- (3) Recommended promotions include one exception to policy, from Volunteer State Community College. Supporting material for this promotion exception is found at the end of this report.

Table 1: State Community Colleges Number and Percentage of Tenure Recommendations										
State Community College	Number of Recommendations					Percent of Total Faculty Tenured				
	2017	2018	2019	2020	2021	2017	2018	2019	2020	2021
Chattanooga	8	7	13	14	14	57	53	55	55	52
Cleveland	3	4	5	3	3	63	55	54	51	55
Columbia	4	4	3	4	8	58	58	57	52	52
Dyersburg	1	3	2	1	2	52	56	56	59	63
Jackson	2	0	3	5	6	61	55	55	66	65
Motlow	4	6	2	3	3	53	46	39	38	39
Nashville	1	0	1	3	3	27	23	29	26	29
Northeast	5	5	3	4	6	44	50	47	44	44
Pellissippi	13	11	10	19	18	70	68	70	65	78
Roane	4	6	4	7	6	66	66	58	80	61
Southwest	1	0	3	0		52	52	41	49	44
Volunteer	4	8	7	1	7	52	49	50	43	50
Walters	1	2	2	3	7	35	34	31	32	53
Total	51	56	58	67	83					

FACULTY TENURE RECOMMENDATIONS FOR 2021-22

Chattanooga State Community College Tenure Recommendations for 2021-22

	Name	Department/Division	Academic Rank
1	Beck, Ian	Math & Sciences	Assistant Professor
2	Breetzke, Terrie	Math & Sciences	Assistant Professor
3	Brigner, Jonathan	Nursing & Allied Health	Assistant Professor
4	Carter, Stacey	Nursing & Allied Health	Assistant Professor
5	Fosse, Randal	Humanities & Fine Arts	Assistant Professor
6	Griffin, Mindy	Humanities & Fine Arts	Assistant Professor
7	Holcomb, Jason	Math & Sciences	Assistant Professor
8	Hutton, Kristen	Humanities & Fine Arts	Assistant Professor
9	Johnson, Josh	Humanities & Fine Arts	Assistant Professor
10	Largent, Michael	Business	Associate Professor
11	Niemi, Eric	Humanities & Fine Arts	Associate Professor
12	Phillips, Tena	Nursing & Allied Health	Associate Professor
13	Squire, Kelli	Nursing & Allied Health	Assistant Professor
14	Tumlin, Clomeisha	Business	Assistant Professor

Cleveland State Community College Tenure Recommendations for 2021-22

	Name	Department/Division	Academic Rank
1	Barkley, Charles	Advanced Technology	Associate Professor
2	Oakley, Darrell	Math and Engineering	Assistant Professor
3	Wilson, Tim	Advanced Technology	Assistant Professor

Columbia State Community College Tenure Recommendations for 2021-22

	Name	Department/Division	Academic Rank
1	Hall, Shane	English	Assistant Professor
2	Huff, Amy	Nursing	Associate Professor
3	Jernigan, Kristen	Biology	Assistant Professor
4	Kealey, Erin	Philosophy	Assistant Professor
5	Poynter, Andrea	Nursing	Assistant Professor
6	Richardson, Brandon	Mathematics	Assistant Professor
7	Sutherland, Cara	Mathematics	Associate Professor
8	Whittle, Gary	Information Systems Tech	Associate Professor

Dyersburg State Community College Tenure Recommendations for 2021-22

	Name	Department/Division	Academic Rank
1	Martin, Angela	Humanities	Assistant Professor
2	Scallion, Brigham	Biological Sciences	Associate Professor

Jackson State Community College Tenure Recommendations for 2021-22

	Name	Department/Division	Academic Rank
1	Bezold, Julie	Health Sciences/OTA	Associate Professor
2	Cooley, Dama	Nursing	Associate Professor
3	Lawrence, Benjamin	Business and Industry	Assistant Professor
4	Luckey, Amy	Nursing	Associate Professor
5	Prater, Tammy	Social and Behavioral Sciences	Associate Professor
6	Roberson, Cynthia	Nursing	Associate Professor

Motlow State Community College Tenure Recommendations for 2021-22

	Name	Department/Division	Academic Rank
1	Claunch, Eric	Humanities	Assistant Professor
2	Tantawi, Omar	Career & Technical Programs	Assistant Professor
3	Tudor, Kim-Sue	Nursing & Allied Health	Instructor

Nashville State Community College Tenure Recommendations for 2021-22

	Name	Department/Division	Academic Rank
1	Bryant, Amy	Speech	Associate Professor
2	Markwell, David	History	Associate Professor
3	Mathews, Constance Flood	ESOL	Associate Professor

Northeast State Community College Tenure Recommendations for 2021-22

	Name	Department/Division	Academic Rank
1	Buchanan, Lisa	Humanities	Associate Professor
2	Davison, John	Behavioral & Social Sciences	Associate Professor
3	Ledford, Dale	Science	Associate Professor
4	Osborne, Greg	Science	Associate Professor
5	Pagel, Michael	Humanities	Associate Professor
6	Peters, Audrey	Humanities	Associate Professor

Pellissippi State Community College Tenure Recommendations for 2021-22

	Name	Department/Division	Academic Rank
1	Atterson, Oakley	English	Associate Professor
2	Covington, Caroline	Art/Liberal Arts	Associate Professor
3	Dean, Dwyna	Nursing	Associate Professor
4	Farr, Tracey	Business/Business and Computer Technology	Assistant Professor
5	Fellhoelter, Carolyn	Mathematics	Assistant Professor
6	Herinkova, Constance	Paralegal/Liberal Arts	Associate Professor
7	Humphreys, Meagan	Music/Liberal Arts	Assistant Professor
8	Marsh, Shaquille	Communication/Liberal Arts	Assistant Professor
9	McCown, Ronda	Nursing	Assistant Professor
10	McCray, Brigitte	English	Associate Professor
11	Murrah, Damon	English	Assistant Professor
12	O'Meara, Ekateryna	ESOL, English/English	Assistant Professor
13	Pettit, Elizabeth	Nursing	Assistant Professor
14	Raymond, Kara	Mathematics	Assistant Professor
15	Rider, Lauren	Library Services	Assistant Professor
16	Streich, Adam	Welding/Engineering and Media Technologies	Assistant Professor
17	Williams, Naomi	Library Services	Instructor
18	Ziegler, Brooks	Mathematics	Assistant Professor

Roane State Community College Tenure Recommendations for 2021-22

	Name	Department/Division	Academic Rank
1	Anderson, Krysten	Humanities	Associate Professor
2	Blalock, Constance	Mathematics and Sciences	Assistant Professor
3	Goins, Karyn	Health Sciences	Assistant Professor
4	Herron, Thomas	Health Sciences	Assistant Professor
5	Schoolfield, Abigail	Humanities	Assistant Professor
6	Weaver, Elizabeth	Mathematics and Sciences	Assistant Professor

Southwest Tennessee Community College Tenure Recommendations for 2021-22

	Name	Department/Division	Academic Rank
1	Ford, Emily	Languages & Literature	Assistant Professor
2	Fournier, Julie	Languages & Literature	Instructor
3	Herndon, Natalie	Mathematics	Assistant Professor
4	Hooshdaran, Massoumeh	Natural Sciences	Associate Professor
5	Loden, Lisa	Mathematics	Associate Professor
6	Park, Electa	Natural Sciences	Assistant Professor
7	Province, Hannah	Mathematics	Associate Professor
8	Turner, William	Communications, Graphics & Fine Arts	Assistant Professor

Volunteer State Community College Tenure Recommendations for 2021-22

	Name	Department/Division	Academic Rank
1	Bloom, Erin	Mathematics and Science	Assistant Professor
2	Brown, Regina	Health Sciences	Assistant Professor
3	Christmon, Kimberly	Health Sciences	Associate Professor
4	Farsian, Maryam	Mathematics and Science	Assistant Professor
5	McClister, Laura	Humanities	Assistant Professor
6	Shipley, Jeremy	Humanities	Assistant Professor
7	Webb, Stephanie	Humanities	Assistant Professor

Walters State Community College Tenure Recommendations for 2021-22

	Name	Department/Division	Academic Rank
1	Cordry, Sean	Physics	Professor
2	Evans, Amy	Art	Associate Professor
3	Jarnagin, Whitney	Psychology	Professor
4	McGaha, Donna	Nursing	Associate Professor
5	Pierce, Wesley	Nursing	Associate Professor
6	Schwartz, Deborah	Nursing	Associate Professor
7	Smith, Matthew	Chemistry	Associate Professor

FACULTY PROMOTION RECOMMENDATIONS FOR 2021-22

Chattanooga State Community College Promotion Recommendations for 2021-22

	Name	Department/Division	Proposed Rank	Current Rank
1	Argenbright, Kristi	Nursing & Allied Health	Assistant Professor	Instructor
2	Burchfield, Jeremy	Business	Associate Professor	Assistant Professor
3	Davis, Amanda	Business	Associate Professor	Assistant Professor
4	Foster, R. Wesley	Mathematics and Sciences	Assistant Professor	Instructor
5	Gitschlag, Priscilla	Humanities & Fine Arts	Assistant Professor	Instructor
6	Kuthoore Anjali	Mathematics and Sciences	Assistant Professor	Instructor
7	Lamb, Keri	Humanities & Fine Arts	Professor	Associate Professor
8	Lankford, Regina	Nursing & Allied Health	Assistant Professor	Instructor
9	Maginniss, Andrew	Mathematics and Sciences	Associate Professor	Assistant Professor
10	Mansito, Nick	Humanities & Fine Arts	Associate Professor	Assistant Professor
11	McCamish, Michael	Social & Behavioral Sciences	Professor	Associate Professor
12	McClistler, Angela	Business	Associate Professor	Assistant Professor
13	Pinnepalli Savitha	Engineering & Information Technologies	Associate Professor	Assistant Professor
14	Smith, Ashleigh	Mathematics and Sciences	Assistant Professor	Instructor
15	Smith, Crystal	Engineering & Information Technologies	Assistant Professor	Instructor
16	Snyder, Rebecca	Nursing & Allied Health	Assistant Professor	Instructor
17	Wilson, Jennifer	Humanities & Fine Arts	Professor	Associate Professor

Cleveland State Community College Promotion Recommendations for 2021-22

	Name	Department/Division	Proposed Rank	Current Rank
1	Cannon, Bambi	Business	Assistant Professor	Instructor
2	Coffin, Bethany	Humanities	Assistant Professor	Instructor
3	Crigler, Jacob	Natural Science	Assistant Professor	Instructor
4	Davis, Jennifer	Nursing	Assistant Professor	Instructor
5	Edwards, Gregory	Nursing	Assistant Professor	Instructor
6	Fries, Susie	English	Assistant Professor	Instructor
7	Godsey, Sandra	Business	Assistant Professor	Instructor
8	Harrington, Kimberly	Math and Engineering	Assistant Professor	Instructor
9	Hodges, Michael	Education and Social Sciences	Assistant Professor	Instructor
10	Johnson, Eugene	Advanced Technology	Assistant Professor	Instructor
11	Oakley, Darrell	Math and Engineering	Associate Professor	Assistant Professor
12	Shiveley, Holly	English	Associate Professor	Assistant Professor
13	Stoody, Rick	Humanities	Assistant Professor	Instructor
14	Towne, Douglas	Education and Social Sciences	Assistant Professor	Instructor
15	Wilson, Tim	Advanced Technology	Associate Professor	Assistant Professor

Columbia State Community College Promotion Recommendations for 2021-22

	Name	Department/Division	Proposed Rank	Current Rank
1	Christian, Sue	Anesthesia Technology	Assistant Professor	Instructor
2	Flagel, Thomas	History	Professor	Associate Professor
3	Gay, Victoria	English	Professor	Associate Professor
4	Hines, Tracey	Biology	Assistant Professor	Instructor
5	Jernigan, Kristen	Biology	Associate Professor	Assistant Professor
6	Kealey, Erin	Philosophy	Associate Professor	Assistant Professor
7	Long, Alissa	Nursing	Assistant Professor	Instructor
8	Martin, Leah	Chemistry	Associate Professor	Assistant Professor
9	Mostajir, Mehran	Engineering Systems Tech	Assistant Professor	Instructor
10	Payne, Bonita	Medical Informatics	Assistant Professor	Instructor
11	Poynter, Andrea	Nursing	Associate Professor	Assistant Professor
12	Smith, David	Film Crew Technology	Professor	Associate Professor
13	West, Barbara	Engineering/Physics	Assistant Professor	Instructor

Dyersburg State Community College Promotion Recommendations for 2021-22

	Name	Department/Division	Proposed Rank	Current Rank
1	Scallion, Brigham	Biological Sciences	Assistant Professor	Associate Professor
2	Sharp, Patty	Early Childhood Education	Instructor	Assistant Professor
3	Wiley, Rebecca	Art	Instructor	Assistant Professor

Jackson State Community College Promotion Recommendations for 2021-22

	Name	Department/Division	Proposed Rank	Current Rank
1	Callahan, Randy	Computer Information Technology and Health Sciences	Associate Professor	Assistant Professor
2	Hamilton, Aaron	Business and Industry	Assistant Professor	Instructor
3	Hatch, Kaitlyn	Nursing	Assistant Professor	Instructor
4	Keeton, Jason	Math and Science	Associate Professor	Assistant Professor
5	Rawson, Kim	Communication and Humanities	Associate Professor	Assistant Professor
6	Revelle, Cassandra	Nursing	Associate Professor	Assistant Professor
7	Smith, Wesley	Math and Science	Associate Professor	Assistant Professor

Motlow State Community College Promotion Recommendations for 2021-22

	Name	Department/Division	Proposed Rank	Current Rank
1	Brown, Kevin	Career & Technical Programs	Assistant Professor	Instructor
2	Butler, Monica	Social and Behavioral Sciences	Assistant Professor	Instructor
3	Claunch, Eric	Humanities	Associate Professor	Assistant Professor
4	Cruz, Richard (Tom)	Languages	Assistant Professor	Instructor
5	Fisher, Nathan	Natural Science	Assistant Professor	Instructor
6	Fitzgerald, Robert	Business & Technology	Assistant Professor	Instructor
7	Gearry-Childress, Rebecca	Humanities	Assistant Professor	Instructor
8	Harlan, Anastasia	Nursing & Allied Health	Assistant Professor	Instructor
9	Lee, Tracey	Business & Technology	Assistant Professor	Instructor
10	McCord, James (Walter)	Business & Technology	Assistant Professor	Instructor
11	McGuire, Theresa	Nursing & Allied Health	Assistant Professor	Instructor
12	Paz, Melissa	Career & Technical Programs	Assistant Professor	Instructor
13	Perri, Rachel	Mathematics	Assistant Professor	Instructor
14	Powell, David	Natural Science	Assistant Professor	Instructor
15	Reynolds, Eric	Career & Technical Programs	Assistant Professor	Instructor
16	Tantawi, Omar	Career & Technical Programs	Associate Professor	Assistant Professor
17	Thornton, Janet	Nursing & Allied Health	Assistant Professor	Instructor
18	Tudor, Kim-Sue	Nursing & Allied Health	Assistant Professor	Instructor
19	Wexler, Charles	Social and Behavioral Sciences	Assistant Professor	Instructor
20	Young, Johnathan	Mathematics	Assistant Professor	Instructor

Nashville State Community College Promotion Recommendations for 2021-22

	Name	Department/Division	Proposed Rank	Current Rank
1	Baxter, Wesley	Mathematics	Associate Professor	Assistant Professor
2	Coffin, Guy	Art	Assistant Professor	Instructor
3	Fleck, Melissa	Early Childhood Education	Associate Professor	Assistant Professor
4	Kalagarla, Sirisha	Computer Information Systems	Assistant Professor	Instructor
5	King, Gracie	Biology	Associate Professor	Assistant Professor
6	Lear, Robyn	English	Assistant Professor	Instructor
7	Leonard, Diane	Nursing	Assistant Professor	Instructor
8	Manier, Devora	ESOL	Associate Professor	Assistant Professor
9	Morgan, Cynthia	Occupational Therapy	Assistant Professor	Instructor
10	Schoen, Ellen	Nursing	Assistant Professor	Instructor
11	Stein, Ruth Elizabeth	ESOL	Associate Professor	Assistant Professor

Northeast State Community College Promotion Recommendations for 2021-22

	Name	Department/Division	Proposed Rank	Current Rank
1	Brewer, Shannon	Math	Assistant Professor	Instructor
2	Brown, Amy	Health Professions	Associate Professor	Assistant Professor
3	Campbell, Steve	Technologies	Associate Professor	Assistant Professor
4	Cox, Colin	Humanities	Assistant Professor	Instructor
5	Darden, Anne	Humanities	Assistant Professor	Instructor
6	Grieshaber, Larena	Technologies	Associate Professor	Assistant Professor
7	Hammonds, Terry	Science	Assistant Professor	Instructor
8	Hensley, Christal	Humanities	Professor	Associate Professor
9	Jones, Sherri	Science	Associate Professor	Assistant Professor
10	MacMorran, Will	Technologies	Assistant Professor	Instructor
11	Simpson, Regina	Health Professions	Assistant Professor	Instructor
12	Slone, Chris	Technologies	Assistant Professor	Instructor
13	Smith, Sandra	Health Professions	Assistant Professor	Instructor
14	Sommer, Erin	Health Professions	Assistant Professor	Instructor
15	Stokes, Stacey	Health Professions	Assistant Professor	Instructor

Pellissippi State Community College Promotion Recommendations for 2021-22

	Name	Department/Division	Proposed Rank	Current Rank
1	Armour, Greg	Architectural Design Technology, Civil Engineering Technology, Interior Design Technology	Associate Professor	Assistant Professor
2	Brickey, Jennifer	Art/Liberal Arts	Professor	Associate Professor
3	Carr-Wilcoxson, Amanda	History	Associate Professor	Assistant Professor
4	Childs, Anna	English	Assistant Professor	Instructor
5	Coffman, Leslie	History	Assistant Professor	Instructor
6	Dos Santos, Melissa	Design for Web and Print, Web Technology	Assistant Professor	Instructor
7	Elliott, Christina	Mathematics	Associate Professor	Assistant Professor
8	Funk, Brandi	Business	Assistant Professor	Instructor
9	Gibson, Terry	Mathematics	Professor	Associate Professor
10	Gillespie, Stephanie	Library Services	Associate Professor	Assistant Professor
11	Gleason, Sam	English	Assistant Professor	Instructor
12	Goldman, Mischa	Audio Production Engineering	Associate Professor	Assistant Professor
13	Herinkova, Constance	Paralegal/Liberal Arts	Professor	Associate Professor
14	Holmes, Curtis	Electrical Engineering Technology	Associate Professor	Assistant Professor
15	Horn, Jennifer	English	Associate Professor	Assistant Professor
16	Leach, Mary K.	Electrical Engineering	Associate Professor	Assistant Professor
17	Malkina, Olga	Engineering Science Technology	Assistant Professor	Instructor
18	Martel, Susan	Library Services	Associate Professor	Assistant Professor
19	Mincy, Grant	Biology	Associate Professor	Assistant Professor
20	Pavalko, Nathan	History	Associate Professor	Assistant Professor
21	Pino, Janine	Library Services	Associate Professor	Assistant Professor
22	Priano, Jennifer	Nursing	Assistant Professor	Instructor

23	Rees, Tracy	Psychology	Associate Professor	Assistant Professor
24	Rieth, Herbert	Art	Professor	Associate Professor
25	Rose, Charlotte	English	Assistant Professor	Instructor
26	Sawyer, Paula	Mathematics	Associate Professor	Assistant Professor
27	Sayne, Holly	Paralegal	Professor	Associate Professor
28	Shelby, Paulus	Biology/	Associate Professor	Assistant Professor
29	Stamm, Lisa	Nursing	Professor	Associate Professor
30	Williams, Naomi	Library Services	Assistant Professor	Instructor
31	Williamson, Caleb	Computer Information Technology	Assistant Professor	Instructor

Roane State Community College Promotion Recommendations for 2021-22

	Name	Department/Division	Proposed Rank	Current Rank
1	Anderson, Krysten	Humanities	Associate Professor	Assistant Professor
2	Blalock, Constance	Mathematics and Sciences	Associate Professor	Assistant Professor
3	Dalton-Carringer, Jessica	Social Science, Business and Education	Associate Professor	Assistant Professor
4	Schoolfield, Abigail	Humanities	Associate Professor	Assistant Professor
5	Weaver, Elizabeth	Mathematics and Sciences	Associate Professor	Assistant Professor

Southwest Tennessee Community College Promotion Recommendations for 2021-22

	Name	Department/Division	Proposed Rank	Current Rank
1	Fournier, Julie	Languages & Literature	Assistant Professor	Instructor
2	Gillespie, Daniel	Languages & Literature	Associate Professor	Assistant Professor
3	Hastings, Christopher	Languages & Literature	Assistant Professor	Instructor
4	Hill, Charity	Engineering Technology	Assistant Professor	Instructor
5	Jackson, Susanna	Languages & Literature	Assistant Professor	Instructor
6	Johnson, Joyce	Natural Sciences	Professor	Associate Professor
7	Lauritzen Wright, Tad	Communications, Graphics & Fine Arts	Assistant Professor	Instructor
8	McGrory, Joan	Business & Legal Studies	Professor	Associate Professor
9	Park, Electa	Natural Sciences	Associate Professor	Assistant Professor
10	Park, Soyoung	Languages & Literature	Assistant Professor	Instructor
11	Paulus, Alexander	Communications, Graphics & Fine Arts	Associate Professor	Assistant Professor
12	Rhoe, LaPetria	Social & Behavioral Sciences	Assistant Professor	Instructor
13	Roberts, Lane	Communications, Graphics & Fine Arts	Assistant Professor	Instructor
14	Sneed, Adam	Languages & Literature	Assistant Professor	Instructor
15	Stewart, Jeffrey	Engineering Technology	Associate Professor	Assistant Professor
16	Washington, Nathan	Business & Legal Studies	Professor	Associate Professor

Volunteer State Community College Promotion Recommendations for 2021-22

	Name	Department/Division	Proposed Rank	Current Rank
1	Berresheim, Catherine	Humanities	Associate Professor	Assistant Professor
2	Bloom, Erin	Mathematics and Science	Associate Professor	Assistant Professor
3	Brachey, Sheela	Mathematics and Science	Assistant Professor	Instructor
4	Brown, Regina	Health Sciences	Associate Professor	Assistant Professor
5	Crotzer, Sarah	Humanities	Assistant Professor	Instructor
6	Farsian, Maryam	Mathematics and Science	Associate Professor	Assistant Professor
7	Gorczyca, Jamie	Humanities	Assistant Professor	Instructor
8	Green, Patrick	Humanities	Assistant Professor	Instructor
9	Helton, Kimberly	Health Sciences	Associate Professor	Assistant Professor
10	Higginbotham, Mallory *	Health Sciences	Associate Professor	Assistant Professor
11	Jeffers, Gregory	Humanities	Assistant Professor	Instructor
12	Kenigson, Jonathan	Mathematics and Science	Assistant Professor	Instructor
13	Ladogana, Santino	Mathematics and Science	Associate Professor	Assistant Professor
14	Maynard, Jonathon	Business and Technology	Assistant Professor	Instructor
15	McClistler, Laura	Humanities	Associate Professor	Assistant Professor
16	Pierce, Stella	Social Science and Education	Associate Professor	Assistant Professor
17	Reynolds, Nicholas	Humanities	Assistant Professor	Instructor
18	Shipley, Jeremy	Humanities	Associate Professor	Assistant Professor
19	Theodorou-Shapiro, Agapi	Humanities	Assistant Professor	Instructor
20	Webb, Stephanie	Humanities	Associate Professor	Assistant Professor

*Request for exception

Walters State Community College Promotion Recommendations for 2021-22

	Name	Department/Division	Proposed Rank	Current Rank
1	Antrican, Nathan	Criminal Justice Deg Prog	Associate Professor	Assistant Professor
2	Brown, Kimberly	Pharmacy Tech Program	Associate Professor	Assistant Professor
3	Cairns, Joe	Culinary Arts	Associate Professor	Assistant Professor
4	Conner, Leslie	English	Assistant Professor	Instructor
5	Davis, Carrie	Accounting	Associate Professor	Assistant Professor
6	Elliott, Kirstin	Psychology	Associate Professor	Assistant Professor
7	Evans, Amy	Art	Professor	Associate Professor
8	Frazier, Ashley	Biology	Associate Professor	Assistant Professor
9	Garland, Mark	Legal Studies	Associate Professor	Assistant Professor
10	Goodfriend, Elesha	Biology	Associate Professor	Assistant Professor
11	Ludwig, Paul	English	Associate Professor	Assistant Professor
12	McClellan, Matthew	Golf/Turf Management	Assistant Professor	Instructor
13	McCroskey, Erin	Mathematics	Assistant Professor	Instructor
14	Parman-Ryans, Jamie	Biology	Professor	Associate Professor
15	Peters, Misty	Agriculture Res Mgmt	Associate Professor	Assistant Professor
16	Rossie, Gracie	English	Assistant Professor	Instructor
17	Webb, Susanna	History	Assistant Professor	Instructor
18	Westwood, Matthew	Psychology	Assistant Professor	Instructor
19	Williamson, Amber	Music	Associate Professor	Assistant Professor

Tenure by Exception

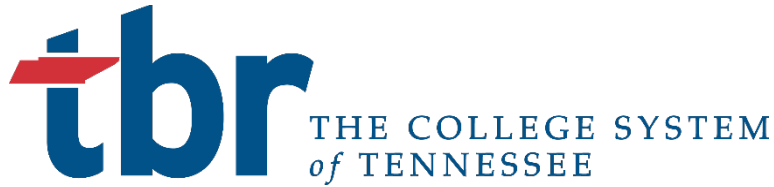
No request was made for tenure by exception.

Promotion by Exception

One request was made for promotion by exception. The TBR Central Office of Academic Affairs Staff reviewed materials supporting the exception and recommends the request for promotion by exception.

1. Mallory Higginbotham, Director of Clinical Education - Respiratory Care Program– Promotion by exception to Associate Professor of Health Sciences at Volunteer State Community College

President Faulkner of Volunteer State Community College has recommended Mallory Higginbotham be promoted by exception to Associate Professor. TBR policy 5:02:02:30, Faculty Promotion at Community Colleges, outlines the minimum criteria for promotion. This faculty member, however, is being recommended for advancement based on other minimum rank criteria, i.e. years in rank, documented evidence of effective and productive teaching, service to the College and community, professional development activities, and research and creative activities, as well as her contributions to the College and its mission. Ms. Higginbotham is qualified to teach in her discipline based on the accrediting agency's requirements for the Respiratory Care Program. The Committee on Accreditation for Respiratory Care Standards states the following: "The Director of Clinical Education must have earned at least a baccalaureate degree from an academic institution accredited by a regional or national accrediting agency that is recognized by the U.S. Department of Education. "



BOARD TRANSMITTAL

MEETING: Personnel and Compensation Committee
SUBJECT: Faculty Promotional Increases
DATE: June 17, 2021
PRESENTER: Vice Chancellor Danny Gibbs
PRESENTATION REQUIREMENT: 5 minutes with discussion
ACTION REQUIRED: Roll Call Vote
STAFF'S RECOMMENDATION: Approval

BACKGROUND INFORMATION:

A total of one-hundred-ninety-two (192) faculty members are recommended for promotion at the community colleges. At the TCATs, sixty-three (63) faculty members are recommended for promotion. The recommendations are made within the requirements of TBR policies on tenure and promotion.

The recommendation and supporting documents were submitted to the Board by the community colleges and TCATs, and were certified by them as having been processed through the approved institutional procedures. TBR staff has verified the proposed ranks of the individuals submitted for promotion by the institutions and ensured a corresponding increase for those that were eligible was submitted, or an exception noted.

**Community Colleges Faculty Tenure and Promotion Salary Increase Recommendations
Institution Totals**

INSTITUTION NAME	NAME	CURRENT TITLE	PROPOSED TITLE	INCREASE AMOUNT
Chattanooga State Community College				
ChSCC	Argenbright, Kristi	Instructor	Assistant Professor	\$1,357.00
ChSCC	Foster, R. Wesley	Instructor	Assistant Professor	\$1,330.00
ChSCC	Gitschlag, Priscilla	Instructor	Assistant Professor	\$1,294.00
ChSCC	Kuthoore, Anjali	Instructor	Assistant Professor	\$1,327.00
ChSCC	Lankford, Regina	Instructor	Assistant Professor	\$1,354.00
ChSCC	Smith, Ashleigh	Instructor	Assistant Professor	\$1,333.00
ChSCC	Smith Gordon, Crystal	Instructor	Assistant Professor	\$1,395.00
ChSCC	Snyder, Rebecca	Instructor	Assistant Professor	\$1,348.00
ChSCC	Burchfield, Jeremy	Assistant Professor	Associate Professor	\$2,236.00
ChSCC	Davis, Amanda	Assistant Professor	Associate Professor	\$1,535.00
ChSCC	Maginniss, Andrew	Assistant Professor	Associate Professor	\$2,525.00
ChSCC	Mansito, Nick	Assistant Professor	Associate Professor	\$2,760.00
ChSCC	McClister, Angela	Assistant Professor	Associate Professor	\$1,500.00
ChSCC	Pinnepalli, Savitha	Assistant Professor	Associate Professor	\$1,909.00
ChSCC	Lamb, Caroline	Associate Professor	Professor	\$3,194.00
ChSCC	McCamish, Michael	Associate Professor	Professor	\$2,334.00
ChSCC	Wilson, Jennifer	Associate Professor	Professor	\$3,034.00
CHSCC TOTAL				\$31,765.00
Cleveland State Community College				
CISCC	Cannon, Bambi	Instructor	Assistant Professor	\$500.00
CISCC	Coffin, Bethany	Instructor	Assistant Professor	\$500.00
CISCC	Crigler, Jacob	Instructor	Assistant Professor	\$500.00
CISCC	Davis, Jennifer	Instructor	Assistant Professor	\$500.00
CISCC	Edwards, Gregory	Instructor	Assistant Professor	\$500.00
CISCC	Fries, Susie	Instructor	Assistant Professor	\$500.00
CISCC	Godsey, Sandra	Instructor	Assistant Professor	\$500.00
CISCC	Harrington, Kimberly	Instructor	Assistant Professor	\$500.00
CISCC	Hodges, Michael	Instructor	Assistant Professor	\$500.00
CISCC	Johnson, Eugene	Instructor	Assistant Professor	\$500.00
CISCC	Oakley, Darrell	Assistant Professor	Associate Professor	\$500.00
CISCC	Shiveley, Holly	Assistant Professor	Associate Professor	\$500.00
CISCC	Stoody, Rick	Instructor	Assistant Professor	\$500.00
CISCC	Towne, Douglas	Instructor	Assistant Professor	\$500.00
CISCC	Wilson, Tim	Assistant Professor	Associate Professor	\$500.00
CISCC TOTAL				\$7,500.00

Columbia State Community College				
CoSCC	Christian, Sue	Instructor	Assistant Professor	\$3,190.00
CoSCC	Gay, Victoria	Associate Professor	Professor	\$7,350.00
CoSCC	Mostajir, Mehran	Instructor	Assistant Professor	\$3,450.00
CoSCC	Payne, Bonita	Instructor	Assistant Professor	\$2,930.00
CoSCC	Flagel, Thomas	Associate Professor	Professor	\$4,900.00
CoSCC	Smith, David	Associate Professor	Professor	\$6,540.00
CoSCC	Hines, Tracey	Instructor	Assistant Professor	\$1,880.00
CoSCC	Jernigan, Kristen	Assistant Professor	Associate Professor	\$2,840.00
CoSCC	Kealey, Erin	Assistant Professor	Associate Professor	\$2,760.00
CoSCC	Poynter, Andrea	Assistant Professor	Associate Professor	\$3,380.00
CoSCC	West, Barbara	Instructor	Assistant Professor	\$1,920.00
CoSCC	Long, Alissa	Instructor	Assistant Professor	\$2,330.00
CoSCC	Martin, Leah	Assistant Professor	Associate Professor	\$3,050.00
COSCC TOTAL				\$46,520.00
Dyersburg State Community College				
DSCC	Sharp, Patty	Instructor	Assistant Professor	\$2,409.00
DSCC	Wiley, Rebecca	Instructor	Assistant Professor	\$2,387.00
DSCC	Scallion, Brigham Dr.	Assistant Professor	Associate Professor	\$2,700.00
DSCC TOTAL				\$7,496.00
Jackson State Community College				
JSCC	Hamilton, Aaron	Instructor	Assistant Professor	\$2,204.32
JSCC	Hatch, Kaitlyn	Instructor	Assistant Professor	\$2,595.71
JSCC	Callahan, Randall	Assistant Professor	Associate Professor	\$2,739.25
JSCC	Keeton, Jason	Assistant Professor	Associate Professor	\$4,082.42
JSCC	Rawson, Kim	Assistant Professor	Associate Professor	\$2,724.76
JSCC	Revelle, Cassandra	Assistant Professor	Associate Professor	\$3,026.51
JSCC	Smith, Wesley	Assistant Professor	Associate Professor	\$5,096.86
JSCC TOTAL				\$22,469.83
Motlow State Community College				
MSCC	Claunch, Eric	Assistant Professor	Associate Professor	\$2,501.00
MSCC	Tantawi, Omar	Assistant Professor	Associate Professor	\$3,301.00
MSCC	Tudor, Kim-Sue	Instructor	Assistant Professor	\$3,811.00
MSCC	Brown, Kevin	Instructor	Assistant Professor	\$2,962.00
MSCC	Butler, Monica	Instructor	Assistant Professor	\$2,106.00
MSCC	Cruz, Richard	Instructor	Assistant Professor	\$2,106.00
MSCC	Fisher, Nathan	Instructor	Assistant Professor	\$2,158.00
MSCC	Fitzgerald, Robert	Instructor	Assistant Professor	\$2,158.00
MSCC	Geary-Childress, Rebecca	Instructor	Assistant Professor	\$2,106.00
MSCC	Harlan, Anastasia	Instructor	Assistant Professor	\$2,210.00

MSCC	Lee, Tracey	Instructor	Assistant Professor	\$2,158.00
MSCC	McCord, Walter	Instructor	Assistant Professor	\$2,890.00
MSCC	McGuire, Theresa	Instructor	Assistant Professor	\$2,210.00
MSCC	Paz, Melissa	Instructor	Assistant Professor	\$2,962.00
MSCC	Perri, Rachel	Instructor	Assistant Professor	\$2,106.00
MSCC	Powell, David	Instructor	Assistant Professor	\$2,106.00
MSCC	Reynolds, Eric	Instructor	Assistant Professor	\$2,962.00
MSCC	Thornton, Janet	Instructor	Assistant Professor	\$2,210.00
MSCC	Wexler, Charles	Instructor	Assistant Professor	\$2,106.00
MSCC	Young, Jonathan	Instructor	Assistant Professor	\$2,106.00
MSCC TOTAL				\$49,235.00
Nashville State Community College				
NaSCC	Baxter, Wesley	Assistant Professor	Associate Professor	\$1,660.00
NaSCC	Coffin, Guy	Instructor	Assistant Professor	\$1,357.00
NaSCC	Fleck, Melissa	Assistant Professor	Associate Professor	\$1,660.00
NaSCC	Kalagara, Sirisha	Instructor	Assistant Professor	\$1,357.00
NaSCC	King, Gracie	Assistant Professor	Associate Professor	\$1,660.00
NaSCC	Lear, Robyn	Instructor	Assistant Professor	\$1,357.00
NaSCC	Leonard, Diane	Instructor	Assistant Professor	\$1,357.00
NaSCC	Manier, Devora	Assistant Professor	Associate Professor	\$1,660.00
NaSCC	Morgan, Cynthia	Instructor	Assistant Professor	\$1,357.00
NaSCC	Schoen, Ellen	Instructor	Assistant Professor	\$1,357.00
NaSCC	Stein, Ruth Elizabeth	Assistant Professor	Associate Professor	\$1,660.00
NASCC TOTAL				\$16,442.00
Northeast State Community College				
NeSCC	Brewer, Shannon	Instructor	Assistant Professor	\$800.00
NeSCC	Brown, Amy	Assistant Professor	Associate Professor	\$1,200.00
NeSCC	Campbell, Steven	Assistant Professor	Associate Professor	\$1,200.00
NeSCC	Cox, Colin	Instructor	Assistant Professor	\$800.00
NeSCC	Darden, Anne	Instructor	Assistant Professor	\$800.00
NeSCC	Grieshaber, Larena	Assistant Professor	Associate Professor	\$1,200.00
NeSCC	Hammonds, Terry	Instructor	Assistant Professor	\$800.00
NeSCC	Hensley, Christal	Associate Professor	Professor	\$1,600.00
NeSCC	Jones, Sherri	Assistant Professor	Associate Professor	\$1,200.00
NeSCC	MacMorran, William	Instructor	Assistant Professor	\$800.00
NeSCC	Smith, Sandra	Instructor	Assistant Professor	\$800.00
NeSCC	Sommer, Erin	Instructor	Assistant Professor	\$800.00
NeSCC	Stokes, Stacey	Instructor	Assistant Professor	\$800.00
NE SCC TOTAL				\$12,800.00
Pellissippi State Community College				
PSCC	Armour, Gregory	Assistant Professor	Associate Professor	\$3,040.00

PSCC	Brickey, Jennifer	Associate Professor	Professor	\$7,070.00
PSCC	Carr-Wilcoxon, Amanda	Assistant Professor	Associate Professor	\$2,680.00
PSCC	Childs, Anna	Instructor	Assistant Professor	\$2,470.00
PSCC	Coffman, Leslie	Instructor	Assistant Professor	\$2,370.00
PSCC	Dos Santos, Melissa	Instructor	Assistant Professor	\$2,720.00
PSCC	Elliott, Christina	Assistant Professor	Associate Professor	\$2,700.00
PSCC	Funk, Brandi	Instructor	Assistant Professor	\$2,720.00
PSCC	Gibson, Terry	Associate Professor	Professor	\$4,460.00
PSCC	Gillespie, Stephanie	Assistant Professor	Associate Professor	\$2,750.00
PSCC	Gleason, Samuel	Instructor	Assistant Professor	\$2,440.00
PSCC	Goldman, Mischa	Assistant Professor	Associate Professor	\$3,040.00
PSCC	Hernikova, Constance	Associate Professor	Professor	\$8,440.00
PSCC	Holmes, Curtis	Assistant Professor	Associate Professor	\$3,040.00
PSCC	Horn, Jennifer	Assistant Professor	Associate Professor	\$2,750.00
PSCC	Leach, Mary	Assistant Professor	Associate Professor	\$2,830.00
PSCC	Malkina, Olga	Instructor	Assistant Professor	\$2,720.00
PSCC	Martel, Susan	Assistant Professor	Associate Professor	\$2,690.00
PSCC	Mincy, Grant	Assistant Professor	Associate Professor	\$2,830.00
PSCC	Pavalko, Nathan	Assistant Professor	Associate Professor	\$2,620.00
PSCC	Pino, Janine	Assistant Professor	Associate Professor	\$2,710.00
PSCC	Priano, Jennifer	Instructor	Assistant Professor	\$2,850.00
PSCC	Rees, Tracy	Assistant Professor	Associate Professor	\$2,680.00
PSCC	Reith, Herbert	Associate Professor	Professor	\$5,060.00
PSCC	Rose, Charlotte	Instructor	Assistant Professor	\$2,290.00
PSCC	Sawyer, Paula	Assistant Professor	Associate Professor	\$2,980.00
PSCC	Sayne, Holly	Associate Professor	Professor	\$3,550.00
PSCC	Shelby, Paulus	Assistant Professor	Associate Professor	\$2,900.00
PSCC	Stamm, Lisa	Associate Professor	Professor	\$3,600.00
PSCC	Williams, Naomi	Instructor	Assistant Professor	\$3,260.00
PSCC	Williamson, Caleb	Instructor	Assistant Professor	\$2,440.00
PSCC TOTAL				\$100,700.00
Roane State Community College				
RSCC	Anderson, Krysten	Assistant Professor	Associate Professor	\$2,601.00
RSCC	Schoofield, Abigail	Assistant Professor	Associate Professor	\$2,562.00
RSCC	Blalock, Constance	Assistant Professor	Associate Professor	\$2,678.00
RSCC	Weaver, Elizabeth	Assistant Professor	Associate Professor	\$2,639.00
RSCC	Dalton-Carringer, Jessica	Assistant Professor	Associate Professor	\$2,658.00
RSCC TOTAL				\$13,138.00
Southwest Tennessee State Community College				
STCC	Fournier, Julie	Instructor	Assistant Professor	\$2,304.00

STCC	Gillespie, Daniel	Assistant Professor	Associate Professor	\$2,487.00
STCC	Hastings, Christopher	Instructor	Assistant Professor	\$3,024.00
STCC	Hill, Charity	Instructor	Assistant Professor	\$3,324.00
STCC	Jackson, Susanna	Instructor	Assistant Professor	\$3,024.00
STCC	Johnson, Joyce	Associate Professor	Professor	\$5,160.00
STCC	Lauritzen Wright, Ted	Instructor	Assistant Professor	\$3,960.00
STCC	McGrory, Joan	Associate Professor	Professor	\$5,412.00
STCC	Park, Electa	Assistant Professor	Associate Professor	\$3,300.00
STCC	Park, Soyung	Instructor	Assistant Professor	\$2,168.00
STCC	Paulus, Alexander	Assistant Professor	Associate Professor	\$2,487.00
STCC	Rhoe, LaPetria	Instructor	Assistant Professor	\$4,140.00
STCC	Roberts, Lane	Instructor	Assistant Professor	\$3,168.00
STCC	Sneed, Adam	Instructor	Assistant Professor	\$3,996.00
STCC	Stewart, Jeffrey	Assistant Professor	Associate Professor	\$3,960.00
STCC	Washington, Nathan	Associate Professor	Professor	\$5,412.00
STCC TOTAL				\$57,326.00
Volunteer State Community College				
VSCC	Berresheim, Catherine	Assistant Professor	Associate Professor	\$1,886.00
VSCC	Bloom, Erin	Assistant Professor	Associate Professor	\$2,243.00
VSCC	Brachey, Sheela	Instructor	Assistant Professor	\$2,168.00
VSCC	Brown, Regina	Assistant Professor	Associate Professor	\$3,241.00
VSCC	Crotzer, Sarah	Instructor	Assistant Professor	\$1,792.00
VSCC	Farsian, Maryam	Assistant Professor	Associate Professor	\$2,250.00
VSCC	Gorczyca, Jamie	Instructor	Assistant Professor	\$1,908.00
VSCC	Green, Patrick	Instructor	Assistant Professor	\$1,987.00
VSCC	Helton, Kimberly	Assistant Professor	Associate Professor	\$3,198.00
VSCC	Higginbotham, Mallory	Assistant Professor	Associate Professor	\$3,076.00
VSCC	Jeffers, Gregory	Instructor	Assistant Professor	\$1,908.00
VSCC	Kenigson, Jonathan	Instructor	Assistant Professor	\$2,136.00
VSCC	Ladogana, Santino	Assistant Professor	Associate Professor	\$2,222.00
VSCC	Maynard, Jonathan	Instructor	Assistant Professor	\$2,186.00
VSCC	McClister, Laura	Assistant Professor	Associate Professor	\$1,886.00
VSCC	Pierce, Stella	Assistant Professor	Associate Professor	\$2,244.00
VSCC	Reynolds, Nicholas	Instructor	Assistant Professor	\$1,987.00
VSCC	Shiple, Jeremy	Assistant Professor	Associate Professor	\$1,975.00
VSCC	Theodorou-Shapiro, Agapi	Instructor	Assistant Professor	\$1,987.00
VSCC	Webb, Stephanie	Assistant Professor	Associate Professor	\$2,133.00
VSCC TOTAL				\$44,413.00
Walters State Community College				

WSCC	Antrican, Nathan	Assistant Professor	Associate Professor	\$3,644.00
WSCC	Brown, Kimberly	Assistant Professor	Associate Professor	\$3,951.00
WSCC	Cairns, Joseph	Assistant Professor	Associate Professor	\$4,421.00
WSCC	Conner, Leslie	Instructor	Assistant Professor	\$2,079.00
WSCC	Davis, Carrie	Assistant Professor	Associate Professor	\$3,616.00
WSCC	Elliott, Kirstin	Assistant Professor	Associate Professor	\$3,002.00
WSCC	Evans, Amy	Associate Professor	Professor	\$3,776.00
WSCC	Frazier, Ashley	Assistant Professor	Associate Professor	\$2,833.00
WSCC	Goodfriend, Elesha	Assistant Professor	Associate Professor	\$2,988.00
WSCC	Ludwig, Paul	Assistant Professor	Associate Professor	\$3,091.00
WSCC	McClellan, Matthew	Instructor	Assistant Professor	\$2,175.00
WSCC	McCroskey, Erin	Instructor	Assistant Professor	\$1,896.00
WSCC	Parman-Ryans, Jaime	Associate Professor	Professor	\$3,950.00
WSCC	Peters, Misty	Assistant Professor	Associate Professor	\$3,564.00
WSCC	Rossie, Gracie	Instructor	Assistant Professor	\$2,032.00
WSCC	Webb, Susanna	Instructor	Assistant Professor	\$2,218.00
WSCC	Westwood, Matthew	Instructor	Assistant Professor	\$2,079.00
WSCC	Williamson, Amber	Assistant Professor	Associate Professor	\$3,432.00
WSCC TOTAL				\$54,747.00

Increases are subject to availability of institutional funds.

Tennessee Colleges of Applied Technology Faculty Tenure and Promotion Salary Increase Recommendations

Institution Totals

INSTITUTION NAME	NAME	CURRENT TITLE	PROPOSED TITLE	INCREASE AMOUNT
TCAT Chattanooga				
TCAT Chattanooga	Coppock, Nateka	Associate Instructor	Instructor	\$1,168.00
TCAT Chattanooga	James, Elonia	Associate Instructor	Instructor	\$1,457.00
TCAT Chattanooga	Lee, Kyle	Associate Instructor	Instructor	\$1,559.00
TCAT Chattanooga	Pendergrass, Sherry	Associate Instructor	Instructor	\$1,557.00
TCAT Chattanooga	Long, Jeff	Associate Instructor	Instructor	\$1,483.00
TCAT Chattanooga	Jackson, Diane	Instructor	Senior Instructor	\$1,523.00
TCAT Chattanooga	Stewart, Rebecca	Instructor	Senior Instructor	\$1,541.00
TCAT Chattanooga	Rutledge, Cynthia	Instructor	Senior Instructor	\$1,541.00
TCAT Chattanooga	Day, Bobby	Instructor	Senior Instructor	\$1,706.00
TCAT Chattanooga Total				\$13,535.00
TCAT Covington				
TCAT Covington	McLemore, Curtis	Senior Instructor	Master Instructor	\$5,685.92
TCAT Covington Total				\$5,685.92
TCAT Crossville				
TCAT Crossville	Martin, Steve	Associate Instructor	Instructor	\$4,913.00
TCAT Crossville	Reid, Wanda	Instructor	Senior Instructor	\$5,401.00
TCAT Crossville Total				\$10,314.00
TCAT Crump				
TCAT Crump	Cartwright, Jeremy	Associate Instructor	Instructor	\$3,011.00
TCAT Crump Total				\$3,011.00
TCAT Dickson				
TCAT Dickson	Bogges, Angela	Associate Instructor	Instructor	4,723.00
TCAT Dickson	Rives, Brandon	Instructor	Senior Instructor	5,227.90
TCAT Dickson	Shaw, Connie	Master Instructor	Master Instructor II	5,709.78
TCAT Dickson	Sugg, Katherine	Senior Instructor	Master Instructor	5,800.20
TCAT Dickson Total				\$21,460.88
TCAT Hartsville				
TCAT Hartsville	Butrum, Donald	Associate Instructor	Instructor	\$4,937.00
TCAT Hartsville	Delk, Justin	Associate Instructor	Instructor	\$4,113.00
TCAT Hartsville	Gregory, Barbara	Associate Instructor	Instructor	\$4,162.00
TCAT Hartsville Total				\$13,212.00
TCAT Jacksboro				
TCAT Jacksboro	Rogers, Chandy	Senior Instructor	Master Instructor	\$5,173.00

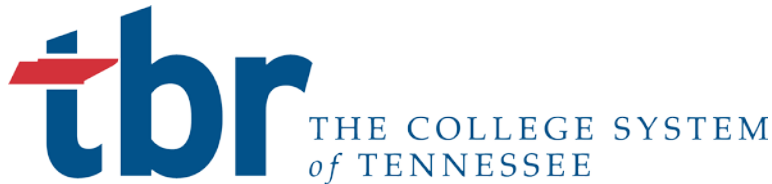
TCAT Jacksboro Total				\$5,173.00
TCAT Jackson				
TCAT Jackson	Courtright, Kara	Associate Instructor	Instructor	4,590.00
TCAT Jackson	Ozier, Anita	Associate Instructor	Instructor	5,646.00
TCAT Jackson	Presson, Jeff	Associate Instructor	Instructor	4,600.00
TCAT Jackson	Rushting, Savannah	Associate Instructor	Instructor	4,676.00
TCAT Jackson Total				\$19,512.00
TCAT Knoxville				
TCAT Knoxville	Smith, Andrew	Senior Instructor	Master Instructor	\$2,862.05
TCAT Knoxville	Gomez, Anthony	Associate Instructor	Instructor	\$2,420.35
TCAT Knoxville	Rimmer, Jerry	Associate Instructor	Instructor	\$2,420.35
TCAT Knoxville	Rusell, Rebecca	Associate Instructor	Instructor	\$2,420.35
TCAT Knoxville Total				\$10,123.10
TCAT McKenzie				
TCAT McKenzie	Tucker, Jeremy	Associate Instructor	Instructor	\$3,388.49
TCAT McKenzie Total				\$3,388.49
TCAT McMinnville				
TCAT McMinnville	Michael Anderson	Associate Instructor	Instructor	\$4,704.80
TCAT McMinnville	Richard Nash	Associate Instructor	Instructor	\$5,384.00
TCAT McMinnville	Jamie Rajos	Associate Instructor	Instructor	\$4,741.00
TCAT McMinnville Total				\$14,829.80
TCAT Memphis				
TCAT Memphis	Knox, Dessie	Associate Instructor	Instructor	\$3,835.04
TCAT Memphis	Schaeffer, Shelia	Associate Instructor	Instructor	\$3,468.99
TCAT Memphis	Simmons, Shelanda	Associate Instructor	Instructor	\$3,372.39
TCAT Memphis Total				\$10,676.42
TCAT Morristown				
TCAT Morristown	Brewer, Kim	Associate Instructor	Instructor	\$4,600.02
TCAT Morristown	Cornett, Daniel	Associate Instructor	Instructor	\$4,488.00
TCAT Morristown	Dunn, Randy	Instructor	Senior Instructor	\$4,177.20
TCAT Morristown	Fox, Sam	Associate Instructor	Instructor	\$2,449.90
TCAT Morristown	Parton, Mike	Instructor	Senior Instructor	\$0.00
TCAT Morristown	Solomon, Tim	Instructor	Senior Instructor	\$1,632.66
TCAT Morristown	Stansberry, David	Instructor	Senior Instructor	\$3,691.03
TCAT Morristown	Starnes, Fred	Instructor	Senior Instructor	\$3,691.03
TCAT Morristown Total				\$24,729.84
TCAT Nashville				
TCAT Nashville	Baker, Lexy	Associate Instructor	Instructor	\$4,809.30

TCAT Nashville	Ammons, Crystal	Instructor	Senior Instructor	\$5,402.10
TCAT Nashville	Kozan, Lacey	Instructor	Senior Instructor	\$5,175.30
TCAT Nashville	Ramcharan, Vijay	Instructor	Senior Instructor	\$5,647.20
TCAT Nashville	Yarger, Richard	Instructor	Senior Instructor	\$6,120.00
TCAT Nashville Total				\$27,153.90
TCAT Newbern				
TCAT Newbern	Akins, John	Associate Instructor	Instructor	\$3,951.85
TCAT Newbern	Moody, Vicki	Instructor	Senior Instructor	\$4,218.40
TCAT Newbern	Sherron, Christopher	Associate Instructor	Instructor	\$3,512.95
TCAT Newbern	Stewart, Shannon	Senior Instructor	Master Instructor	\$3,060.00
TCAT Newbern	Taylor, Daniel	Associate Instructor	Instructor	\$3,136.50
TCAT Newbern	Zarecor, George	Associate Instructor	Instructor	\$3,764.00
TCAT Newbern Total				\$21,643.70
TCAT Pulaski				
TCAT Pulaski	Adair, Tobie	Instructor	Senior Instructor	5,449.00
TCAT Pulaski	Neely, Nicole	Associate Instructor	Instructor	3,836.00
TCAT Pulaski	Nelson, Brent	Senior Instructor	Master Instructor	5,170.00
TCAT Pulaski	Richardson, Phillip	Associate Instructor	Instructor	5,384.00
TCAT Pulaski Total				\$19,839.00
TCAT Ripley				
TCAT Ripley	Crowder, Martin	Instructor	Senior Instructor	\$4,177.12
TCAT Ripley Total				\$4,177.12
TCAT Whiteville				
TCAT Whiteville	Covington, Norine	Instructor	Senior Instructor	\$5,288.00
TCAT Whiteville	Pepper, Erica	Associate Instructor	Instructor	\$4,724.00
TCAT Whiteville Total				\$10,012.00

TCAT Promotional Increase Policy: All promotions will receive a minimum of a 5% salary increase. Additional percentages will be awarded based on the average of three years. The following scale is used for promotion in addition to the 5%:

- 1% for completion rate of 70% average for the last three years
- 1% for placement of 80% average for the last three years
- 1% for maintaining 15 FTE for the previous three years
- 2% for a performance review average of 70 for the last three years

Increases are subject to availability of institutional funds.



BOARD TRANSMITTAL

MEETING: Personnel and Compensation Committee

SUBJECT: Institution Compensation Plan Proposals

DATE: June 17, 2021

PRESENTER: Vice Chancellor Danny Gibbs

PRESENTATION REQUIREMENT: 5 minutes with discussion

ACTION REQUIRED: Roll Call Vote

STAFF'S
RECOMMENDATION: Approve

In accordance with TBR Guideline P-043 Compensation, the following institution submitted a revised compensation plan to the System Office for review:

Institution

Southwest Tennessee Community College

Summary of Changes

Amendment to the existing compensation plan to index salary ranges to address changes in market, as well as reduce the number of salary ranges with a broader range for each level.

The new or revised compensation plans were reviewed within the System Office by a committee of four (4) individuals from the following offices: Finance, Academic Affairs, and two (2) individuals from Human Resources. The Committee reviewed the proposed plan for methodology, market data being used, equity, consistency, completeness, and clarity. After review of the proposed plan, the Committee respectively recommends Board approval of the proposed revisions of the compensation plan.

Attachment: 2021 Institutional Compensation Plans

REVIEW OF INSTITUTION COMPENSATION PLANS

Committee on Personnel and Compensation
June 2021

Southwest Tennessee Community College

Southwest Tennessee Community College (STCC) is proposing a revision to their compensation plan. The methodology in the previous plan was approved in 2015 with amendments to the living wage in 2019 and an increase in salary ranges by 5.9% in 2020 to index the ranges and address changes in the market salaries.

In the current compensation structure, the Clerical and Support classification has 12 pay grades and a 10% difference between midpoints and the Administrative and Professional employee classification has 20 pay grades with a 10% to 15% difference between midpoints. The Executives are included in the Administrative and Professional category. STCC is proposing three (3) distinct pay structures, non-exempt, exempt, and executive with fewer paygrades and consistent differentials between the pay range midpoints of each structure.

The faculty pay structure from 2015 remains in place. A review of the midpoints of the salary ranges for faculty are currently at 99% of the market. Therefore, there are no proposed revisions to the faculty compensation plan currently.

STCC proposes starting their salary ranges for the non-exempt employees, (Clerical and Support), at \$12.25/hr. as an entry point. This is consistent with their previously approved living wage of \$12.24/hr. The percent differential between grades will be increased to 10% - 12%, maintaining a 50% spread from the minimum of the range to the maximum of the range. The resulting structure will only have seven (7) pay grades versus the current 12 pay grades.

STCC is proposing the exempt, (Administrative and Professional), employee compensation structure begin with the FLSA minimum threshold for exempt employees at \$35,568/yr. The new structure proposes a 12% differential between midpoints of the salary ranges, with nine (9) pay grades versus 20 pay grades currently, and a 50% spread from the minimum of the range to the maximum of the range. This will provide a more noticeable difference for promotions, as well as flexibility within the pay ranges.

STCC is proposing 6 (six) pay ranges within the Executive pay structure. There will be a 15% difference between midpoints of the pay ranges and a 50% spread between the minimum of the pay range to the maximum of the pay range.

Additionally, STCC is adding the ability for the president to make exceptions to starting salaries to meet market demands and/or to attract the best qualified candidates on a case by case basis.

BOARD TRANSMITTAL

MEETING: Personnel and Compensation Committee

SUBJECT: Consideration of Institution Compensation Plan Payments from the State Salary Increase Pool

DATE: June 17, 2021

PRESENTER: Danny Gibbs, Vice Chancellor Business & Finance

PRESENTATION REQUIREMENT: 10 minutes with discussion

ACTION REQUIRED: Roll Call Vote

STAFF'S RECOMMENDATION: Approval

At the June 1, 2021 special called meeting, the Personnel & Compensation Board Committee authorized a compensation strategy that included using the state provided portion of a 2% salary pool to be used for employee increases effective July 1, 2021. The increases could be for additional across-the board increases, to assist in funding the college compensation plan, or faculty promotions, or some combination of the three.

For those colleges providing the full amount as an across the board increase, nothing further was required. For those colleges wanting to use some or all of the state funding for their compensation plans or faculty promotions, they have submitted a proposal for review and approval.

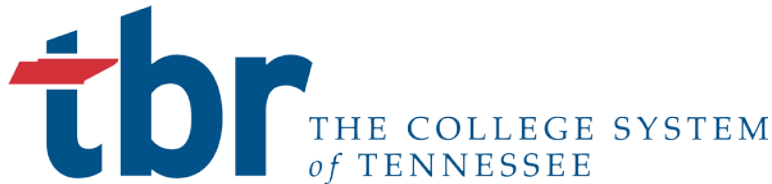
Staff has received and evaluated compensation salary increase proposals from three (3) institutions as outlined in Attachment A.

Staff is recommending the Board's approval of these compensation increases as outlined.

Attachment

Institution Compensation Proposals FY 2021-2022

Institution	Total Budgeted Salaries	Total Recurring Salary Increases	Total Proposed Salary Increases						Comp Plan
	Amount	Amount	ATB	Proposed ATB increases	Cost of ATB Benefits	Comp Plan	Faculty Promotions	Cost of Benefits	Comp Plan Percent Implemented
ChSCC			2%						
CISCC			2%						
CoSCC			2%						
DSCC			2%						
JSCC	\$ 12,784,218	\$ 255,684	0%	\$ -	\$ -	\$ 255,684	\$ -	\$ 58,275	34.00%
MSCC	\$ 19,976,888	\$ 399,538	0%	\$ -	\$ -	\$ 399,538	\$ -	\$ 111,271	50.00%
NaSCC	\$ 22,010,800	\$ 436,500	1%	\$ 182,900	\$ 54,900	\$ 253,600	\$ -	\$ 76,100	100.00%
NeSCC			2%						
PSCC			2%						
RSCC			2%						
STCC			2%						
VSCC			2%						
WSCC			2%						
Count			11.00			3.00			



BOARD TRANSMITTAL

MEETING: Personnel and Compensation Committee

SUBJECT: Executive Performance Incentive Recommendations

DATE: June 17, 2021

PRESENTER: Vice Chancellor Danny Gibbs

PRESENTATION REQUIREMENT: 15 minutes with discussion

ACTION REQUIRED: Roll Call Vote

STAFF'S RECOMMENDATION: Approve

The Executive Performance Incentive Plan was approved at the Board's June 2013 Meeting. It was created at the request of Board Members to address the gap between the average market salaries for the presidents, directors and Chancellor and the current compensation level for these officials. In the current compensation plan the salaries for the Chancellor and institutional leaders are set at 90% of the market average for comparable positions. The Plan provides an opportunity for the leaders to earn up to the market value of their respective position on an annual basis, based on institutional and individual performance. The incentive does not add to the base salary for the position, and will be recalculated each year. No incentive payments were made last year due to the unknown state of the economy and employees not receiving raises.

Participants in the plan include the presidents of the community colleges and Tennessee Colleges of Applied Technology (TCATs) and the Chancellor.

The incentive amount is equal to ten percent (10%) of the market average salary for comparable positions and is divided into two components: the metric based allowance equal to 85% of total incentive amount and a discretionary allowance equal to 15% of the total incentive amount. The primary incentive measurement for Community College Presidents is the change in weighted formula outcomes at each institution. The change in total weighted outcomes for the system is calculated in a similar manner and used to calculate the weighted outcome growth allowance amount for the Chancellor. The

incentive measurement amount for the TCAT Presidents is based on five (5) outcomes, weighted equally: program completion rate; job placement rate; private giving; expanded offerings, and expanded enrollment.

RECOMMENDATION

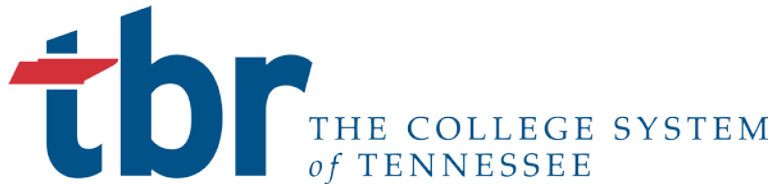
Pursuant to the Plan, recommendations for incentive pay are brought before the Committee for review and approval. Recommendations of the Committee, if any, are presented to the full Board for action. The Plan requires an individual to be employed in one of the eligible positions at the time the payments are approved and have satisfactory performance to be eligible to receive incentive pay.

To assist the Committee, System staff have calculated the total incentive that is possible for each eligible position, and the total incentive payment recommended. These calculations are reflected in the attachment.

It is recommended the Committee take the following action:

- a) Consider for approval the Executive Performance Incentive Pay for the presidents and Chancellor, as presented in the attachment.

Attachment: To be provided separately.



BOARD TRANSMITTAL

MEETING: June 2021 Board Meeting

SUBJECT: 2021–2022 Presidents Emeritus Contracts

DATE: June 18, 2021

PRESENTER: Brian Lapps, General Counsel

PRESENTATION REQUIREMENTS: 5 minutes with discussion

ACTION REQUIRED: Roll Call Vote

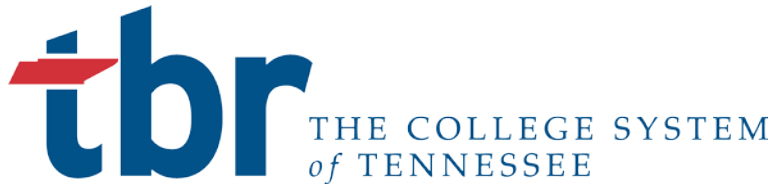
STAFF'S
RECOMMENDATION: Approval

BACKGROUND INFORMATION:

Per requirements to be compensated as President Emeritus (T.C.A. § 8-36-714) and TBR Policy 5.01.03.00, Retirement, those serving as President Emeritus must file a report for the previous year's work (approved by the sitting President), and a copy of the contract for the next fiscal year's work, for approval by the Board. **Renewal of contracts is subject to availability of institutional funding.** Attached are the certification of work forms for 2020-2021 and contracts for 2021-22 submitted for Board review and approval for the following:

Dr. Jack Campbell – Walters State Community College
Dr. Nathan Essex – Southwest Tennessee Community College
Dr. Frank Glass – Motlow State Community College
Dr. Rebecca Hawkins – Columbia State Community College
Dr. Walter Nelms – Jackson State Community College
Dr. William Locke – Northeast State Community College
Dr. Wade Powers – Northeast State Community College (Report only)
Volunteer State Community College (Report only)

Please note that Dr. Powers has opted not to seek a contract for 2021-22.



MEMORANDUM

TO: Tennessee Consolidated Retirement Division
Honorable Randy McNally, Lt. Governor & Speaker of the Senate
Honorable Cameron Sexton, Speaker of the House
Honorable Brian Kelsey, Chair, Senate Standing Committee on Education
Honorable Bo Watson, Chair, Senate Committee on Finance, Ways and Means
Honorable Mark White, Chair, House Standing Committee on Education Administration
Honorable Patsy Hazlewood, Chair, House Committee on Finance, Ways and Means
Office of Legislative Budget Analysis
Legislative Library

FROM: Flora W. Tydings, Chancellor

DATE: June 21, 2021

SUBJECT: President Emeritus notification pursuant to T.C.A. § 8-36-714

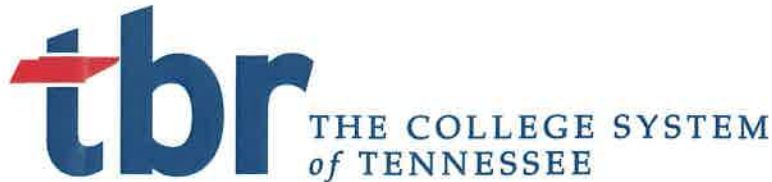
In compliance with T. C. A. § 8-36-714, attached are copies of President Emeritus contracts and reports approved, and Emeritus status conveyed at the June 18, 2021 Tennessee Board of Regents quarterly board meeting. The contracts include the names of those holding the title, beginning and ending dates of the appointments, compensation, and the number of hours to be worked. Those receiving Emeritus pay for the 2021- 2022 fiscal year are as follows:

Dr. Jack Campbell	Walters State Community College
Dr. A. Frank Glass	Motlow State Community College
Dr. Nathan Essex	Southwest Tennessee Community College
Dr. Rebecca Hawkins	Columbia State Community College
Dr. William Locke	Northeast State Community College
Dr. Walter Nelms	Jackson State Community College

Please note that attached are reports from Dr. Wade Powers for his work at Northeast State Community College and Volunteer State Community College for 2020-2021. He has opted not to seek a contract for 2021-2022.

Please advise if you require further information.

FWT: tw
Attachments



NOTICE OF PART-TIME EMPLOYMENT AND AGREEMENT FOR
PRESIDENT EMERITUS

TO: Dr. Jack Campbell
7230 Stagecoach Road
Whitesburg, TN 37891

This is to confirm your part-time appointment to a position approved by the Tennessee Board of Regents as President Emeritus of Walters State Community College for a period beginning July 1, 2021 at a monthly salary of \$2,362.17, subject to the terms and conditions hereinafter set forth and our acceptance thereof:

1. This appointment is made subject to the laws of the State of Tennessee, the requirements and policies of the Tennessee Board of Regents and the requirements and policies of this institution/area school.
2. The term of this agreement is July 1, 2021 to June 30, 2022. It may be renewed on an annual basis following review of the emeritus work performed and approval by the Tennessee Board of Regents.
3. The above stated salary is contingent upon your successful completion of service for the full term of this agreement. The salary will accrue and will be payable monthly. In the event of failure to complete the specific terms of the appointment, salary will be prorated in accordance with the policies of the institution/area school.
4. This appointment and the above-stated salary are in consideration of your faithful performance to the best of your ability of the duties and responsibilities assigned to you as a part-time employee of this institution. These duties include:
 - ❖ Provide consultation and special assistance to the Walters State President and TBR Chancellor.
 - ❖ Serve as ambassador for the college on a continuous basis.
 - ❖ Assist college President and staff with campus development, Foundation activity and fundraising.
 - ❖ Provide support in inter-institutional, governmental, legislative, and community relations.
 - ❖ Assist as needed with the completion of selected capital projects.
 - ❖ As requested, represent the President and the college at selected functions and professional meetings.

- ❖ Recruit students and provide advice to prospective students and their parents.
 - ❖ Promote higher education, the TBR, and WSCC on a continuous basis.
5. As a part-time employee, you are not eligible for employment benefits (retirement credit, state insurance plan, annual or sick leave, holiday pay, or longevity credit). Notwithstanding, social security will be deducted from your paycheck unless you are a member of a retirement system or are a rehired annuitant as specified in 26 CFR Part 31.
 6. This appointment does not include any assurance, obligation, or guarantee of subsequent employment.
 7. This agreement may be terminated without prior notice.
 8. By acceptance of this appointment, you agree to abide by the terms of the Drug-Free Workplace Act of 1988 as defined in published institution statements and policy. You also agree to notify the Office of Personnel of any criminal drug conviction for a violation occurring in the workplace no later than five (5) days after such conviction.
 9. You are required to notify the President should you become employed at another state agency/institution.
 10. The following special conditions shall govern this appointment:

The retired employee accepts employment for up to 120 days during a 12-month period. The number of hours actually worked will be provided to the institution upon request and will be no less than 141.7 hours.

I accept the appointment described above under the terms and conditions set forth.

Jack E. Campbell
 APPOINTEE _____ DATE _____

An Equal Opportunity/Affirmative Action Employer

Tommy Mikes
 PRESIDENT _____ DATE 5/18/21

 CHANCELLOR _____ DATE _____

President Emeritus Report 2020-2021

During this fiscal year, I performed the following functions (attached) for

Walters State Community College

(Please type your report and attach it to this worksheet)

I spent at least 141.7 hours performing the work but less than 120 days.



President Emeritus

5-18-21

Date

I have reviewed the work of Dr. Jack E. Campbell for 2020-2021 and I am satisfied that it was well performed.



President

5/18/21

Date

Chancellor

Date

WSCC President Emeritus Report
2020-2021 Executive Summary
Dr. Jack E. Campbell

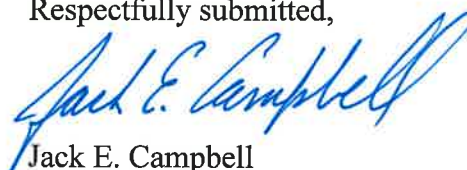
Attached is a detailed listing of the activities and accomplishments, which reflect examples of my work as President Emeritus at Walters State for the 2020-2021 year. These activities and accomplishments address specifically and completely the duties reflected in the Notice of Part-time Employment and Agreement for President Emeritus, which was executed by Chancellor Tydings, President Miksa and myself. In addition, these activities and accomplishments as documented represent over 200 hours of work, which exceeds the contractual requirement of 141.7 hours. Additionally, significant is the fact that countless other unrecorded and undocumented hours were dedicated to the college since, as former president of Walters State who served the college for over 31 years, and as current president emeritus who has served the college for over 15 years, I am approached almost daily with unscheduled inquires, questions, and requests for advice and assistance relative to the college. The fact that I'm perceived by the people of East Tennessee as still being associated with Walters State gives me continuous opportunities to serve as ambassador and promote higher education and the college, cultivate prospective donors for the college's Foundation and provide consultation to current and prospective students and their parents. With regard to cultivating prospective donors, I devote special time for the purpose of sustaining strong relationships with a select number of individuals who have indicated to me their intentions of giving to Walters State in the future either through direct donations or by naming the college as a beneficiary in their will. Significantly, the recorded/documented activities and accomplishments and the unrecorded contributions I realize as President Emeritus are both supported through my continuous consultation with President Tony Miksa and the staff of the college.

Specifically, this report reflects that I exceeded the hours required and effectively fulfilled the duties and responsibilities stated in my contract by:

- Providing consultation and special assistance to the Walters State President as requested.
- Serving as ambassador for the college on a continuous basis.
- Assisting the college president and staff with campus development, Foundation activities and fundraising.
- Providing support in inter-institutional, governmental, legislative, and community relations.
- Assisting with the completion of selected capital projects.
- Representing the President and the college at selected functions and professional meetings.
- Recruiting, advising, and assisting in various ways with both prospective and current students and their parents.
- Promoting higher education, the TBR, and WSCC on a continuous basis.

Also, in the final analysis, I trust that this report reflects my pleasure in serving as President Emeritus – promoting and enhancing higher education, the TBR system and Walters State while at the same time helping to improve the quality of life of the people of Tennessee.

Respectfully submitted,



Jack E. Campbell
President Emeritus
May 19, 2021

Walters State Community College
Dr. Jack E. Campbell, President Emeritus
2020-2021 Activities/Accomplishments

Date	
5/20/20	Received a call from Assistant V.P. Cates discussing three major community events upcoming during the next three months for which he requested that I represent the college and select a number of other individuals to join me as a member of the WSCC team.
5/25/20 – 5/26/20	Talked with the V.P for Business and Finance, a plant operations staff member, and the president of the WS Foundation and requested they join me in representing the college on June 15 th in support of a Chamber of Commerce event. All three accepted.
5/25/20	On behalf of the college, I called a WS Foundation Trustee, who had surgery and expressed our best wishes. She and her late parents have supported the college for five years, with her late father being the first WS Foundation Trustee member from Sevier County. The daughter, who is currently a trustee and had the surgery, was honored by the college with the naming of the most recent building at the college's Sevier County Campus for her and another major supporter.
5/28/20	Spent time texting back and forth with staff in the president's office and with the Assistant V.P for College Advancement.
6/14/20	Talked with individuals who had agreed to join me in representing WS in an event scheduled for the next day to confirm their participation and to review details for the event.
6/15/20	Joined three other individuals (college V.P., Foundation President and WS retired coach) in representing WS in a fundraising event for the Morristown Area Chamber of Commerce; interacted with several WS supporters and alumni.
6/16/20	Spoke with an individual about making a major contribution to the college and becoming a member of the WS Foundation.
6/24/20	Reviewed text from Assistant V.P. Cates listing of several events whereby the WS Foundation will be a sponsor and needs representatives. Assistant V.P Cates requested that I organize the teams and represent the WS Foundation. I agreed to represent WS and to organize other individuals to participate with the goal being to reaffirm WS's relationship with the participating agencies and to add new supporters to the college's Foundation.
7/14/20	Talked with individual who had contacted me expressing interest in the WS Golf Classic fundraiser schedule for August 14 th . I suggested he consider participating and being a sponsor; he'll be getting back to me.
7/15/20	Received notification that the MHHS Foundation fundraiser scheduled for July 24 th had been postponed and rescheduled for August 28 th as an act of precaution for the coronavirus pandemic; I subsequently contacted the three individuals who had agreed to join me in representing WS at the event and informed them of the changes.
7/21/20	Discussed upcoming events with Foundation President Hayes and firmed up WS's representatives for the MHHS fundraiser, which was moved to August 28 th . Agreed that he and I would sponsor a team for the WSCC fundraiser, and I agreed to help sell tickets for a special component of the event. Talked with Assistant V.P. Cates, who agreed to bring tickets to me. Discussed other events with Assistant V.P. Cates.
7/22/20 – 8/14/20	Worked in support of WS's annual fundraising event scheduled for August 14 th for the college's athletic program (Senator's Club Classic) by recruiting individuals to participate, and in some cases, contribute as sponsors. Also, supporting the event by selling tickets for a particular part of the event ("The Ball Drop"). On a continuous basis throughout the summer, discussed with Assistant V.P. Cates a number of charity events to which the college contributes as a sponsor and organizing a number of individuals who will join me at these events as representatives of the college. Such events include fundraisers for the MHHS (hospital), Young Life Association, Jefferson Chamber of Commerce, Dwight England Memorial Classic, and a number of others yet to be announced.
8/3/2020 –	In preparation for one representation of the college in the "Young Life" fundraiser, I spent considerable time in replacing two

**Walters State Community College
Dr. Jack E. Campbell, President Emeritus
2020-2021 Activities/Accomplishments**

Date

8/6/2020	individuals who had to cancel from participating in the event and communicating details to the final three who agreed to join me for the event. With the college's Foundation President and two of the college's coaches joining me in representing WS, we represented the college by participating in the "Young Life" fundraising event in Greeneville.
8/10/20	Communicated with Assistant V.P. Cates, giving him an update on the "Young Life" event and sharing a discussion I had with a bank president about the bank's support of WS. Also discussed meeting to turn in tickets/cash for the upcoming WS fundraising event for athletics.
8/10/20	Received and responded to an email from President Miksa concerning an email that had been sent out college-wide referencing the college's plan for starting fall classes. The email was from an incoming student. Received Dr. Miksa's response to my email. Met with Assistant V.P. Cates and presented him \$120 cash for the tickets (ball drop tickets for the upcoming WS fundraising event for athletics) I had sold. Discussed other matters relating to the WS event in Greeneville where three others and I represented the college.
8/11/20	Received and responded to an email from the secretary in College Advancement, who requested information relative to the fundraising I'd done for the upcoming WS event.
8/14/20	After having supported the promotion of the WS fundraising event for athletics during the previous 2-3 months, on the day of the event I joined the college's Foundation President in sponsoring a team (\$300 each) and subsequently participated in the day-long event. Had brief discussions with President Miksa, college staff, former students and college supporters.
8/18/20 – 8/20/20	Spent considerable amount of time contacting individuals who would join me in representing WS as a team member at the upcoming charitable events for which WS has agreed to sponsor a team.
8/22/20	Had a lengthy discussion with a lady whose family has been well known and highly respected throughout the Morristown community for many years. As our discussion led to my association with WS, I was able to suggest that she might want to establish a memorial endowed scholarship in honor of her father, who had been a highly regarded physician, and her mother, who had been well known socially. She liked the idea and indicated she had thought about giving an amount annually for a student scholarship, but she like the endowment idea better. She said she'd like to start with \$20,000 and could add to it continually and would plan for WS in her will. I agreed to call her and set a time for a meeting with appropriate college staff and myself to meet with her and her accountant to officially structure the memorial endowment. Devoted two – three hours to finalizing our WS team for the MHHS fundraising event scheduled for Friday, August 28 th . After having two individuals cancel, I had to make several calls getting replacements.
8/28/20	Along with three others which I had recruited (WS Vice President, WS Coach and a retired federal judge), I represented WS by participating in the MHHS fundraising event. In addition to interacting with several others who participated in the event, our representation at the event was appreciated greatly by the administration and staff of MHHS, which resulted in the relationship between the college and healthcare system to be enhanced and will benefit the college over time.
9/3/20	Traveled to Tazewell and, with the three people I recruited (a retired banker, a retired owner of an oil distribution company and a retired restaurant owner), participated in the Claiborne County Healthcare Foundation fundraising event. In representing WS, we interacted with several people who wanted to talk about WS and who wanted to thank the college for supporting healthcare in their county.

Walters State Community College
Dr. Jack E. Campbell, President Emeritus
2020-2021 Activities/Accomplishments

Date	
9/9/20	Had a lengthy discussion with Assistant V.P. Cates about various topics relating to events for which I'm scheduled to represent the college, issues relating to purchase of property in Green County adjacent to WS campus, prospective donor status, etc.
9/16/20	Worked through a situation whereby one of my WS team members had to cancel from participating in a Friday charity event by getting the WS V.P. for Business and Finance to take his place. Notified Assistant V.P. Cates, who contacted the people in charge of the event of our change in team members. Also, notified President Miksa and Assistant V.P. Cates that a long-time major supporter of the college has passed away and told them I would keep them informed as I learned more about arrangements.
9/20/20	Sent a reminder (text) to the three coaches who will be joining me in representing WS at the Arnold Dwight England Charity event scheduled for Wednesday, September 23 rd . Over the 31 years the event has been held, the college has received approximately \$200,000 from the event proceeds.
9/21/20	Attended the meeting WS Foundation Executive Committee meeting.
9/23/20	Along with the three WS coaches I recruited to join me in representing the college, I participated in the Arnold Dwight England Charity event in Tazewell, TN, which raises money to support regional needs, one of which is the WS Foundation. Over the past 31 years, the length of time the annual event has been held, I am proud when they recognize the college and me individually for participating in all 31 events.
9/26/20	Represented WS at a Celebration of Life ceremony for Mr. Gene Jolley, who had passed away a few days earlier. Mr. Jolley was a prominent citizen in Morristown, who also was major supporter of WS for several years. A WS building is named after Mr. Jolley.
10/7/20	Assembled a team comprised of the V.P. of Business and Finance, Assistant V.P. of Student Services and a WS alumnus/member of the WS Foundation and myself, to represent WS in a charity event/fundraiser for the Boys and Girls Club of the Smoky Mountains; several college supporters were present with some sponsoring the event; the event was held in Sevierville.
10/20/20	Assembled a team of four, comprised of three WS coaches (softball, golf and baseball) and myself that traveled to Sevierville and represented WS in the Pigeon Forge Hospitality and Tourism Association annual fundraising event. Strengthened relationships with several WS supporters and prospective supporters.
10/23/20	Assembled a team of four, comprised of the WS V.P. for Business and Finance, WS softball coach, retired WS baseball coach and myself, that traveled to Sevierville and represented the college in the Sevier County High School Foundation's fundraising event. Strengthened the college's relationship with the high school, which is a top "feeder" school for the WS Sevier County Campus and also had a chance to interact with mayors, bankers and many other community leaders who support the college.
10/26/20	Attended the WS Foundation Annual Fall Meeting. Spoke with President Miksa about various college matters and interacted with WS staff and several Foundation Trustees.
11/16/20	Attended the WS Foundation Executive Committee meeting. Agenda included a comprehensive review of Foundation matters/activities, presentation on the 50 th year celebration of the college; and President Miksa's update of the college, which is quite beneficial as I serve as an official ambassador for the college.
1/5/21	While waiting in line for a COVID shot (vaccine), I was approached by a number of individuals asking questions about WS. Whether it was about "how students and faculty were doing" or "is the college hiring any nursing faculty". I answered what I knew and when appropriate, I'd tell them who to contact at the college for information.

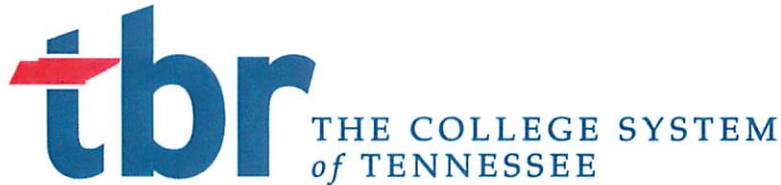
**Walters State Community College
Dr. Jack E. Campbell, President Emeritus
2020-2021 Activities/Accomplishments**

Date	
1/22/21	Met briefly with Assistant V.P. Cates and President Miksa to pick up materials from Assistant V.P. Cates and talk with Dr. Miksa about the college in general.
1/24/21	Called a Foundation Trustee (past president) who had surgery and wished him well; talked with him at length about various issues.
2/3/21	Talked with Foundation Trustee (widow) who is the wife of a former V.P. at Walters Sate. She is a major donor to the Foundation. I have continued working with her since her husband died, helping with planning her giving to the college at present and in the future. I also help with other matters such as making arrangements for someone to do her income taxes, etc. Today's discussion also included a discussion about her making an immediate gift of \$2,000 to the college. I contacted Assistant V.P. Cates and informed him about the upcoming gift.
2/17/21	Talked with a recent high school graduate who had been home-schooled and was uncertain about how she might pursue higher education. She stated that she had hoped to attend college and study culinary arts. This gave me an opportunity to tell her about Walters State in general and specifically about the WS Culinary Arts program. She indicated an interest and indicated she would follow-up.
3/20/21	Participated in ceremony with President Misa and several others honoring Coach Bill Carlyle for reaching 900 wins as coach at WS. Had a discussion with former WS Athletics Director and after hearing his financial success, I talked to him about contributing to the WS Foundation; introduced the idea to President Miksa, who reinforced my suggestion.
3/24/21 – 3/26/21	Had a long conversation with college staff. Talked with the V.P. for Communications and Marketing about a speech which I have been requested to give at the upcoming Commencement Program. Spoke with Assistant V.P. Cates about a deceased lady who left the college a million dollars in a handwritten will. Talked with Assistant V.P. Cates about three upcoming charity events whereby I will be organizing teams to represent the college.
3/30/21	Advised two students; one a student currently enrolled at WS and another student who just graduated for high school who had questions about programs at WS, as she does plan to apply for admission.
3/31/21	Recruited three individuals to join me in representing WS in an upcoming charity event; called Assistant V.P. Cates and gave him the names of our team members so he could notify the organization hosting the event.
4/8/21	Received a call from Assistant V.P. Cates, who gave me an update report on the activities which are going on with specific emphasis on those which he and I had discussed previously.
4/12/21	Along with two WS retired coaches and a WS dual enrollment student, which I recruited to join me in representing WS in a fundraising event in support of the local Alzheimer (ALPS) organization. I participated in the ALPS Caregiver Golf Classic. Met several WS supporters and prospective supporters.
4/21	In response to President Miksa's request that I be this year's commencement speaker for the spring graduating class of 2021, I spent several hours writing a speech that would capture the times, including the pandemic and also WS's 50 th year celebration, and link these major events to the normal graduation celebration material. Spent many hours/days writing this speech and subsequently recording the speech to be shown by video at this year's commencement program.
4/15/21	Met with the college's V.P. for Communications and Marketing and his videographer and recorded the graduation speech I had written for this year's ceremonies.

Walters State Community College
Dr. Jack E. Campbell, President Emeritus
2020-2021 Activities/Accomplishments

Date

	Joined several WS staff and faculty in representing WS at a special ceremony/dinner held in Tazewell honoring Eleanor Yoakum, who has been a long-time supporter of the college and a major contributor to the WS Foundation, as well as a college Foundation President.
5/10/21	Completed President Emeritus 2020-2021 report for submission to President Miksa and Chancellor Tydings.



NOTICE OF PART-TIME EMPLOYMENT AND AGREEMENT FOR
PRESIDENT EMERITUS

TO: Dr Nathan Essex
560 Kenrose Street
Collierville, TN 38017

This is to confirm your part-time appointment to a position approved by the Tennessee Board of Regents as President Emeritus of Southwest Tennessee Community College for a period beginning July 1, 2021 at a monthly salary of \$3533.20, subject to the terms and conditions hereinafter set forth and our acceptance thereof:

1. This appointment is made subject to the laws of the State of Tennessee, the requirements and policies of the Tennessee Board of Regents and the requirements and policies of this institution/area school.
2. The term of this agreement is July 1, 2021 to June 30, 2022. It may be renewed on an annual basis following review of the emeritus work performed and approval by the Tennessee Board of Regents.
3. The above stated salary is contingent upon your successful completion of service for the full term of this agreement. The salary will accrue and will be payable monthly. In the event of failure to complete the specific terms of the appointment, salary will be prorated in accordance with the policies of the institution/area school.
4. This appointment and the above-stated salary are in consideration of your faithful performance to the best of your ability of the duties and responsibilities assigned to you as a part-time employee of this institution. These duties include:
 - ❖ Collaborate with community organizations/institutions to recruit and retain students and provide information about TN Promise, TN Reconnect, Career in a Year programs, and college wrap around support services;
 - ❖ Assist with the College's efforts to recruit and retain African American males.
 - ❖ Fund raising for Southwest Tennessee Community College;
 - ❖ Consultation with president, as requested;
 - ❖ Consultation for the Tennessee Board of Regents (TBR), as requested;
 - ❖ Provide support in inter-institutional and community relations;
 - ❖ Promote higher education, the TBR, and Southwest Tennessee Community College on a continuous basis.

EMERITUS ACTIVITY REPORT 2021

Nathan L. Essex

2020 - 2021

- Promoted Southwest in my church, community and the cities of Collierville and Memphis.
- Recruited students through Tennessee Promise and Tennessee Reconnect. Some adults were unaware that Tennessee Reconnect existed.
- Advised and referred parents and prospective students to appropriate Southwest offices to assist them with questions and issues.
- Advised and mentored former Maxine Smith Fellows as requested.
- Promoted the college's student mentoring program at my church.
- Extended and increased monthly contributions to the college's book scholarship.
- Continued to support an endowed academic scholarship that I established for deserving students.
- Encouraged citizens and friends to visit the Whitehaven Campus to receive Covid-Vaccines.
- Attended the 2021 Spring Graduation Ceremony virtually.

NOTE: The pandemic restricted participation in many college activities and events during the school year.

**President Emeritus Report
2020-2021**

During the fiscal year, I performed the following functions (attached) for Southwest Tennessee Community College Institution(s).

(Please type your report and attach it to this work sheet)

I spent at least 293 hours performing work but less than 120 days.

Nathan L. Essex
President Emeritus

5-18-21
Date

I have reviewed the work of Dr. Nathan Essex for 2020-2021 and I am satisfied that it was well performed.

Shay D. Hall
President

05/19/2021
Date

Chancellor

Date



NOTICE OF PART-TIME EMPLOYMENT AND AGREEMENT FOR
PRESIDENT EMERITUS

TO: Dr. A. Frank Glass
218 Lakewood Drive
Tullahoma, TN 37388

This is to confirm your part-time appointment to a position approved by the Tennessee Board of Regents as President Emeritus of Motlow State Community College for a period beginning July 1, 2021 at a monthly salary of \$ 1,971.90, subject to the terms and conditions hereinafter set forth and our acceptance thereof:

1. This appointment is made subject to the laws of the State of Tennessee, the requirements and policies of the Tennessee Board of Regents and the requirements and policies of this institution/area school.
2. The term of this agreement is July 1, 2021 to June 30, 2022. It may be renewed on an annual basis following review of the emeritus work performed and approval by the Tennessee Board of Regents.
3. The above stated salary is contingent upon your successful completion of service for the full term of this agreement. The salary will accrue and will be payable monthly. In the event of failure to complete the specific terms of the appointment, salary will be prorated in accordance with the policies of the institution/area school.
4. This appointment and the above-stated salary are in consideration of your faithful performance to the best of your ability of the duties and responsibilities assigned to you as a part-time employee of this institution. These duties include:
 - ❖ Provide advice and counsel to the president of MSCC;
 - ❖ Assist with the MSCC foundation fund raising and alumni activities;
 - ❖ Be actively involved in community relations and other activities on behalf of MSCC;
 - ❖ Provide other services and/or support as may be requested by the president of MSCC, the Tennessee Board of Regents, and the Tennessee Higher Education Commission;
 - ❖ Attend professional meetings, such as AACCC, SACS, etc., as requested.
5. As a part-time employee, you are not eligible for employment benefits (retirement credit, state insurance plan, annual or sick leave, holiday pay, or longevity credit).

Notwithstanding, social security will be deducted from your paycheck unless you are a member of a retirement system or are a rehired annuitant as specified in 26 CFR Part 31.

6. This appointment does not include any assurance, obligation, or guarantee of subsequent employment.
7. This agreement may be terminated without prior notice.
8. By acceptance of this appointment, you agree to abide by the terms of the Drug-Free Workplace Act of 1988 as defined in published institution statements and policy. You also agree to notify the Office of Personnel of any criminal drug conviction for a violation occurring in the workplace no later than five (5) days after such conviction.
9. You are required to notify the President should you become employed at another state agency/institution.
10. The following special conditions shall govern this appointment:

The retired employee accepts employment for up to 120 days during a 12-month period. The number of hours actually worked will be provided to the institution upon request and will be no less than 118 hours.

I accept the appointment described above under the terms and conditions set forth.

A. Frank Nelson 5/13/21
APPOINTEE DATE

An Equal Opportunity/Affirmative Action Employer

Michael Luma, Ph.D. 5/13/21
PRESIDENT DATE

CHANCELLOR DATE

President Emeritus Report 2020-2021

During this fiscal year, I performed the following functions (attached) for

Motlow State Community College Institution(s).

(Please type your report and attach it to this work sheet)

I spent at least 160 hours performing the work but less than 120 days.

A. Frank Glass 5/13/21
President Emeritus Date

I have reviewed the work of Dr. A. Frank Glass for 2020-2021 and I am satisfied that it was well performed.

Michael L. Jones, Ph.D. 5/13/21
President Date

Chancellor Date



MOTLOW STATE
COMMUNITY COLLEGE

President Emeritus

A. Frank Glass
218 Lakewood Drive
Tullahoma, TN 37388
(931) 455-6631

MEMORANDUM

TO: Brian A. Lapps, General Counsel

FROM: Dr. A. Frank Glass, President Emeritus *A+H*

VIA: Theresa Whitton
Coordinator of Paralegal Services

SUBJECT: President Emeritus Work

DATE: 5/13/21

Per your request dated April 27, 2021, it is my pleasure to provide the following information highlighting my work performed as President Emeritus of Motlow State Community College during 2020-21:

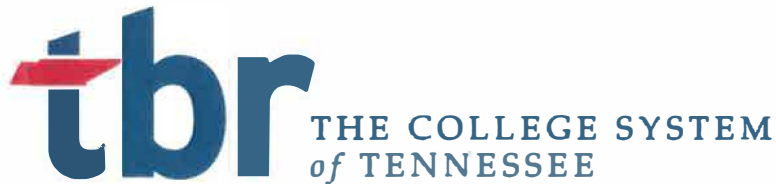
- Continued to work with Phil Clark, CFO of Enable Comp; Joe Lester, Tullahoma Developer; and Dr. Michael Torrence, President of MSCC concerning the expansion of Enable Comp and available partnership opportunities with Motlow State Community College.
- Helped Fayetteville businessman and long-time supporter of Motlow regarding an applicant for employment at MSCC.
- Helped Dick Slater, former President of Tri-County Bank and supporter of Motlow, concerning the employment of his son.
- Assisted Rick Francis, a long-standing member of the Motlow College Foundation from Shelbyville, concerning the employment of a new resident in Shelbyville with years of experience in fundraising in another state.
- Secured Gold Sponsorship for the Motlow College Foundation golf tournament held in September at Bear Trace from Troy Martin at First Bank.
- Assisted Troy Martin, President of First Bank, in organizing teams for area golf tournaments.
- Assisted several veterans in obtaining VA benefits.

- Conducted meetings with a city resident on a new startup business and introduced him to a local businessman for advice. He has also worked to get credits from Motlow for experience in former employment.
- Talked with Dr. Michael Torrence concerning plans for online and on-ground classes. Many people wanted more information because of the fears with Covid-19.
- Served as Trustee on the Motlow College Foundation.

I am so proud of Motlow State Community College, and it is an honor for me to share in informing our community of the many benefits and successes of MSCC.

cc: Dr. Michael Torrence

A handwritten signature in black ink that reads "Michael Torrence, Ph.D." The signature is written in a cursive style with a large, stylized initial 'M'.



NOTICE OF PART-TIME EMPLOYMENT AND AGREEMENT FOR
PRESIDENT EMERITUS

TO: Dr. Rebecca Hawkins
1220 Woodland Crossing
Columbia, Tennessee 38401

This is to confirm your part-time appointment to a position approved by the Tennessee Board of Regents as President Emeritus of Columbia State Community College for a period beginning July 1, 2021 at a monthly salary of \$2,532.00, subject to the terms and conditions hereinafter set forth and our acceptance thereof:

1. This appointment is made subject to the laws of the State of Tennessee, the requirements and policies of the Tennessee Board of Regents and the requirements and policies of this institution/area school.
2. The term of this agreement is July 1, 2021 to June 30, 2022. It may be renewed on an annual basis following review of the emeritus work performed and approval by the Tennessee Board of Regents.
3. The above stated salary is contingent upon your successful completion of service for the full term of this agreement. The salary will accrue and will be payable monthly. In the event of failure to complete the specific terms of the appointment, salary will be prorated in accordance with the policies of the institution/area school.
4. This appointment and the above-stated salary are in consideration of your faithful performance to the best of your ability of the duties and responsibilities assigned to you as a part-time employee of this institution. These duties include:
 - ❖ Attend and participate in college and foundation sponsored functions;
 - ❖ Assist the college foundation with fund raising activities and events;
 - ❖ Provide advice to perspective students and families;
 - ❖ Promote higher education, the TBR, and Colombia State on a continuous basis;
5. As a part-time employee, you are not eligible for employment benefits (retirement credit, state insurance plan, annual or sick leave, holiday pay, or longevity credit). Notwithstanding, social security will be deducted from your paycheck unless you are a member of a retirement system or are a rehired annuitant as specified in 26 CFR Part 31.

6. This appointment does not include any assurance, obligation, or guarantee of subsequent employment.
7. This agreement may be terminated without prior notice.
8. By acceptance of this appointment, you agree to abide by the terms of the Drug-Free Workplace Act of 1988 as defined in published institution statements and policy. You also agree to notify the Office of Personnel of any criminal drug conviction for a violation occurring in the workplace no later than five (5) days after such conviction.
9. You are required to notify the President should you become employed at another state agency/institution.
10. The following special conditions shall govern this appointment:

The retired employee accepts employment for up to 120 days during a 12-month period. The number of hours actually worked will be provided to the institution upon request and will be no less than 115 hours.

I accept the appointment described above under the terms and conditions set forth.


 APPOINTEE _____ DATE May 15, 2021

An Equal Opportunity/Affirmative Action Employer


 PRESIDENT _____ DATE 5/27/2021

 CHANCELLOR _____ DATE _____

President Emeritus Report 2020-2021

During this fiscal year, I performed the following functions (attached) for

Columbia State Community College Institution(s).

(Please type your report and attach it to this work sheet)

See Attached

I spent at least 200 hours performing the work but less than 120 days.

O. Rebecca Hawkins
President Emeritus

May 15, 2021
Date

I have reviewed the work of Dr. O. Rebecca Hawkins for 2020-2021 and I am satisfied that it was well performed.

[Signature]
President

5/27/2021
Date

Chancellor

Date

O. Rebecca Hawkins

1220 Woodland Crossing Columbia, TN 38401 931.840.6136 rhawkins@charter.net

President Emeritus Report - 2020-2021

Review of functions performed:

1. Attend and participate in college and foundation sponsored functions.

In mid-March, 2020, the COVID-19 Virus Pandemic set in resulting in the cancellation, postponement, and rescheduling of most public meetings, events, and activities. Columbia State, as did all the TBR colleges, locked down campuses and went on-line with classes, administration, and operations. As a result, there have been limited opportunities to attend and participate in college and foundation sponsored functions and activities. Below are the activities I have attended and participated in – primarily in a virtual environment.

2020

- June 24 – Attended Columbia State Foundation’s board meeting via Zoom
- August–October 3-4 - Planned, coordinated, and oversaw Dr. Harold Pryor’s 100th birthday celebration (college’s first president)
- September 30 – Attended Columbia State Foundation’s board meeting via Zoom
- December 9 – Attended Columbia State Foundation’s board meeting via Zoom

2021

- March 3 – Attended Columbia State Foundation’s board meeting via Zoom
- March 30 – Delivered to Anne Scott, Director of Columbia State Library, memorabilia for Dr. Harold Pryor’s presidential file in the college’s archives (Ms. Scott picked up the memorabilia at my home.)
- April 16 – Attended the Inaugural Celebration for the opening of South Central Higher Education Center, the modern new higher education center built by Lawrenceburg and Lawrence County that will house Columbia State, Tennessee Tech, Martin Methodist/UT, and other schools
- April 8 – Enjoyed the Pryor Art Gallery’s first virtual exhibit, “An Artist’s World,” showcasing several artists and developed by the gallery’s curator, Rusty Summerville; provided an exhibit link to Dr. Harold Pryor who also enjoyed the exhibit
- June – Plan to attend the Columbia State Foundation board meeting whether conducted via Zoom or at Columbia campus

2. Assist the college foundation with fund raising activities and events.

- I made memorial gifts to the CS Foundation's general scholarship fund.
- I continued to support the Boosters' Club with an annual membership contribution.
- I continued to support the Foundation's Performance Series with my platinum level patron's gift even though the Performance Series was first postponed and then cancelled for the remainder of the 2019-2020 and 2020-2021 seasons.
- I consulted with Molly Cochran, coordinator for the Performance Series, with respect to the postponements and cancellations of the Performance Series and the impact on current and potential audiences and performing artists, etc, during the COVID pandemic. We also discussed and tried to think through the impact on the Performance Series when the new Mule House Performance Center opens this summer in downtown Columbia (being billed as Ryman Auditorium South).

(Note: Most fund raising activities/ events were cancelled or postponed due to the COVID pandemic.)

3. Provide advice to perspective students and families.

I continue to serve as a liaison between potential CS students, families, grandparents and Columbia State regarding questions on admissions, scholarships and grants, entrance requirements. This year, most questions have been concerning how the college is conducting classes during the COVID pandemic and what the college's future plans are. When will the college return to classes at its campuses? Will the college be offering hybrid courses once campuses reopen? How do I obtain advising with the campuses closed? And the list goes on. At times I make connections between individuals and appropriate college staff persons. Most of the time, current information for their COVID-related questions can be found on the college's website - especially regarding how the college is conducting or plans to conduct classes semester by semester, either virtual or on-campus, or both. I provide information to people on how they can access the college's website.

4. Promote higher education, the TBR, and Columbia State on a continuous basis.

In such occasions as those below, I am engaged in the greater community representing Columbia State, the TBR, and Tennessee higher education:

- I continued my appointment to and service on the Board of Columbia Arts Council during the recent year. The CAC Board is the public arm for the City of

Columbia for its public art installations, art events and activities (both visual and performing) and the City’s Art District. Between fellow board member Beverly Mitchell (retired English faculty member and creative writer) and me, Columbia State is well represented in all discussions, activities, and events overseen by the CAC. During the past year, I have served as chair for the new Fund Raising and Development Committee of the CAC. As chair of that committee I led the effort to establish a 501(c)3 entity for the CAC with the Community Foundation of Middle Tennessee. The CAC and the City wish to set up a mechanism for potential donors for art projects to be able to make tax exempt donations. In leading this project, I worked with staff of the Community Foundation and with the assistant city manager for finance and administration and the legal department.

- I continued to counsel and consult with the City Place Church’s leadership on developing and launching a private, religious oriented school in our community. The school, White Stone Academy, started up its educational offerings in the fall, 2020. I have recently connected school leadership with the appropriate staff at Columbia State to explore the feasibility of dual enrollment opportunities.
- I continue to serve on the MRHC Foundation Board as an honorary member, attending some quarterly meetings this year via Zoom. I have continued fund raising advisement and financially supporting projects of the Foundation, in particular the Mobile Health Unit and staff. I recently gave to support the Foundation’s project, “Feed the Frontline Workers,” during National Hospital Week, a tribute to all the doctors, nurses, and other health care staff who have worked tirelessly and in such caring ways to see our community through the COVID pandemic. During the winter, I was recognized by the Foundation when it inducted me into its Legacy Society and included me on the Foundation’s Legacy Society plaque in the front lobby of Maury Regional Medical Center.
- I have continued to support the Columbia State Foundation’s Performance Series with advice and counsel and my Patron Platinum Level financial support. Unfortunately over the recent year, the final performances of the 2019-2020 season had to be cancelled as was the entire 2020-2021 season of performances. Molly Cochran, development officer and coordinator for the Performance Series, worked tirelessly within CDC guidelines, the college’s protocols, and with the performing artists trying to reschedule and save all or part of the season. It just didn’t work. So now, we are looking forward to the 2021-2022 season with great hope. I answer questions from folks in the community about when the Performance Series will restart, what they can expect, and encourage them to continue or begin attending the performances.

- I have personally enjoyed the Pryor Art Gallery’s first virtual art exhibit, “An Artist’s World,” developed by gallery curator, Rusty Summerville. I helped Dr. Harold Pryor get to enjoy the exhibit by providing him a link to view the exhibit on his iPad. I have shared information with friends and groups and encouraged them to go to the college’s website to enjoy the exhibit.
- In summer 2020, I assisted Molly Cochran, development officer, with an application submission for the college for a historical marker to be placed at Columbia State’s campus in Columbia. The historical marker will designate Columbia State as the first of the state’s community colleges. I assisted Molly by providing her historical information on the startup of the college 55 years ago that I had from my research for the 50th anniversary documentary film I earlier developed and produced.
- I consulted in early spring, 2021, with Kiwanis Club president and the Programming Specialist for Maury County Parks to develop and execute a fund raising plan to raise approximately \$12 to \$15 thousand for installation of a rotating “Storybook Trail” for children and families for Maury County Park in Columbia. The Storybook Trail program is part of the Governor’s Early Literacy Foundation. Our Kiwanis Club has been actively engaged in annually raising money to support Dolly Parton’s Imagination Library for our county over the past 10+ years, donating \$50 to \$60+ thousand. For years I have been actively engaged through Kiwanis in getting books to kids in their early development.
- I reported last May that I developed and submitted a proposal in April, 2020, to Representative Scott Cepicky, fellow Kiwanian (at his request), for transmission to Dr. Penny Schwinn, Commissioner of Tennessee Department of Education. The proposal presented suggestions for recruiting, educating, and licensing individuals following a nontraditional pathway to teaching in Tennessee. Using my proposal, Representative Cepicky hoped to work with the Department of Education and introduce a bill in January, 2021, to address Tennessee’s teacher shortage. Representative Cepicky followed up with me after my proposal submission. Unfortunately the concept became postponed due to the Department of Education, the General Assembly, the Governor, and local school systems needing to focus their attention to the impacts of COVID on the education of our children and education system.
- In mid-summer, 2020, I embarked on planning and coordinating a COVID-friendly “100th Birthday Celebration” for Dr. Harold Pryor, Columbia State’s first president. Dr. Pryor lives at The Bridge Assisted Living Center. I worked with the director and the activity director of The Bridge. Dr. Pryor was anxious to

have recognition and celebration of his 100th achievement even in spite of the COVID pandemic. Dr. Pryor’s 100th birthday was October 3. During August and September, I planned and oversaw a full week-end celebration for October 2-4. Dr. Pryor’s celebration with which he was delighted included:

- A Zoom-supported tribute on Friday afternoon including approximately 75 family members (cousins and nieces), Columbia State friends, church friends, community friends, professional colleagues from across the state, deans of colleges of education and development officers of the universities he attended and to whom he generously gives, etc.;
- A proclamation signed by the mayor and city council of City of Columbia;
- A tribute and salute by the City fire chief and firefighters with a drive-by, bell clanging fire engine;
- A festive birthday breakfast and lunch organized by The Bridge’s staff;
- A full page tribute in The Daily Herald newspaper sponsored by The Bridge;
- Video tributes from deans of the colleges of education from Austin Peay University, Vanderbilt University, University of Tennessee; and
- 100th Birthday signage at the drive-in entrance to The Bridge.

Dr. Pryor thoroughly enjoyed his 100th celebration. It was a week-end for his “memory book.”

He was a real “champ” with the Zoom birthday tribute on Friday afternoon. It was his first Zoom experience. I hosted the celebration from home; staff at The Bridge coached Dr. Pryor through the experience. He later declared he saw and talked to people he hadn’t seen for years. He realized they were able to participate via Zoom and would not have been able to pay a visit with him since The Bridge Center and other similar facilities were in lock-down. Of course, it took me hours of research, telephoning, texting, and emailing time to pull off the Zoom tribute. But it was well worth the effort. In addition to visiting with Dr. Pryor, professional colleagues, friends, and family members got to visit with one another which they had been unable to do for months.

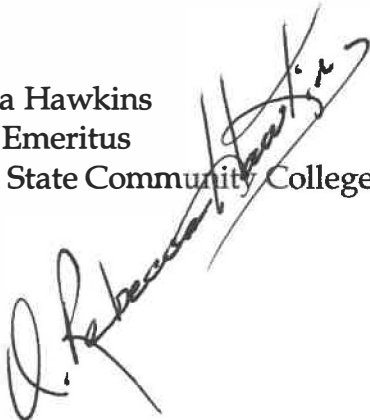
In addition to the Zoom celebration, I wrote the proclamation for the City of Columbia; obtained the photo images and prepared written content for The Daily Herald full-page tribute; helped The Bridge staff coordinate the breakfast and lunch celebrations; etc. After the party week-end was over, I picked up from Dr. Pryor and delivered to the college library archives the celebration memorabilia that Dr. Pryor wanted to have on record in the archives.

- In November, Tom Price, Director of County Archives and Host for "History's Hook" (local radio program) contacted me regarding a radio interview with Dr. Pryor. Tom felt he did not know Dr. Pryor well enough to call himself and asked that I make the contact for him. I was glad to do that for Tom. Dr. Pryor agreed to a telephone interview which Tom recorded and aired twice on 103.7 locally. I have delivered the recorded interview to the college library archives.

Note: As we lifted up and celebrated Dr. Pryor on the occasion of his 100th birthday in October we also lifted up Columbia State in the minds of the greater community. His quite public celebration provided another opportunity to let "old timers" be reminded and "new comers" be introduced to the significance of Columbia State and its contributions to South Central Middle Tennessee and to the State of Tennessee, as well.

5. Assist the college and serve on the college foundation committee to secure local funding and state support for a new Allied Health building on the Columbia Campus that supports South Central Middle Tennessee.
- Again this year, as last year, the college and foundation leadership have not called a meeting of this committee during the year given the status of the building on TBR and THEC's capital project program schedules.
Note: Dr. Smith and I have agreed to remove this duty from my President Emeritus Agreement for 2021-2022. We agreed it can be reintroduced as needed at a future time.

O. Rebecca Hawkins
President Emeritus
Columbia State Community College

A handwritten signature in black ink, appearing to read "O. Rebecca Hawkins", written over a diagonal line.



THE COLLEGE SYSTEM
of TENNESSEE

NOTICE OF PART-TIME EMPLOYMENT AND AGREEMENT FOR
PRESIDENT EMERITUS

TO: Dr. William Locke
2800 Anderson Bend Road
Russellville, TN 37860

This is to confirm your part-time appointment to a position approved by the Tennessee Board of Regents as President Emeritus of Northeast State Community College for a period beginning July 1, 2021 at a monthly salary of \$2,531.50, subject to the terms and conditions hereinafter set forth and our acceptance thereof:

1. This appointment is made subject to the laws of the State of Tennessee, the requirements and policies of the Tennessee Board of Regents and the requirements and policies of this institution/area school.
2. The term of this agreement is July 1, 2021 to June 30, 2022. It may be renewed on an annual basis following review of the emeritus work performed and approval by the Tennessee Board of Regents.
3. The above stated salary is contingent upon your successful completion of service for the full term of this agreement. The salary will accrue and will be payable monthly. In the event of failure to complete the specific terms of the appointment, salary will be prorated in accordance with the policies of the institution/area school.
4. This appointment and the above-stated salary are in consideration of your faithful performance to the best of your ability of the duties and responsibilities assigned to you as a part-time employee of this institution. These duties include:
 - Publicly show support for the College President through newspaper editorials, public speaking engagements, and in social interactions. Advocate for the College's ongoing work and fresh start to faculty, staff, and the public at large.
 - At the request of the president, provide guidance on regional relationships, government affairs, partnerships, and workforce development opportunities.
 - At the invitation of the president, and as able, attend and support College activities and events.
 - Support initiatives of the Northeast State Community College Foundation.
 - Upon request, serve as a consultant to regional chambers of commerce and economic development entities on matters concerning education and workforce development.

President Emeritus Report 2020-2021

During this fiscal year, I performed the following functions (attached) for

Northwest State Community College Institution(s).

(Please type your report and attach it to this work sheet)

Please see attachment

I spent at least 152 hours performing the work but less than 120 days.

William W Locke
President Emeritus

05-14-21
Date

I have reviewed the work of William W Locke for 2020-2021 and I am satisfied that it was well performed.

Bethany Bullcock
President

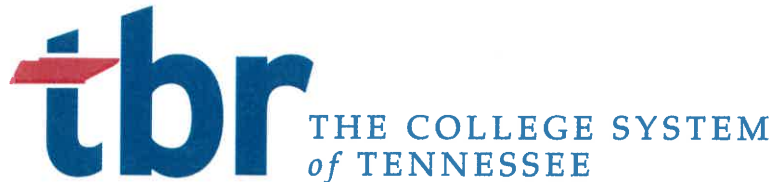
5-18-21
Date

Chancellor

Date

Functions Performed by William W. Locke as President Emeritus of
Northeast State Community College During the 2019-2020 Year

- Served as Board Member Emeritus to The Alliance for Business and Training which has a significant relationship with the college in the area of workforce development training
- Participated in selected meetings of educators, elected officials, and business leaders to discuss regional opportunities in education and workforce development
- Maintained and established positive relationships with the college and governmental, business, industrial, and community organizations
- Met with and advised parents and their children and other adult learners about making a Tennessee Board of Regents Institution their first choice for attending a college and referred these individuals to appropriate personnel at the respective Regent's Institutions
- Supported initiatives of the Northeast State Community College Foundation and the East Tennessee State University Foundation
- Served as advisor to the Sullivan County Mayor regarding the development of higher education initiatives which could be supported by the county
- Visited potential donors who might financially support the construction of the new Center for Workforce Development/Technical Education Building which is housed on the Northeast State Blountville campus
- At the invitation of the college president, attended selected meetings/functions provided by the college
- Supported both publicly and privately the college and its president Dr. Bethany Bullock



NOTICE OF PART-TIME EMPLOYMENT AND AGREEMENT FOR
PRESIDENT EMERITUS

TO: Dr. Walter Nelms
80 Quiet Dale Drive
Jackson, Tennessee 38305


This is to confirm your part-time appointment to a position approved by the Tennessee Board of Regents as President Emeritus of Jackson State Community College for a period beginning July 1, 2021 at a monthly salary of \$1,648.00 subject to the terms and conditions hereinafter set forth and our acceptance thereof:

1. This appointment is made subject to the laws of the State of Tennessee, the requirements and policies of the Tennessee Board of Regents and the requirements and policies of this institution/area school.
2. The term of this agreement is July 1, 2021 to June 30, 2022. It may be renewed on an annual basis following review of the emeritus work performed and approval by the Tennessee Board of Regents.
3. The above stated salary is contingent upon your successful completion of service for the full term of this agreement. The salary will accrue and will be payable monthly. In the event of failure to complete the specific terms of the appointment, salary will be prorated in accordance with the policies of the institution/area school.
4. This appointment and the above-stated salary are in consideration of your faithful performance to the best of your ability of the duties and responsibilities assigned to you as a part-time employee of this institution. These duties include:
 - a. Attend graduation exercises and be recognized with other invited dignitaries.
 - b. Represent and support JSCC throughout the service area of the college, including but not limited to serving as liaison with civic community and area leaders.
 - c. Accompany the current college President on fund raising calls to community and area leaders.
 - d. Provide advice and counsel to the current college President.
 - e. Represent Jackson State by his presence and participation in other ceremonial functions, including but not limited to receptions, public activities, and academic celebrations as requested.

- f. Act as a college ambassador at college events throughout the year as requested.
 - g. Provide assistance to the Director of Institutional Advancement to support capital and scholarship campaign activities and planned giving events as appropriate.
5. As a part-time employee, you are not eligible for employment benefits (retirement credit, state insurance plan, annual or sick leave, holiday pay, or longevity credit). Notwithstanding, social security will be deducted from your paycheck unless you are a member of a retirement system or are a rehired annuitant as specified in 26 CFR Part 31.
 6. This appointment does not include any assurance, obligation, or guarantee of subsequent employment.
 7. This agreement may be terminated without prior notice.
 8. By acceptance of this appointment, you agree to abide by the terms of the Drug-Free Workplace Act of 1988 as defined in published institution statements and policy. You also agree to notify the Office of Personnel of any criminal drug conviction for a violation occurring in the workplace no later than five (5) days after such conviction.
 9. You are required to notify the President should you become employed at another state agency/institution.
 10. The following special conditions shall govern this appointment:

The retired employee accepts employment for up to 120 days during a 12-month period. The number of hours actually worked will be provided to the institution upon request and will be no less than 98.9 hours.

I accept the appointment described above under the terms and conditions set forth.


 APPOINTEE

5/18/21
 DATE

An Equal Opportunity/Affirmative Action Employer


 PRESIDENT

5/18/21
 DATE

 CHANCELLOR

 DATE

President Emeritus Report 2020-2021

During this fiscal year, I performed the following functions (attached) for

Jackson State Comm. College Institution(s).

(Please type your report and attach it to this work sheet)

I spent at least 108 hours performing the work but less than 120 days.

Walter H. Nelms

President Emeritus

5/18/21
Date

I have reviewed the work of Dr. Walter Nelms for 2020-2021 and I am satisfied that it was well performed.

[Signature]
President

5/18/21
Date

Chancellor

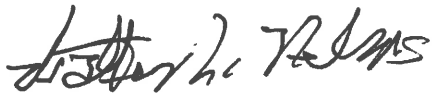
Date

REPORT FOR PRESIDENT EMERITUS ACTIVITIES
FOR 2020-2021

In fulfillment of the agreement for part-time employment as President Emeritus of Jackson State Community College (JSCC) for 2020-2021 year, I have performed the contracted duties in as much as the Covid-19 pandemic allowed.

- A. Due to the Covid-19 pandemic, my activities throughout the service area with different groups was limited. When possible, I talk with students about the programs of study at JSCC and the advantages of attending the institution. With many other individuals and groups, I have the opportunity to support Tennessee higher education in general and JSCC in particular. I believe one of my primary responsibilities is to support Tennessee higher education in every way I have opportunity.
- B. I serve on the JSCC Foundation Board of Directors, and in that capacity I talk with individuals about financial support. This year meetings were held virtually.
- C. I have, when asked, provided advice and counsel to the College and members of the College staff. I believe I have always maintained a healthy and supportive relationship with the JSCC President as well as the members of the college community. I am always available to assist the President of JSCC in any way.
- D. This year the college did not have in-person functions for participation, including graduation.
- E. I have assisted and been supportive of the activities of the Director of Institutional Advancement to support capital and scholarship activities.

I try to be supportive of all aspects of JSCC on campus and throughout the community, and I also make an effort to be available when needed and out of the way when not needed. I believe I have fulfilled my agreement as President Emeritus of Jackson State Community College.



Walter L. Nelms
President Emeritus

MEMORANDUM

To: Brian A. Lapps, General Counsel of TBR

From: Dr. R. Wade Powers 

Date: May 6, 2021

Subject: President Emeritus Stipend

This is to inform you that I will not be returning the contracts for the President Emeritus Stipend for 2021-2022. I will be observing my ninetieth birthday in a few months and I feel that I am unable to conscientiously perform the duties prescribed in the contracts.

I have been associated with the Tennessee Board of Regents since its inception in 1971 and sincerely appreciate the opportunities and the support I have received from TBR. I will continue to be an avid supporter of the Community Colleges of Tennessee.

I am also sending a copy of this Memorandum to Dr. Bethany Bullock and Dr. Jerry Faulkner

**PRESIDENY EMERITUS REPORT
2020-2021**

During this fiscal year, I performed the following functions (attached) for Northeast State Community College. Because of the limitations imposed by the pandemic all of my efforts have been restricted to the use of telephone, mail and email.

I spent at least 25 hours performing the work but less than 120 days.

R. Wade Powers

President Emeritus

May 6, 2021
Date

I have reviewed the work of Dr. R. Wade Powers for 2020-2021 and I am satisfied that it was well performed.

Bethany Bullock

President

5-19-21

Date

Chancellor

Date

PRESIDENT EMERITUS REPORT
FUNCTIONS FOR NORTHEAST STATE COMMUNITY COLLEGE
2020-2021

Contacted citizens encouraging their support for the College.

At the request of the President suggestions on dealing with significant clientele and specific industries. because of the restrictions imposed Because of the pandemic almost all College events were cancelled.

Support the NSCC Foundation.

At the request of the President provide suggestion guidance on regional relationships. Government affairs, partnerships, and workforce development.

Upon request, served as a consultant to regional Chambers of Commerce focusing on matters concerning education and workforce development

MEMORANDUM

To: Brian A. Lapps, General Counsel of TBR

From: Dr. R. Wade Powers *RWP*

Date: May 6, 2021

Subject: President Emeritus Stipend

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I have been associated with the Tennessee Board of Regents since its inception in 1971 and sincerely appreciate the opportunities and the support I have received from TBR. I will continue to be an avid supporter of the Community Colleges of Tennessee.

I am also sending a copy of this Memorandum to Dr. Bethany Bullock and Dr. Jerry Faulkner

**PRESIDENCY EMERITUS REPORT
2020-2021**

During this fiscal year, I performed the following functions (attached) for Volunteer State Community College. Because of the limitations imposed by the pandemic all of my efforts have been primarily restricted to participating in Zoom meetings and telephone consultation.

I spent at least 65 hours performing the work but less than 120 days.



President Emeritus



Date

I have reviewed the work of Dr. R. Wade Powers for 2020-2021 and I am satisfied that it was well performed.



President



Date

Chancellor

Date

PRESIDENT EMERITUS REPORT
FUNCTIONS FOR VOLUNTEER STATE COMMUNITY COLLEGE
2020-2021

Served as a member of the Foundation Board of Trustees.

Served as a member of the Executive Committee of the Foundation.

Served as a member of the Foundation.

Served as a member of the Nominating Committee of the Foundation.

Served as a member of the committee planning the observance of the 50th Anniversary of the College.

Attended Foundation functions and meetings, mostly by Zoom

Consulted with the Vice President for Resource Development and CEO of the Foundation.

Served as a consultant to the President of the College as requested.

BOARD TRANSMITTAL

MEETING: Committee on Personnel and Compensation

SUBJECT: Review and Approve Faculty Emeritus Candidates

DATE: June 17, 2021

PRESENTER: Executive Vice Chancellor Russ Deaton

PRESENTATION REQUIREMENT: 5 minutes with discussion

ACTION REQUIRED: Voice Vote

STAFF'S RECOMMENDATION: Approve

The following faculty emeritus candidates are being recommended to the Board for consideration and approval:

Cleveland State Community College

- Sonia Alejandra Hoffer, Assistant Professor of Spanish, 2003-2018

Volunteer State Community Colleges

- Ondis Bible, Associate Professor of Mathematics, 1977-2020
- Chuck Conrad, Associate Professor of Mathematics, 1993-2021
- Jeff Kent, Professor of Biology, 1995-2021
- Kathy Johnson, Associate Professor of Mathematics, 1994-2020

Cleveland State Community College

Sonia Alejandra Hoffer served as faculty member in the Humanities, Education, English, and Social Sciences Division for fifteen years. She taught Beginning and Intermediate Spanish, as well as Conversational Spanish. She was a very popular teacher and well respected by colleagues and students. Her classes were very engaging with a variety of activities, including numerous classes with her guitar. She also planned and led several study abroad trips for students to Chile and Spain. Several of these involved taking nursing students to work with their counterparts in other countries.

Mrs. Hoffer was always very engaged in activities and played an essential role in celebrating diversity on campus. She was the driving force behind the very popular and well attended Latin Night activities for many years. She was also one of the most important leaders of the Multicultural Fair when it filled the gym and had multiple events. For several years, Cleveland State had lots of partnerships with the local community and many people from the local community joined our students, staff, and faculty to enjoy and learn from these events.

For several years, Mrs. Hoffer served as the Advisor of the Spanish and International Clubs. She also served in different college committees and was the Chair of the International Studies committee. Before her retirement in 2018, she initiated a brand-new Sigma Delta Pi, La Sociedad Nacional Honoraria Hispanica Chapter .

Mrs. Hoffer was also encouraging to students and even met with struggling student to help them improve and succeed in her classes. She also worked with many lab and software programs to enhance the learning and experience for her students. She helped with assessment reports and articulation agreements, as well as high school equivalency tests. She was always willing to give input when asked, and she was faithful to support her colleagues in their work as well.

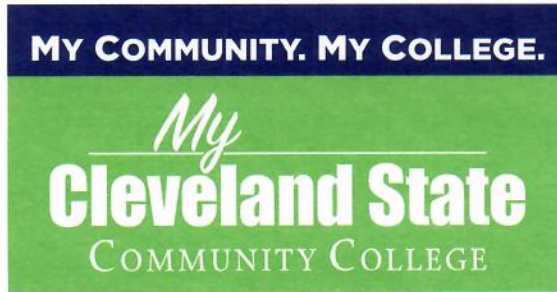
Volunteer State Community College

Ondis Bible, Associate Professor of Mathematics, has served Volunteer State Community College (VSCC) for 43 years (1977-2020). During that time, he was instrumental in developing and teaching a mathematics practicum course from which three former students have joined the faculty at VSCC. Other important contributions included serving as chair of developmental mathematics for 10 years and 12 years of service on the Executive Board of the Tennessee Mathematics Teachers Association (TMTA). For his years of service to the College, his commitment to student success, and his contribution to the field of education, Ondis Bible is deserving of the honor of Emeritus faculty status.

Chuck Conrad, Associate Professor of Mathematics, has served Volunteer State Community College for 28 years (1993-2021) and played an integral role in course development and improving mathematics instruction. His accomplishments include the development of MATH 1630- Finite Mathematics and MATH 2010- Linear Algebra. Professor Conrad has also served on numerous committees such as Faculty Council and TMTA. His dedication to students and his contribution to the community and the College warrant the awarding of Emeritus faculty status.

Jeff Kent, Professor of Biology, has served Volunteer State Community College for 26 years and has been instrumental in course development and student engagement. His many accomplishments and contributions include Faculty of the Year, speaker of the Faculty Council, Greenhouse Manager, founder of the VSCC Community Garden, and the development of the TN eCampus online degree program. Dr. Kent's work with the Community Garden has been featured in a segment on PBS's Volunteer Garden. In addition, his work with the community garden has been impactful to the Feed and the sale of produce and plants has generated more than \$30,000 for student scholarships. For his dedication to student success and his contributions to the College and the community, Jeff Kent is very deserving of the honor of Emeritus faculty status.

Kathy Johnson, Associate Professor of Mathematics, has served Volunteer State Community College for 26 years (1994-2020). During that time, Professor Johnson has made many notable contributions to the department such as the development of MATH 1410-Number Concepts for Teachers and MATH 1420- Geometry Concepts for Teachers as well as the development of a special section of MATH 1130 for students with disabilities. Other accomplishment includes being selected for Who's Who Among America's Teachers, Faculty of Year, chair of the Professional Development Committee, and assistant coach of the Intramural Softball team. Based on her years of service to the College and the community and her dedication to student success, Kathy Johnson is very deserving of the honor of Emeritus faculty status.



TO: Chancellor Flora Tydings

FROM: Dr. William A. Seymour, President

SUBJECT: Recommendation of Emeritus Faculty Status

DATE: May 17, 2021

The purpose of this memorandum is to recommend one Cleveland State Community College faculty member for emeritus status as provided in TBR Policy 5:02:01:10, *Faculty Emeritus*. This faculty member meets the criteria as outlined in TBR policy, has been recommended by her division dean and Vice President of Academic Affairs, and, meets the criteria as outlined in Cleveland State Policy 5:02:01:10, *Emeritus Status*.

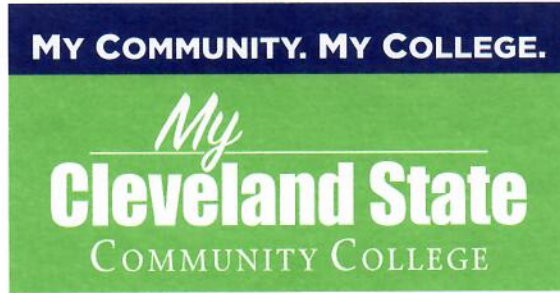
Below is the justification for Mrs. Sonia Alejandra Hoffer for emeritus faculty status.

S. Alejandra Hoffer

Mrs. Hoffer served as faculty member in the Humanities, Education, English, and Social Sciences Division for fifteen years. She taught Beginning and Intermediate Spanish, as well as Conversational Spanish. She was a very popular teacher and well respected by colleagues and students. Her classes were very engaging with a variety of activities, including numerous classes with her guitar. She also planned and led several study abroad trips for students to Chile and Spain. Several of these involved taking nursing students to work with their counterparts in other countries.

Mrs. Hoffer was always very engaged in activities and played an essential role in celebrating diversity on campus. She was the driving force behind the very popular and well attended Latin Night activities for many years. She was also one of the most important leaders of the Multi-Cultural Fair when it filled the gym and had multiple events. For several years, Cleveland State had lots of partnerships with the local community and many people from the local community joined our students, staff, and faculty to enjoy and learn from these events.

For several years, Mrs. Hoffer served as the Advisor of the Spanish and International Clubs. She also served in different college committees and was the Chair of the International Studies committee. Before her retirement in 2018, she initiated a brand-new Sigma Delta Pi, La Sociedad Nacional Honoraria Hispánica Chapter.



Mrs. Hoffer was also encouraging to students and even met with struggling students to help them improve and succeed in her classes. She also worked with many lab and software programs to enhance the learning and experience for her students. She helped with assessment reports and articulation agreements, as well high school equivalency tests. She was always willing to give input when asked, and she was faithful to support her colleagues in their work as well.

CLEVELAND STATE COMMUNITY COLLEGE:

DocuSigned by:
William Seymour
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William A. Seymour, President

DocuSigned by:
Kellie Frank
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Kellie Frank, Director of Human Resources

TENNESSEE BOARD OF REGENTS:

DocuSigned by:
Robert Denn
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Robert M. Denn, Associate Vice Chancellor for Academic Affairs

DocuSigned by:
Russ Deaton
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Russ Deaton, Executive Vice Chancellor for Policy & Strategy

DocuSigned by:
Dr. Flora Tydings
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Flora Tydings, Chancellor



TO: Chancellor Flora Tydings
FROM: Dr. Jerry L. Faulkner, President
SUBJECT: Recommendation of Emeritus Faculty Status
DATE: March 08, 2021

The purpose of this memorandum is to recommend Volunteer State Community College faculty members for emeritus status as provided in TBR Policy 5.02.01.10 Faculty Emeritus. These faculty members meet the criteria as outlined in TBR policy, have been recommended by their division dean, and, as outlined in VSCC Faculty Emeritus Procedures, have been recommended/approved by the College Promotion and Tenure Committee.

Listed below are the four faculty members being recommended for emeritus faculty status along with a justification for awarding such status.

Ondis Bible, Associate Professor of Mathematics, has served Volunteer State Community College (VSCC) for 43 years (1977-2020). During that time, he was instrumental in developing and teaching a mathematics practicum course from which three former students have joined the faculty at VSCC. Other important contributions included serving as chair of developmental mathematics for 10 years and 12 years of service on the Executive Board of the Tennessee Mathematics Teachers Association (TMTA). For his years of service to the College, his commitment to student success, and his contribution to the field of education, Ondis Bible is deserving of the honor of Emeritus faculty status.

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Jeff Kent, Professor of Biology, has served Volunteer State Community College for 26 years and has been instrumental in course development and student engagement. His many accomplishments and contributions include Faculty of the Year, speaker of the Faculty Council, Greenhouse Manager, founder of the VSCC Community Garden, and the development of the TN eCampus online degree program. Dr. Kent's work with the Community Garden has been featured in a

Main Campus
1480 Nashville Pike
Gallatin, TN 37066-3188
615-452-8600
1-888-335-VSCC (8722)

Vol State at Livingston
113 Windle Community Rd
Livingston, TN 38570

Vol State at Highland Crest
150 Laureate Avenue
Springfield, TN 37172
615-433-7030
1-855-724-8722

Vol State at McGavock
3150 McGavock Pike
Nashville, TN 372014-1634
615-885-8910

Volunteer State Community College, a Tennessee Board of Regents Institution is an AA/EEO employer and does not discriminate on the basis of race, color, national origin, sex, disability, age, religion, sexual orientation, or veteran status in its program and activities. The following person has been designated to handle inquiries regarding the nondiscrimination policies: Director of Human Resources, Affirmative Action Officer, Title IX Coordinator, 1480 Nashville Pike, Gallatin, TN 37066, 615.230.3592.



segment on PBS's Volunteer Garden. In addition, his work with the community garden has been impactful to the Feed and the sale of produce and plants has generated more than \$30,000 for student scholarships. For his dedication to student success and his contributions to the College and the community, Jeff Kent is very deserving of the honor of Emeritus faculty status.

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Your recommendation to the Board to award emeritus status to these outstanding faculty members is most appreciated.

JLF/sk

Main Campus
1480 Nashville Pike
Gallatin, TN 37066-3188
615-452-8600
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Vol State at McGavock
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Nashville, TN 372014-1634
615-885-8910

Volunteer State Community College, a Tennessee Board of Regents Institution is an AA/EEO employer and does not discriminate on the basis of race, color, national origin, sex, disability, age, religion, sexual orientation, or veteran status in its program and activities. The following person has been designated to handle inquiries regarding the nondiscrimination policies: Director of Human Resources, Affirmative Action Officer, Title IX Coordinator, 1480 Nashville Pike, Gallatin, TN 37066, 615.230.3592.

Dr. Jerry L. Faulkner
President

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Dr. Jerry Faulkner
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Lori Cutrell
Senior Director of Human Resources
Affirmation Action Officer

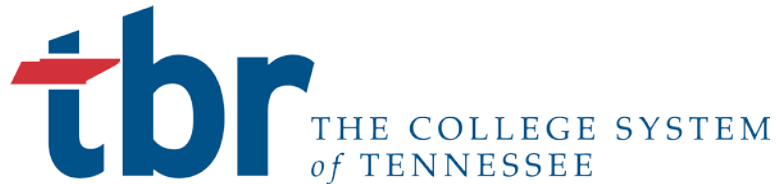
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Lori Cutrell
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Vice Chancellor
Russ Deaton

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Russ Deaton
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Chancellor
Dr. Flora Tydings

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Dr. Flora Tydings
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BOARD TRANSMITTAL

MEETING: Personnel and Compensation Committee

SUBJECT: Chancellor Evaluation

DATE: June 17, 2021

PRESENTER: Yolanda Greene, Chair of Personnel & Compensation Committee

PRESENTATION REQUIREMENT: 10 minutes with discussion

ACTION REQUIRED: Roll Call Vote

STAFF'S RECOMMENDATION: Approval

Pursuant to Board policy, a performance review of the Chancellor is required every two years. The evaluation is to be conducted by a committee of at least four members appointed by the Vice-Chair. Vice Chair Reynolds requested the Personnel and Compensation Committee review the feedback and make a recommendation to the Board.

The purpose of this agenda item will be consideration by the Committee of the Chancellor's performance review.



Tennessee Board of Regents
Committee on Academic Policies and Programs and Student Life
June 17, 2021

AGENDA

1. CONSENT AGENDA

a. PROPOSED REVISIONS TO TBR POLICY: 2.03.01.01 UNDERGRADUATE ACADEMIC RETENTION GPA STANDARDS

(Associate Vice Chancellor Heidi Leming)

The Board will hear a report concerning revisions to TBR Policy 2.03.01.01 This policy establishes minimum criteria for undergraduate academic retention standards at the community colleges under the governance of the Tennessee Board of Regents. Revisions to the policy have been unanimously supported by the Academic Affairs and Student Affairs Subcouncils at their spring quarterly meeting and the President’s Council at their May meeting. Proposed changes in the policy are to alignment policy with institutional student academic progress (SAP) processes that all 13 community colleges uniformly follow.

The policy has previously been approved by the Academic and Student Affairs Subcouncil on February 3-4, 2021. It was approved by the Presidents at the quarterly meeting on May 5, 2021.

b. PROPOSED REVISIONS TO TBR POLICY: 6.03.00.00 SEXUAL MISCONDUCT

(General Counsel Brian Lapps)

The attached draft policy includes minor revisions to conform to draft Rule 0240-02-10. Title IX Compliance (the “Rule”). The substantive revisions to policy clarify (1) the meaning of “preponderance of the evidence” and other matters regarding burden of proof and (2) the process for determining when allegations will be investigated consistent with the Sexual Misconduct Policy and when they will be investigated and/or resolved pursuant to another policy.

Because of the length of this policy and the minor nature of the changes, only a “tracked changes” version is provided.

Because the Board will consider all comments received from the public at the June 15, 2021, Rulemaking Hearing and may make changes to the draft Rule based on those

comments, the final version of this policy may need to be revised to be consistent with the Rule.

Unless decided otherwise by the Board, a vote to approve this policy:

- (1) Is contingent upon the Board approving the Rule;
- (2) Delegates to General Counsel the authority to make changes to this policy to conform to the final version of Rule as approved by the Board; and
- (3) Includes an effective date for Community Colleges of August 16, 2021 and for TCATs of August 26, 2021.

c. PROPOSED REVISIONS TO TBR POLICY: 1.06.00.05 PROCEDURES FOR CASES SUBJECT TO THE UNIFORM ADMINISTRATIVE PROCEDURES ACT
(General Counsel Brian Lapps)

As previously explained, TBR needs to implement Rule 0240-01-05, Contested Case Procedures (the “Rule”) for legal compliance reasons and to better defend the results of contested case hearings. Upon implementation of the Rule, TBR will use the formal processes of the Administrative Procedures Division (APD) in the Secretary of State’s Office. The actual process of the hearing will remain similar to the current, but rarely used, processes under existing TBR policy. The major change is that TBR will use administrative judges from APD to preside over contested cases in most circumstances.

The attached draft policy is an almost complete replacement of the current policy, and thus only a clean copy is attached.

Because the Board will consider all comments received from the public at the June 15, 2021, Rulemaking Hearing and may make changes to the draft Rule based on those comments, the final version of this policy may need to be revised to be consistent with the Rule.

Unless decided otherwise by the Board, a vote to approve this policy:

- (1) Is contingent on the Board approving the Rule;
- (2) Delegates to General Counsel the authority to make changes to this policy to conform to the final version of Rule as approved by the Board; and
- (3) Includes an effective date of this policy that is simultaneous with the effective date of the Rule.

d. PROPOSED REVISIONS TO TBR POLICY: 3.02.00.01 STUDENT CONDUCT AND DISCIPLINARY PROCEDURES
(General Counsel Brian Lapps)

The attached draft policy includes major revisions to conform to and implement draft Rule 0240-02-03, Student Conduct and Disciplinary Sanctions (the “Rule”). The revised policy introduces more detail and specificity, both substantively and procedurally, into the current processes. The revised policy also removes the ability for institutions to make substantive alterations or additions to the policy. Both a clean copy and a version tracking changes to the policy are attached.

Because the Board will consider all comments received from the public at the June 15, 2021, Rulemaking Hearing and may make changes to the draft Rule based on those

comments, the final version of this policy may need to be revised to be consistent with the Rule.

Unless decided otherwise by the Board, a vote to approve this policy:

- (1) Is contingent upon the Board approving the Rule;
- (2) Delegates to General Counsel the authority to make changes to this policy to conform to the final version of Rule as approved by the Board; and
- (3) Includes an effective date for Community Colleges of August 16, 2021 and for TCATs of August 26, 2021.

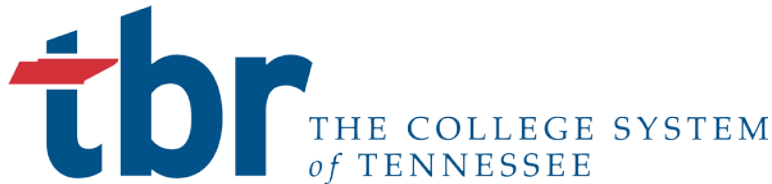
2. PROPOSED TCAT NEW PROGRAM IMPLEMENTATIONS, MODIFICATIONS, AND TERMINATIONS FOR TCATS (*Assistant Vice Chancellor Tachaka Hollins*)

Twenty-seven (27) program proposals are being presented for the Committee's review and approval. These proposals will allow the Technical Colleges to be more responsive to the needs of students, businesses, and industries.

seven (7) academic actions were submitted by a TCAT institution to the Vice Chancellor for approval based on section C of the TBR Policy: 2:01:02:00, requiring only notification to the Vice Chancellor. Appropriate documentation to support the need was provided.

3. ACCREDITATION SUMMARY REPORT AND OVERVIEW 2019-2020 (*Executive Vice Chancellor Russ Deaton*)

The Annual Accreditation Report and Overview summarizes all activity for the academic year 2019-2020 on regional and program accreditation. The report also provides information on all non-accreditable programs that go through either the Program Review or the Academic Audit process. A summary of all activity is provided along with a more detailed accounting of all accreditation and quality assurance activity.



BOARD TRANSMITTAL

MEETING: Committee on Academic Policies and Programs
and Student Life

SUBJECT: Revisions to TBR Policy 2.03.01:01
Undergraduate Retention and GPA Standards

DATE: June 17, 2021

PRESENTER: Vice Chancellor Heidi Leming

PRESENTATION REQUIREMENT: 5 minutes

ACTION REQUIRED: ROLL CALL VOTE

STAFF'S
RECOMMENDATION: Approve

The Board will hear a report concerning revisions to TBR Policy 2.03.01.01 This policy establishes minimum criteria for undergraduate academic retention standards at the community colleges under the governance of the Tennessee Board of Regents. Revisions to the policy have been unanimously supported by the Academic Affairs and Student Affairs Subcouncils at their spring quarterly meeting and the President's Council at their May meeting. Proposed changes in the policy are to alignment policy with institutional student academic progress (SAP) processes that all 13 community colleges uniformly follow.

The policy has previously been approved by the Academic and Student Affairs Subcouncil on February 3-4, 2021. It was approved by the Presidents at the quarterly meeting on May 5, 2021.

Attachment

Undergraduate Academic Retention & GPA Standards: 2.03.01.01

Policy/Guideline Area

Academic Policies

Applicable Divisions

Community Colleges

Purpose

The Tennessee Board of Regents will establish minimum criteria for undergraduate academic retention standards at the institutions under the governance of the Tennessee Board of Regents.

Policy/Guideline

This policy establishes minimum criteria for undergraduate academic retention standards at the community colleges under the governance of the Tennessee Board of Regents.

Procedures

- I. **Establishment of Criteria**
 - A. Each institution will develop specific criteria, in compliance with this policy, to be implemented and enforced as the undergraduate academic retention standards of the institution.
 - B. Initial institutional standards and all subsequent revisions will be submitted to the Chancellor for review and approval.
 - C. The approved undergraduate academic retention standards of the institution are to be clearly expressed in the catalog, uniformly applied to all students, and promptly enforced at the close of each semester.
- II. **GradePoint System**
 - A. The following grade point system is to be used in determining averages:
 1. For each credit hour of A: 4 grade points.
 2. For each credit hour of B: 3 grade points.
 3. For each credit hour of C: 2 grade points.
 4. For each credit hour of D: 1 grade point.
 5. For each credit hour of F: 0 grade points.
 - B. The grade point average is determined by dividing the total number of grade points earned by the total number of credit hours which the student attempted except for credit hours in courses from which the student withdraws in good standing (see Drop and Withdrawal Standards) or for courses in which the student receives grades such as pass/fail and which are not considered when determining the GPA.
 - C. If an institution elects to award grades which are not considered in computing the GPA, it must describe these in the catalog or bulletin and explain the application of such grades.
 - D. In addition, it must provide a statement within the catalog which limits the number of hours of such grades per semester and the maximum number of such hours a student may receive in toto.

- E. Finally, a single student transcript will include term and cumulative GPA calculations which ensure that all TBR institutions treat learning support hours alike in calculating GPA. The transcript will include the following:
1. A GPA comprised only of hours taken in courses numbered college level courses 1000 and above ("college only" GPA) and
 2. A GPA comprised of hours taken in college level courses 1000 and above and hours taken in learning support courses ("combined" GPA).
- F. The following uses are based on each calculation:
1. The "college only" GPA will be used in calculating the required GPA for graduation.
 2. The "college only" GPA will be used in determining graduation honors.
 3. The "college only" GPA will be used in determining term honors.
 4. The "combined" GPA will be used in determining suspension and probation.
 5. The "combined" GPA will be used in determining financial aid eligibility.
 6. The "combined" GPA will be used in determining athletic eligibility.
- G. For the purpose of increasing mastery in a course when such is necessary for successful performance in a subsequent course or for the purpose of increasing the grade point average (and only for these purposes) institutions may permit students to repeat courses in which their final grades are C or lower.
- H. Thus, in computing the grade point average, the question of how to count repeat courses must be specifically addressed in the catalog or bulletin of each institution, and courses may not be repeated more than twice (three attempts) unless the grades in the third and subsequent attempts are used in calculating the quality point average.
- I. Students may be permitted to repeat a course in which a grade of B or higher was earned only with the approval of the chief academic officer as an exception to this policy.

III. Retention Standards

A. GPA Community Colleges

1. The minimum quality point average required to achieve the associate degree is 2.0.
2. In addition, a student who fails during any term to attain a cumulative GPA of at least 2.0 for the credit hours attempted will be placed on academic probation for the subsequent term.
3. At the end of the next term of enrollment, a student on academic probation who has failed to attain a 2.0 GPA for that term will be suspended for a minimum of one term. The summer term may not be counted as the term of suspension, unless institutional policies provide for multiple term suspension.
4. Each institution may develop specific readmission policies to enable the suspended student to appeal for readmission.
5. The policies shall be based on factors of extenuating circumstances and hardship.

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Deleted: <#>Required Semester System
Cumulative Hours Attempted GPA - ... [1]

Deleted: <#>either the above cumulative standard or

IV. Minimum Criteria for Institutional Academic Fresh Start Policies

- A. "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.
- B. 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 GPA/GPA to be used for determining academic standing.
- C. 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 the Fresh Start.
- D. 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.
- E. 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.
- F. Applicants who do not meet the institution's standards may be admitted on scholastic probation or other appropriate condition. (2.03.00.00 Section II.B.3.)
- G. Each institution may establish an Academic Fresh Start provision which must meet the following minimum criteria:
 - 1. Student Requirements
 - a. Separation from all collegiate institutions for at least four (4) years.
 - b. Anytime after the readmission or admission as a degree-seeking student, file a formal application to the office as defined by the institution's catalog requesting the Academic Fresh Start and describing an academic plan.
 - 2. Terms of the Academic Fresh Start
 - a. 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.
 - b. 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 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. GPA and credit hours will reflect courses for which passing grades were earned and retained.
 - 1) Retained grades will be calculated in the Fresh Start GPA.
 - 2) 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.
 - 3) 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.

Deleted: GPA,

- 4) Previously satisfied and approved standardized test requirements will not be forfeited.
- c. Upon degree admission, Fresh Start applicants who did not satisfy approved standardized test requirements at the time of previous enrollment and whose academic plan includes completion of a college-level English or mathematics course must meet current approved standardized test requirements regarding enrollment in college English and mathematics courses.
- d. The student's transcript will note that the Fresh Start was made and the date of the Fresh Start.
- e. 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 GPA as it is calculated with the Fresh Start.
- f. 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.

V. Drop and Withdrawal Standards

- A. After the official registration period is over, students may make adjustments in their schedule through the process of adding and/or dropping courses.
- B. The last date for students to add or drop a course without a penalty is to be clearly indicated and expressed in the catalog or bulletin of each institution.
- C. After the last day to add or drop a class without a penalty, and not later than two-thirds into the part-of-term, a student may officially drop a course(s) or withdraw from the institution and receive a "W" or other appropriate symbol/grade.
 - 1. When calculating two-thirds, calendar days shall be used, not just class or working days.
- D. In general, such symbol/grade counts as no hours attempted.
 - 1. Community Colleges
 - a. A student who is withdrawn after two-thirds of the part-of-term is complete will receive a "W" or other appropriate symbol in the course or courses passing.
 - b. However, the student will receive a failing grade (usually denoted by an "F") in the course or courses failing unless it can be clearly demonstrated that an unusual condition or hardship exists.
 - c. Each institution must develop institutional guidelines outlining specific types of conditions or hardships which will be considered as acceptable.
- E. Students who desire to drop a course(s) or withdraw from the institution before the established deadline must do so according to the published procedure defined by the institution.
- F. A student who does not officially drop or withdraw from a course, but receives a failing grade, will receive an "F" if their last day of attendance was not earlier than two-thirds into the part-of-term.
- G. A student who does not officially drop or withdraw from a course, but receives a failing grade, will receive an "FA" if their last day of attendance was earlier than

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two-thirds into the part-of-term. The student will be considered as an unofficial withdrawal from the course.

Sources

Authority

T.C.A. § 49-8-203

History

TBR Meetings, June 24, 1977; March 20, 1981; September 30, 1983; June 24, 1988; September 20, 1991; March 15, 2002; Board Meeting June 20, 2014; Revised at Board Meeting, March 31, 2017; Revised at Board Meeting, September 28, 2018.

Required Semester System	Cumulative Hours Attempted	GPA
0-14	No minimum	
14.1 - 26.0		1.0
26.1 - 40.0		1.4
40.1 - 48.0		1.7
48.1 - 56.0		1.9
56.1 - and above		2.0

BOARD TRANSMITTAL

MEETING: Committee on Academic Policies and Programs
and Student Life

SUBJECT: Revisions to TBR Policy 6.03.00.00, Sexual
Misconduct

DATE: June 17, 2021

PRESENTER: General Counsel Brian Lapps

PRESENTATION REQUIREMENTS: Consent Agenda

ACTION REQUIRED: Roll Call Vote

STAFF'S
RECOMMENDATION: Approval

BACKGROUND INFORMATION:

The attached draft policy includes minor revisions to conform to draft Rule 0240-02-10. Title IX Compliance (the "Rule"). The substantive revisions to policy clarify (1) the meaning of "preponderance of the evidence" and other matters regarding burden of proof and (2) the process for determining when allegations will be investigated consistent with the Sexual Misconduct Policy and when they will be investigated and/or resolved pursuant to another policy.

Because of the length of this policy and the minor nature of the changes, only a "tracked changes" version is provided.

Because the Board will consider all comments received from the public at the June 15, 2021, Rulemaking Hearing and may make changes to the draft Rule based on those comments, the final version of this policy may need to be revised to be consistent with the Rule.

Unless decided otherwise by the Board, a vote to approve this policy:

- (1) Is contingent upon the Board approving the Rule;
- (2) Delegates to General Counsel the authority to make changes to this policy to conform to the final version of Rule as approved by the Board; and

(3) Includes an effective date for Community Colleges of August 16, 2021 and for TCATs of August 26, 2021.

Attachment

Sexual Misconduct : 6.03.00.00

Policy/Guideline Area

Sexual Discrimination/Harassment/Misconduct

Applicable Divisions

TCATs, Community Colleges, System Office

Purpose

It is the intent of the Tennessee Board of Regents that the institutions under its jurisdiction shall fully comply with Title IX of the Education Amendments of 1972, §485(f) of the HEA, as amended by § 304 of the Violence Against Women Reauthorization Act of 2013, the regulations implementing these Acts found at 34 CFR §668.41, §668.46, and Appendix A to Subpart D of Part 668. This policy addresses the offenses defined herein as "Sexual Misconduct." Sexual Misconduct is a subset of a broader category of sexual harassment. Allegations of sexual harassment that do not meet the definition of Sexual Misconduct will be handled in accordance with TBR Guideline P-080 and applicable institutional policy. The Tennessee Board of Regents intends for each institution to provide a single, easily accessible and user-friendly document to advise students, employees, and others affected by Sexual Misconduct of each institution's rules and procedures. Institutions under the Tennessee Board of Regents system shall ensure that the sexual misconduct policy is in a format or formats that make it readily available. The following policy and procedures are adopted by the Board to assist the institutions in such compliance.

Definitions

For the purpose of this policy, the following definitions shall apply:

- Complainant – a person who is alleged to be the victim of conduct that could constitute Sexual Misconduct. A Complainant may also be referred to as a Party.
- Consent - an active agreement to participate in a sexual act. An active agreement is words and/or actions that indicate a willingness to participate in a sexual act. Consent cannot be given by an individual who is asleep; unconscious; or mentally or physically incapacitated,

either through the effect of drugs or alcohol or for any other reason; or, is under duress, threat, coercion, or force. Past consent does not imply future consent. Silence or an absence of resistance does not imply consent. Consent can be withdrawn at any time.

- Dating violence - violence against a person when the accuser and accused are dating, or who have dated, or who have or had a sexual relationship. "Dating" and "dated" do not include fraternization between two individuals solely in a business or non-romantic social context.

Violence includes, but is not necessarily limited to,

- inflicting, or attempting to inflict, physical injury on the accuser by other than accidental means;
 - placing the accuser in fear of physical harm;
 - physical restraint;
 - malicious damage to the personal property of the accuser, including inflicting, or attempting to inflict, physical injury on any animal owned, possessed, leased, kept, or held by the accuser; or,
 - placing a victim in fear of physical harm to any animal owned, possessed, leased, kept, or held by the accuser.
- Domestic violence – includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime occurs, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime occurs. In cases involving allegations of mutual acts or threats of acts of violence, the investigator will, when appropriate, identify the primary aggressor in the situation based on the totality of the information gathered, including without limitation: the history of violence between the Parties; the relative severity of the injuries inflicted on each person; information gathered from the persons involved in the situation and witnesses to the situation; and whether the acts or

threats were done in self-defense. The primary aggressor will be considered the Respondent for purposes of evaluating Domestic Violence.

- Education program or activity - education programs and activities include locations, events, or circumstances over which the TBR or a TBR institution exercises substantial control over both the Respondent and the context in which the alleged Sexual Misconduct occurred. Relevant factors include whether the alleged conduct took place (i) on or off premises owned or controlled by TBR or a TBR institution, (ii) during school or work hours, (iii) as part of an institution-sponsored social activity, and (iv) as part of an activity that advances an educational purpose. Education programs or activities also include any building owned or controlled by a student organization that is officially recognized by a TBR institution. Whether Respondent is a TBR or TBR an-institutional employee, and if so, the nature of the Respondent's employment may be relevant. No single factor is determinative, including whether or not the alleged harassment took place on premises owned or controlled by a TBR institution. The Title IX Coordinator, after consulting with the Office of General Counsel, will make a fact-specific decision Determination whether, if proven, the allegations arise out of an education program or activity. Where some alleged Sexual Misconduct took place within a TBR or TBR institution education program or activity and some took place outside of it, the Title IX Coordinator will determine whether to investigate ~~and adjudicate~~ all of the allegations in accordance with this policy. The decision-maker will also make a Determination whether the TBR institution has established by a preponderance of the evidence that Sexual Misconduct took place in an institutional education program or activity.
- Force/Forced - words and/or conduct that, viewed from the perspective of a reasonable person, substantially impair(s) a person's ability to voluntarily choose whether to take an action or participate in an activity. Examples of Force include, without limitation:
 - Physical force (e.g., hitting, punching, slapping, kicking, restraining, choking, kidnapping, using a weapon, blocking access to an exit);
 - Words and/or conduct that would cause a reasonable person to fear:

- Physical force or other harm to the person's health, safety, or property, or a third person's health, safety, or property;
 - Loss or impairment of an academic benefit, employment benefit, or money;
 - Disclosure of sensitive personal information or information that would harm a person's reputation;
 - Disclosure of video, audio, or an image that depicts the person's nudity or depicts the person engaging in a sexual act(s); or
 - Other immediate or future physical, emotional, reputational, financial, or other harm to the person or a third person.
- Formal Complaint - a document filed by a Complainant or signed by the Title IX Coordinator alleging Sexual Misconduct against a Respondent and requesting that the institution investigate the allegation. At the time of filing a Formal Complaint, a Complainant either must be participating in or attempting to participate in the institution's education program or activity implicated by the Formal Complaint.
- "Incapacitation" means that a person lacks the ability to actively agree to a sexual act because the person is asleep, unconscious, under the influence of an anesthetizing or intoxicating substance such that the person does not have control over their body, is otherwise unaware that a sexual act is occurring, or their mental, physical, or developmental abilities renders them incapable of making a rational informed judgment. Incapacitation is not the same as legal intoxication. See Clarifications for more information.
- Respondent – a person who has been alleged to be a perpetrator of conduct that could constitute Sexual Misconduct. A Respondent may also be referred to as a Party.
- "Retaliation" means to intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing. Intimidation, threats, coercion, or discrimination, including charges against an individual for ~~code of~~ conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the

same facts or circumstances as a report or complaint of sex discrimination, or a report or Formal Complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by this policy constitutes retaliation. Retaliation is a violation of this policy regardless of whether the underlying allegation of a violation of this policy is ultimately found to have merit.

- The exercise of rights protected under the First Amendment and other provisions of the United States Constitution does not constitute retaliation.
- Charging an individual with a policy or ~~code of~~ conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this policy does not constitute retaliation.
- “Sexual Assault” is an umbrella term that includes rape, fondling, incest, and statutory rape.
 - “Rape” means the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
 - “Fondling” means the touching of the private body ~~p~~Partsy of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental incapacity.
 - “Incest” means sexual intercourse between persons who are related to each other within degrees where marriage is prohibited by law.
 - “Statutory rape” means sexual intercourse with a person who is under the statutory age of consent.
- Title IX Sexual Harassment – conduct on the basis of sex that satisfies either of the following:
 - an employee of an institution conditioning provision of an aid, benefit, or service of an institution on an individual’s participation in unwelcome sexual conduct (quid pro quo);
 - ~~(2)~~ unwelcome conduct of a sexual nature determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to the institution’s education program or activity. “Reasonable person” means a

reasonable person under similar circumstances as and with similar identities to the Complainant. TBR institutions will consider the totality of the circumstances, including without limitation, the context in which the conduct and/or words occurred, and the frequency, nature, and severity of the words and/or conduct. In no event shall Title IX sexual harassment be construed to prohibit speech protected by the First Amendment to the United States Constitution (e.g., merely offensive or insulting speech). (With respect to conduct by employees, TBR institutions also prohibit sexual harassment in accordance with TBR Guideline P-080 and institutional policy.) See Clarifications for more information.

- Stalking – engaging in a course of conduct directed at a specific person that would cause a reasonable person to either (a) fear for his or her safety or the safety of others or (b) suffer substantial emotional distress. “Course of conduct” means two or more acts, including, but not limited to, acts in which a person directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates with or about another person, or interferes with another person’s property. “Substantial emotional distress” means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. For the definition of Stalking, “reasonable person” means a reasonable person under similar circumstances and with similar identities to the Complainant.

Policy/Guideline

I. Prohibition of Sexual Misconduct and General Information

A. Sexual Misconduct is a form of sex discrimination prohibited by Title IX. TBR is committed to helping its institutions rid their campuses of any and all acts of Sexual Misconduct. As set forth in this policy, Sexual Misconduct includes Title IX Sexual Harassment, Dating Violence, Domestic Violence, Stalking, and Sexual Assault. TBR and its institutions strictly prohibit these offenses. Each institution shall adopt its own policy that is consistent with this policy. [For purposes of institutional policies, a reference](#)

to the institution includes the TBR System Office for any complaints, investigations, adjudications, and other proceedings that involve the TBR System Office.

1. Because Sexual Misconduct is a subset of the broader category of sexual harassment, not all sexual harassment allegations will be handled according to this policy. Allegations of sexual harassment that do not fall within the more limited definition of Sexual Misconduct or otherwise do not meet the criteria for filing a Formal Complaint will be handled in accordance with TBR Guideline P- 080 and institutional policy.
2. With respect to allegations of Sexual Misconduct against faculty and staff in which a student is not the Complainant, additional laws and policies apply, most notably Title VII and anti-discrimination policies. In such situations and absent unusual circumstances, the Complainant may file a Formal Complaint pursuant to this policy or proceed pursuant to TBR Guideline P-080 and the appropriate institutional policy.
3. With respect to allegations of Sexual Misconduct in which a student is either a Complainant or Respondent and meets the criteria for filing a Formal Complaint, absent unusual circumstances, pursuing a Formal Complaint pursuant to this policy will be the appropriate method of addressing the allegations.
4. Upon receiving and assessing a report of Sexual Misconduct and/or sexual harassment, the Title IX Coordinator will decide whether the criteria for proceeding under this policy are met and whether another policy may apply. If there is a possibility of proceeding pursuant to TBR Guideline P-080 and another institutional policy, the Title IX Coordinator will explain the options.
5. In addition to conduct by students, faculty, and staff, ~~t~~his policy applies to conduct by third parties. An example of a third party is a vendor with whom the institution contracts to provide services.
6. This policy applies to all students and employees, regardless of sexual orientation or gender identity.

B. Title IX Coordinators

1. Each institution shall clearly identify its Title IX Coordinator's name and contact information (mailing address, phone number, email address, etc.) in its institutional policy and on its website. [A Deputy Title IX Coordinator has the same authority under this policy as the Title IX Coordinator.](#)
2. To view a list of Title IX Coordinators by Institution, follow this link:<https://www.tbr.edu/oesi/office-organizational-effectiveness>

C. Lack of Bias and Equitable Treatment

1. Neither the Title IX Coordinator, any investigator, any decision-maker, any person designated to facilitate an informal resolution process, nor anyone deciding an appeal will have a conflict of interest or bias for or against complainants or respondents generally, or against an individual Complainant or Respondent.
2. The Title IX Coordinator is responsible for appointing investigators, decision-makers, and appellate reviewers, and may appoint someone from another institution or someone not employed by a TBR institution in order to avoid potential bias or for other reasons. In the event of potential bias of the Title IX Coordinator, or if the Title IX Coordinator believes that another person should serve in that role for other reasons, the Title IX Coordinator should report the matter to TBR Central Office.
3. Institutions will provide a prompt, fair, and impartial investigation, adjudication, and, if applicable, disciplinary process. Institutions will treat Complainants and Respondents equitably, which includes an objective evaluation of all relevant evidence, including both evidence that tends to prove or disprove the allegations.
4. Credibility determinations will not be based on a person's status as a Complainant, Respondent, or witness.
5. The investigation will proceed with a presumption that the Respondent is not responsible for the alleged conduct unless and until a Determination of

responsibility for a violation of this policy is made at the conclusion of the decision-making process. The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests with the institution. The parties do not carry the burden of proof. It is the institution's responsibility to establish Sexual Misconduct by a preponderance of the evidence.

6. The institution shall provide simultaneous written notification to the Parties of (1) any initial, interim, or final decision by an official authorized to resolve disciplinary matters, (2) any available appeal procedures for that decision, (3) any change to that decision, and (4) when that decision becomes final. The Parties will receive timely and equal access to information.

II. How to Report Sexual Misconduct

A. TBR institutions take seriously all complaints of sexual discrimination, sexual harassment, and Sexual Misconduct. This section explains the various reporting, complaint, and confidential disclosure options available to enable individuals to make informed choices about where to turn should they experience sexual discrimination, sexual harassment, or Sexual Misconduct.

1. TBR institutional policy shall explain how to report Sexual Misconduct to the Title IX Coordinator. Such a report can be made at any time, including during non-business hours, by using the telephone number or electronic mail address, or office mail address listed for the Title IX Coordinator.

2. TBR recommends that reports and complaints of all Sexual Misconduct be made to the Title IX Coordinator so that the institution can respond appropriately. Although reports and complaints of Sexual Misconduct may be made at any time, reports should be made as soon as possible so that the institution is best able to address the allegation.

3. TBR encourages anyone who witnesses, experiences, or has information about possible Sexual Misconduct to take reasonable actions to prevent or stop such actions. This may include speaking up while the behavior is taking place or

immediately afterwards, reporting the behavior (in accordance with the reporting options outlined in this policy), directly intervening when it is safe and reasonable to do so, contacting law enforcement, or other means. A person who has been subjected to any type of Sexual Misconduct need not confront the other Party. The appropriate process to address the conduct is through this or other applicable policy.

B. Supportive and Interim Measures

1. After receiving a report of potential Sexual Misconduct, whether or not the report is a Formal Complaint, the Title IX Coordinator will contact the Complainant to discuss the availability of Interim/Supportive Measures, inform the Complainant of their availability, and consider the Complainant's wishes with respect to potential Interim/Supportive Measures. The Title IX Coordinator will also explain the process for filing a Formal Complaint.
2. The Title IX Coordinator, in conjunction with the appropriate department, may implement interim, supportive, or protective measures while assessing, investigating, and resolving the report. These Interim/Supportive Measures are non-disciplinary, non-punitive, individualized services and are offered without fee or charge to the Complainant or Respondent before or after the filing of a Formal Complaint or where no Formal Complaint has been filed.
3. They are designed to restore or preserve equal access to the institution's programs or activities without unreasonably burdening the other Party and may include measures designed to protect the safety of all Parties or the institution's educational environment or deter Sexual Misconduct.
4. These measures may include, but are not limited to: mutual no-contact directives; access to counseling services and assistance in setting up an initial appointment; changing schedules, assignments, or job/study locations to lessen or minimize contact; extensions of deadlines and course-related adjustments; limiting or barring an individual's or organization's access to certain institutional facilities or

activities; providing an escort to ensure safe movement on campus; providing academic support services, such as tutoring; arranging for a Party to re-take a course or withdraw from a class without penalty; administrative leave; leave of absence; institution-imposed leave or physical separation from individuals or locations.

5. The institution will attempt to maintain the confidentiality of such Interim/Supportive Measures, to the extent that it can do so without impairing its ability to effectuate the Interim/Supportive Measures or to investigate and adjudicate the complaint.

C. Formal Complaint

1. Any person alleging to be ~~who has been~~ a victim of Sexual Misconduct that took place within an education program or activity of a TBR institution in the United States may file a Formal Complaint under this policy.

2. A Complainant who wants a TBR institution to conduct an investigation and take action in accordance with this policy must file a Formal Complaint alleging Sexual Misconduct.

3. A Complainant must submit a written Formal Complaint in person, by mail, or via electronic mail to the Title IX Coordinator. The document must contain the Complainant's physical signature or a "digital signature." (A digital signature is information transmitted electronically that enables the Title IX Coordinator to determine that the Complainant is the person submitting the complaint, including, but not limited to, an email from a TBR institutional account or a typed version of the Complainant's name. A digital signature need not reproduce a written signature.) A Formal Complaint cannot be submitted anonymously. Only the Title IX Coordinator can submit a Formal Complaint on behalf of another person.

4. Although TBR institutions will attempt to consider the wishes of Complainants, including that no investigation be conducted, TBR institutions will also consider their obligations under both TBR policy and applicable law, including

Title VII of the Civil Rights Act of 1964. Thus, when the Title IX Coordinator receives a report of Sexual Misconduct, and especially when the complaint involves an employee, the Title IX Coordinator may decide to investigate the matter pursuant to Guideline P-080 and institutional policy, even if the Complainant does not want the report investigated. If the Title IX Coordinator decides to file a Formal Complaint, the Title IX Coordinator is not a “Party” to any investigation, Determination or hearing process.

5. Complainants should provide as much of the following information as possible: what happened, where, and when; names of all people involved, including witnesses (if any); supporting documentation (if any); and contact information. TBR encourages reporting of Sexual Misconduct even if some or all information is unavailable or cannot be provided. The Title IX Coordinator will explain their role, the options for reporting an incident, potential available Interim/Supportive Measures, and the available resources for assistance.

D. Confidential Resources (who will not share information with Title IX Coordinator)

1. TBR encourages victims of Sexual Misconduct to talk to someone about what happened, whether they want their report to be investigated or not. Institutions should offer Complainants someone to talk to confidentially, so that they can get the support they need. Institutional policy shall explain that some resources are confidential and should be considered if the Complainant does not want the institution to investigate the matter.

2. If the institution employs or contracts with such individuals, confidential resources include licensed professional counselors/mental health providers when acting in that role; pastoral counselors acting in that capacity; and medical professionals when acting in a clinical role. These resources do not report any information about an incident to the Title IX Coordinator without a Complainant's permission. Institutional policies shall identify and provide contact information for any confidential reporting options within the institution.

3. Counselors and health care providers not affiliated with the institution will generally maintain confidentiality and not share information with the institution unless the Complainant requests the disclosure and signs a consent or waiver form. However, these resources may have reporting obligations under state or federal law. For example, healthcare providers and certain other individuals are required to notify law enforcement when a person seeks treatment for injuries related to a violent crime, including injuries resulting from Sexual Misconduct or abuse of a minor.

E. Reporting by Employees

1. Institutional policy shall provide that:
 - a All employees who learn of Sexual Misconduct (or any form of sexual harassment or sex discrimination, or retaliation) are encouraged to report such matters to the Title IX Coordinator.
 - b Supervisors and managers who learn of Sexual Misconduct (or any form of sexual harassment or sex discrimination, or retaliation) must immediately report such concerns to the Title IX Coordinator.

F. Anonymous and Third-Party/Bystander Reporting

1. Institutional policy shall encourage third parties to report incidents of Sexual Misconduct to the Title IX Coordinator. The institution may not be able to move forward with third-party reports if the Complainant does not wish to file a Formal Complaint or cooperate with an investigation.
2. After providing a report, third parties are not entitled to information about the institution's investigation and response due to privacy concerns and applicable federal and state laws.

G. Abuse of Minors

1. Institutional policy shall include a statement that Tennessee law mandates reporting by any person who has knowledge of physical or mental harm to a child if:
 - (1) the nature of the harm reasonably indicates it was caused by brutality, abuse, or

neglect; or (2) on the basis of available information, the harm reasonably appears to have been caused by brutality, abuse, or neglect. Tennessee law also mandates reporting by any person who knows or has reasonable cause to suspect that a child has been sexually abused, regardless of whether the child has sustained any apparent injury as a result of the abuse.

2. In the event of a life-threatening emergency, a report of child abuse or child sexual abuse should be made by calling 911. In other cases, a report of child abuse or child sexual abuse must be made immediately to one of the following authorities:

- a The Tennessee Department of Children's Services (the Central Intake Child Abuse Hotline is 1-877-237-0004);
 - b The sheriff of the county where the child resides;
 - c The chief law enforcement official of the city where the child resides;
- or
- d A judge having juvenile jurisdiction over the child.

3. In addition, institutional employees shall make a report of child abuse or child sexual abuse in connection with an institutional program or activity to the Title IX Coordinator. Note that a report to an institutional law enforcement or security agency is not sufficient to comply with state law.

H. Law Enforcement

1. The following law enforcement agencies listed in this policy are available for emergency response, facilitating medical transport, investigating incidents of a criminal nature, referrals, and preserving evidence. Law enforcement may be required to report potential violations of this policy to the Title IX Coordinator and to report incidents of sexual assault and other criminal acts of a serious nature to other law enforcement authorities.

2. TBR institutions shall list applicable local law enforcement agencies.

I. Reporting Pursuant to the Nottingham Act.

1. Unless the victim of a rape does not consent to the reporting of an offense, the chief security officer or chief law enforcement officer of each institution shall immediately notify the local law enforcement agency with territorial jurisdiction over the institution if the officer is in receipt of a report from the victim alleging that any degree of rape has occurred on the property of the institution. The chief security officer or chief law enforcement officer shall designate one (1) or more persons who shall have the authority and duty to notify the appropriate law enforcement agency in the absence of the chief security officer or chief law enforcement officer. In the case of an alleged rape, the institution's law enforcement agency shall lead the investigation. After notifying the local law enforcement agency, the institution shall cooperate in every respect with the investigation conducted by the law enforcement agency. T.C.A. § 49-7-129.

2. If the victim does not consent to the reporting, the chief security officer or chief law enforcement officer of each institution shall not report the offense to the local law enforcement agency. T.C.A. § 49-7-2207; T.C.A. § 49-7-129.

III. [Additional Information](#)

A. No Retaliation

1. Retaliation against a person who makes a report or files a complaint, participates or assists in an investigation, encourages another to file a complaint, or opposes Sexual Misconduct (or any other form of discrimination prohibited by institutional policy) is prohibited. Individuals must not interfere with an investigation. Retaliation will result in disciplinary measures, up to and including termination or expulsion.

2. In order to help prevent retaliation, institutional policy is to keep confidential the identity of anyone who has made a report or complaint of sex discrimination, including anyone who has filed a Formal Complaint of Sexual Misconduct, any Complainant, any Respondent, and any witness except as is required to carry out

an institution's responsibilities under this policy, as permitted by FERPA, or as required by law.

3. Anyone who wishes to file a complaint of retaliation should contact the Title IX Coordinator.

B. Emergency Removal/Administrative Leave

1. If it appears, based on an allegation of Sexual Misconduct, that a student may constitute an immediate and direct threat to the physical health or safety of another individual, the institution will conduct an individualized inquiry and risk analysis and may place the student on interim suspension on an emergency basis. If the institution implements an interim suspension, the student shall be given the opportunity at the time of the decision, or as soon thereafter as reasonably possible, to contest the interim suspension. Institutions shall follow the procedures set forth in TBR Policy 3.02.00.01-General Regulations on Student Conduct & Disciplinary Sanctions (and applicable institutional policies) before placing any student on interim suspension.

2. The institution may place employees on administrative leave or similar action while addressing allegations of Sexual Misconduct.

3. Visitors, vendors, and other third Parties may be removed from the premises consistent with applicable policies and procedures.

C. Court Orders

1. Individuals may seek orders of protection, restraining orders, or other similar orders from a court of law.

D. Institutions shall not create a separate procedure for investigating and resolving complaints of Sexual Misconduct involving athletes or any other subgroup of students.

E. Participation in the Formal Complaint process by a Complainant, Respondent, institution, or other person does not waive applicable privileges, including attorney-client privilege, doctor-patient privilege, the peer review/quality improvement privilege, etc. The holder of a privilege may waive it in certain circumstances.

IV. Investigation and Outcomes

A. The Office of General Counsel shall always be consulted prior to investigation.

B. Intake and Assessment of Formal Complaints

1. The Title IX Coordinator will assess the nature of reports and Formal Complaints, including whether one or more allegations meet the criteria for the filing of a Formal Complaint (e.g., whether the allegations include conduct that, if proven, took place in the United States and will constitute Sexual Misconduct in an education program or activity by a participant or someone attempting to participate in the education program or activity). ~~If a Formal Complaints that includes~~ some allegations that, if proved, constitute Sexual Misconduct and some that do not meet that definition, ~~the Title IX Coordinator will decide whether be all allegations will be investigated handled~~ pursuant to this policy ~~or whether the allegations will be investigated according to another policy or guideline~~. As appropriate, the Title IX Coordinator may initiate proceedings under another policy, refer the matter to another department, and/or inform the Complainant about the availability of other methods to address the allegations.

2. As part of the assessment, the Title IX Coordinator or designee may contact the Complainant and ask for information about the allegations. Supporting documents, such as emails, photos, text messages, and any other evidence should be preserved. If witnesses were present or have relevant knowledge, it is important to identify them, state what they may know, and inform the investigator how they can be contacted.

3. Where Formal Complaints involving more than one Complainant and/or more than one Respondent arise out of the same facts and circumstances, the Title IX Coordinator may consolidate Formal Complaints.

C. Notice of Allegations

1. Upon receipt of a Formal Complaint, the Title IX Coordinator will provide written notice to known Parties. (A Notice of Allegations will be provided even if the

Formal Complaint is dismissed at the same time or shortly after the Notice of Allegations issues (e.g., the allegations if proven do not meet the definition of Sexual Misconduct)). The Notice of Allegations will enable both Parties to appeal the dismissal or to proceed under another policy.) The Notice of Allegations shall contain:

- a an explanation of the investigation and grievance process, including a copy of or link to institutional policy, as well as any other applicable policies;
- b the availability of an informal resolution process;
- c explanation of the allegations potentially constituting Sexual Misconduct in sufficient detail and with sufficient time to prepare a response before any initial interview. A Respondent will have at least three (3) business days after issuance of a Notice of Allegations prior to an initial interview, but depending on the nature of the allegations, additional time may be offered or requested;
- d the identity of the Parties involved in the incident, if known, and the date and location of the alleged incident;
- e a statement that the Respondent is presumed not responsible for the alleged conduct unless and until a Determination of responsibility has been issued;
- f a statement that the Parties may have an advisor of their choice at meetings they are permitted to attend. The advisor may be, but is not required to be, an attorney. (Parties may hire their own attorneys. At a live hearing only, TBR institutions will provide advisors to Parties who do not have their own);
- g any statements in TBR institutional policies, procedures, or guidelines that prohibit knowingly making false statements or knowingly submitting false information during the process; and
- h a statement that retaliation against a person who makes a report or files a complaint, participates or assists in an investigation, encourages

another to file a complaint, or opposes Sexual Misconduct is prohibited and will result in disciplinary measures, up to and including termination or dismissal.

2. If, during the course of an investigation, the institution decides to investigate allegations about the Complainant or Respondent that are not included in the Notice of Allegations, the institution will provide additional written Notice of Allegations to known Parties.

D. Dismissal of Formal Complaints

1. The Title IX Coordinator shall obtain advice from the Office of General Counsel before dismissing a Formal Complaint.

2. If the Title IX Coordinator concludes that the Complainant was not participating in or attempting to participate in an institutional education program or activity at the time of the Formal Complaint or that the conduct alleged in a Formal Complaint would not constitute Sexual Misconduct even if proved, did not occur in an institution's education program or activity, or did not occur against a person while in the United States, the Title IX Coordinator shall dismiss the Formal Complaint.

3. The Title IX Coordinator has discretion to dismiss a Formal Complaint or any allegations in it, if at any time during the investigation or hearing a Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations in it; the Respondent is no longer enrolled by, employed by, or associated with a TBR institution; or specific circumstances prevent the TBR institution from gathering evidence sufficient to reach a Determination as to the Formal Complaint or allegations therein.

4. The Title IX Coordinator may decide to dismiss a Formal Complaint of Sexual Misconduct and refer the matter for disposition pursuant to a different policy, guideline, or process when an allegation of Sexual Misconduct is dismissed or when a Formal Complaint ceases to include an allegation of Sexual Misconduct.

5. Upon dismissal of a Formal Complaint for any reason, the Title IX Coordinator will promptly send written notice explaining the reasons for dismissal to the Parties. The dismissal notice will also explain whether the TBR institution will investigate or respond to the allegations under another policy, guideline, or process and the availability of other methods to address the allegations.

E. Informal Resolution

1. Because a full investigation and adjudication process may not be in the best interests of all concerned, the Title IX Coordinator may decide to offer an informal resolution process. The informal resolution process is designed to provide flexibility in crafting a resolution to a Formal Complaint that meets the needs of the Parties and the institution. Informal resolutions may include meetings facilitated by the TBR institution or third parties, resolutions facilitated by the Title IX Coordinator without formal meetings, mediations, and/or restorative justice concepts. Disciplinary action may or may not be part of any informal resolution. Both Parties must agree in writing to participate in any informal resolution process that the Title IX Coordinator may offer.

2. An informal resolution process is only available after the filing of a Formal Complaint and prior to a Determination regarding responsibility. If the Title IX Coordinator believes an informal resolution may be appropriate, the Title IX Coordinator will propose an informal resolution process in either the initial Notice of Allegations or a subsequent written document. The Title IX Coordinator may discuss with the Parties the details of how the process will work. The written notice will contain the allegations or refer to the Notice of Allegations, set out the informal resolution process, explain that at any time prior to agreeing to a resolution, the Complainant, Respondent, or the institution may withdraw from the informal resolution process and resume the investigation and adjudication process under this policy, and identify any records that will be maintained or shared related to the process.

3. The Title IX Coordinator will not offer or facilitate an informal resolution process to resolve allegations that an employee engaged in Sexual Misconduct against a student.

F. Investigation of Formal Complaints

1. The TBR institution will investigate all Formal Complaints, unless dismissed or resolved ~~through an informal resolution~~. During the investigation:

a The institution will not access, consider, disclose, or otherwise use a Party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional acting in the professional's capacity and made or maintained in connection with the treatment to the Party, unless the Party voluntarily consents in writing;

b The investigator will conduct an investigation that is appropriate under the circumstances. The investigation will include a review of documents and physical evidence, as well as interviews with the Parties and other ~~witnesses, unless they decline to be interviewed~~. The investigator may request access to premises, records, and documents deemed relevant. As the investigation progresses, the investigator may seek clarification, including during a subsequent interview, from any person participating in the investigation regarding the incident or their statement. A Party who learns or remembers any additional information should notify the investigator immediately. The Parties will have an equal opportunity to provide evidence and to identify witnesses, including fact and expert witnesses. Parties are encouraged to provide, as soon as possible, any evidence that the Party believes to be relevant and wants the investigator to consider. If at all possible, all evidence should be provided in time for the investigator to make it available for inspection and review;

c Although the Parties are encouraged to provide the institution with information and evidence related to the allegations, the institution is ultimately

responsible for gathering evidence sufficient to reach a Determination regarding responsibility;

d The institution will not restrict the Parties from discussing the allegations under investigation or from gathering and presenting relevant evidence. Any restrictions on the ability of the Parties to discuss matters related to the proceeding but which are not under investigation will be explained in the Notice of Allegations;

e Each Party will have the opportunity to obtain and to be accompanied to a meeting or proceeding by an advisor of their choice, who may, but is not required to be, an attorney, in accordance with Section IV.H. below;

f When a Party is invited or expected to participate in a meeting, the institution will provide written notice of the date, time, location, participants, and purpose of the meeting, interview, or hearing, with sufficient time for the Party to prepare to participate;

g Both Parties will have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a Formal Complaint, including evidence that is directly related to the allegations but upon which the institution does not intend to rely in reaching a Determination regarding responsibility. The institution will include both evidence that tends to prove and disprove the allegations, whether obtained from a Party or other source, so that each Party can meaningfully respond to the evidence prior to the conclusion of the investigation;

h Prior to the completion of an investigation~~onve~~ report, the institution will send to each Party the evidence subject to inspection and review. Unless a Party requests that the institution not do so, the institution will also send the evidence to each advisor who has been identified. An institution may decide to provide access to evidence through electronic means that is not available for download. In such case, the Parties and their advisors are prohibited from,

directly or indirectly, photographing or reproducing such evidence (unless the Party has ~~independent~~ access to the evidence independent of the portal, e.g., documents submitted by the Party or publicly available information); and

i The institution will provide at least ten (10) calendar days for the Parties to respond to the evidence provided for inspection and review. The investigator will share any written response with the other Party and will consider any written response prior to completing the investigative report.

G. Investigation Report

1. At the conclusion of the investigation, the investigator will prepare written report. The report shall:
 - a identify the allegations;
 - b identify relevant policies, guidelines, and other standards;
 - c explain the procedural steps taken between receipt of the Formal Complaint and the conclusion of the investigation, including all notifications to the Parties, interviews with the Parties, interviews with other witnesses, dates of all interviews, any site visits, and the methods used to gather evidence; and
 - d fairly summarize the relevant evidence.
2. The written report shall not make findings of fact or conclusions regarding the application of facts to this policy.
3. At least ~~(ten)~~ (10) calendar days prior to a hearing, the investigator will send to each Party the investigation report in either electronic or hard copy, for ~~their~~ review and written response. Unless a Party requests that the institution not do so, the institution will also send the investigation report to an advisor whom the Party has been identified.
4. The Parties should provide any written response as soon as possible, as the investigator may issue an amended investigation report if the investigator deems appropriate and if a Party provides comments in sufficient time for the investigator

to do so. The Parties' written responses and any amended investigation report will be sent to the decision-maker.

H. Advisors

1. Both the Complainant and the Respondent will be permitted to have an advisor of their choosing present during meetings where their attendance is permitted or expected. Nothing in this policy shall be read to require that an institution allow a Party to attend an interview of the other Party or of a witness.
2. The advisor may accompany and confer privately with a Party, but the advisor may not interrupt, speak on behalf of a Party, or otherwise actively participate in any meeting, except for conducting cross-examination at a live hearing.
3. An advisor's failure to comply ~~with these guidelines~~ may result in the termination of the meeting or the advisor no longer being permitted to be present.
4. TBR and institutional personnel employed in the offices responsible for the disciplinary proceedings described in this policy, along with those in the chain of command, personnel employed by OGC, and others whose participation could create a conflict of interest with their duties are not eligible to serve as advisors. The institution shall not otherwise limit the choice of an advisor.
5. If there is a question or concern about a possible advisor, the Title IX Coordinator should be consulted. A Party choosing to have an attorney present as an advisor must provide advance notice so that a member of OGC can attend any meeting at which an attorney will be present.

I. Recordings

1. Parties are not permitted to record any meeting conducted pursuant to this policy.
2. When a live hearing is conducted, the institution will create an audio recording, audiovisual recording, or transcript and make it available to the Parties for inspection and review.

J. Past Relationships and Conduct

1. Previous sexual relationships of the Complainant and Respondent with third parties generally are irrelevant.
2. A past sexual relationship between the Complainant and Respondent may or may not be relevant. For example, past sexual encounters may provide insight on communication patterns for purposes of determining whether consent was present.
3. Questions and evidence about a Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to Respondent and are offered to prove consent.

K. Standard of Evidence

1. In determining whether Respondent engaged in Sexual Misconduct, TBR institutions use the preponderance of the evidence standard of evidence in evaluating whether Sexual Misconduct occurred. A "preponderance of the evidence" means the greater weight of the evidence or that, according to the evidence, the conclusion sought by the party with the burden of proof is the more probable conclusion. This standard looks at whether it is "more likely than not" that this policy was violated.
2. The burden of proof will remain with the institution through the Determination.

L. Timeline

1. Formal Complaints typically will be resolved (exclusive of any appeals) within 90 calendar days of filing.
2. Appeals will be resolved within fifteen (15) calendar days of the filing of an appeal.
3. Given the many variables and factors that may arise in such cases, additional time may be needed in some cases. Any departure from these time frames will be

for good cause and communicated in writing or by email to both the Complainant and the Respondent simultaneously, along with a new timeline and explanation of the reasons. Good cause to extend the deadlines includes, but is not limited to, the absence of a Party, a Party's advisor, or witness; concurrent law enforcement activity; or the need for language assistance or the accommodation of disabilities.

4. Incompletion of the process within such time frames is not cause for dismissal of a Formal Complaint.

M. Parallel Investigations with Law Enforcement

1. The filing of a police report or the pendency of civil or criminal proceedings does not preclude the institution from proceeding with its investigation and Determination.

2. The investigation and Determination may be delayed until law enforcement has finished gathering evidence and indicated that the institution may proceed with an investigation, but the institution generally will not wait for the conclusion of any criminal proceeding.

3. Civil or criminal proceedings are separate and distinct from internal institutional proceedings, and they may or may not run parallel to one another. However, the institution may be required by law to provide information in civil or criminal proceedings.

4. Institutional policies shall set forth parameters and clarify what information may and may not be shared during a parallel investigation with law enforcement (e.g., via a memorandum of understanding with local law enforcement).

N. Live Hearings

1. The institution will conduct a live hearing of Formal Complaints not dismissed pursuant to this policy in order to make a Determination whether this policy has been violated. The decision-maker appointed by the Title IX Coordinator has the authority to maintain order at the hearing and make all decisions necessary for the fair, orderly, and expeditious conduct of the hearing. The decision-maker shall be

the final decider concerning all aspects of the hearing, including prehearing matters and at the hearing, how evidence is examined and the order of witnesses.

2. At the request of either Party, the institution will provide for the live hearing to be conducted with the Parties located in separate rooms with technology enabling the decision-maker and Parties to simultaneously see and hear the Party or the witness answering questions.

3. In cases involving more than one Respondent, any Party may request separate hearings by submitting a request at least five (5) business days before the hearing. The Title IX Coordinator will decide whether to grant the request.

4. Live hearings may be conducted with all Parties physically present in the same geographic location or, at the institution's discretion, any or all Parties, witnesses and other participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other.

5. At least ten (10) business days prior to a live hearing, the institution will provide both Parties with written notice of the following:

- a The time, place, date of the hearing, and electronic access information, if applicable;
- b The name of each witness the institution expects to present or be present at the hearing and those the institution may present if the need arises;
- c The right to request a copy of the investigative file (other than portions that are protected by law or privilege), which includes all of the evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint;
- d The right to request copies of all documents, copies of electronically stored information, and access to tangible evidence that the institution has in its possession, custody, or control and may use to support claims or defenses;
- e The right to have an advisor of the Party's choice, who may be, but is not required to be an attorney, and that if the Party does not have an advisor

present at the hearing, the institution will provide an advisor of the institutions' choice, without fee or charge, to ask the other Party and any witnesses all relevant questions and follow-up questions on behalf of that Party;

f Any Party in need of an institution-provided advisor must inform the Title IX Coordinator at least five (5) business days before the hearing;

g Any cross-examination of any other Party or witness must be conducted by the advisor; and

h Additional ~~Other~~ information may be included in the notice of hearing.

6. When notice is sent by U.S. mail or courier service, the notice is effective on the date the notice is mailed or delivered to the courier service. When notice is hand delivered by the institution, notice is effective on the date that the notice is delivered to a Party~~the Parties~~. When notice is sent by email, the notice is effective on the date that the email is sent to the Parties' institution-provided email account.

7. The decision-maker may conduct a pre-hearing meeting or conference with the Parties and their advisors to discuss pre-hearing issues, including any technology to be used at the hearing and the general rules governing the hearing.

8. The decision-maker may allow a temporary delay of the process or the limited extension of time frames for good cause with written notice to the Parties of the delay or extension and the reasons for the action. Good cause may include, but is not limited to, considerations such as the absence of a Party, a Party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

9. If a Party fails to attend a hearing, the decision-maker may proceed without that Party's participation.

10. During the hearing, the decision-maker will make evidence subject to review and inspection during the investigation phase available to give each Party equal opportunity to refer to that evidence, including for purposes of cross-examination.

11. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to provide that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

12. Only relevant cross-examination and other questions may be asked of a Party or witness. Before a Complainant, Respondent, or witness answers a cross-examination or question from someone other than the decision-maker, the decision-maker will first determine whether the question is relevant and explain any decision to exclude a question as not relevant.

13. The decision-maker will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding the privilege has waived the privilege.

14. The decision-maker will permit each Party's advisor to ask the other Party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross-examination at the live hearing will be conducted directly, orally, and in real time by the Party's advisor and never by a Party personally. Conducting cross-examination will be the advisor's only opportunity to speak. Advisors will not engage in other presentation of arguments or evidence, including opening statements, closing arguments, or direct examinations.

15. If a Party does not have an advisor at the live hearing, the institution will provide without fee or charge to that Party an advisor. The institution will choose the advisor.

16. If a Party or witness does not submit to cross-examination at the live hearing, the decision-maker will not rely on any statement of that Party or witness in reaching a Determination regarding responsibility; provided however, that the

decision-maker cannot draw an inference about the Determination regarding responsibility based solely on a Party's or witness's absence from the live hearing or refusal to answer cross examination or other questions.

17. For good cause shown, a decision-maker may permit the participation of witnesses who were not identified by the Party to the investigator, or the inclusion of evidence not provided by the Party to the investigator.

18. The institution will create an audio or audiovisual recording, or transcript, of a live hearing and make it available to the Parties for inspection and review.

19. The decision-maker may dismiss the Formal Complaint or any allegations therein, if at any time during the hearing a Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw a Formal Complaint or any allegations therein, the Respondent is no longer enrolled or employed by the institution, or specific circumstances prevent the institution from gathering evidence sufficient to reach a Determination as to the Formal Complaint or allegations therein.

20. If the decision-maker dismisses the Formal Complaint during the grievance process, the decision-maker will promptly notify the Title IX Coordinator, who will promptly send written notice of the dismissal and reasons therefor simultaneously to the Parties.

O. Written Determination

1. Within fifteen (15) business days of the hearing, the decision-maker will issue a written Determination whether Respondent engaged in Sexual Misconduct, based on a preponderance of the evidence standard, which will be provided to the Parties simultaneously.

2. The Determination becomes final either on the date that the institution provides the Parties with a written result of an appeal, or if an appeal is available but not filed, the day after the deadline to appeal.

3. The Determination will include:

- a Identification of the allegations potentially constituting Sexual Misconduct, as well as identification of any additional allegations that are being resolved but which do not constitute Sexual Misconduct;
- b A description of the procedural steps taken between receipt of the Formal Complaint and the Determination, including all notifications to the Parties, interviews with Parties and witnesses, site visits, methods used to gather other evidence, and any hearings held;
- c Findings of fact supporting the Determination;
- d Conclusions regarding the application of this policy, as well as any other relevant policy, guidelines, or code, to the facts;
- e A statement of, and rationale for, the result as to each allegation before the decision-maker, including a Determination regarding responsibility;
- f Any disciplinary action that the decision-maker imposes on the Respondent, including referral to another process, ~~such as tenure termination proceedings~~;
- g Any remedies that the institution will provide designed to restore or preserve equal access to the Complainant; and
- h The permissible bases and procedures, including timelines, for appeals by the Parties.

P. Remedies and Disciplinary Action Following Determinations of Violations

1. The institution will provide remedies where a Determination of responsibility for Sexual Misconduct has been made. The institution will follow this policy before the imposition of any disciplinary sanctions for Sexual Misconduct that are not supportive/interim measures.
2. Remedies will be designed to restore or preserve equal access to education programs and activities and will include discipline under the applicable policies and procedures. Remedies may include verbal warnings, written warnings, final written warnings, suspension, termination of employment (including of tenured faculty),

non-renewal of appointment, or dismissal from the institution. ~~Faculty may be subject to proceedings under TBR Policies 5.02.03.10 and 5.02.03.30.~~

3. Remedies should also consider improvements to the campus-wide environment. It is the intent of TBR that institutions consider the impact of an incident of Sexual Misconduct on the campus as a whole or specific groups or areas of campus. For example, specific training may be needed for a student group.

4. The Title IX Coordinator is responsible for ensuring effective implementation of the remedies.

Q. Appeals/Post-Determination Procedures

1. Parties are permitted to appeal to the institution's President (or other person appointed by the Title IX Coordinator) from a Determination regarding responsibility (or no responsibility) and from a dismissal of a Formal Complaint or of any allegations in a Formal Complaint on the basis of:

- a procedural irregularity that affected the outcome of the matter;
- b new evidence that was not reasonably available at the time the Determination or dismissal was made, but only if that new evidence could affect the outcome of the matter;
- c The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome.

2. A Party wishing to appeal a Determination regarding responsibility or the dismissal of a Formal Complaint or any allegations therein must file a written appeal with the Title IX Coordinator within seven (7) business days of the date of the Determination or the dismissal. The written appeal must identify the reasons for the appeal.

3. As to all appeals, the Title IX Coordinator will:

- a Notify the other Party in writing when an appeal is filed;
 - b Implement appeal procedures equally for both Parties;
 - c Ensure that the decision-maker(s) for the appeal is not the same person as the investigator, the decision-maker, or Title IX Coordinator;
 - d Provide each Party five (5) business days to provide a written statement in support of, or challenging, the Determination.
4. The decider of the appeal will issue a written decision describing the result of the appeal and the rationale for the result, and will provide the written decision simultaneously to the Parties.

V. [Victim Services](#)

A. TBR intends for each institution to provide resources and assistance to victims of Sexual Misconduct.

- 1. Institutions Without On-Campus Services
 - a For institutions without medical, counseling, or law enforcement services on their campuses, these institutions should partner with local community organizations that may be able to provide these services for victims of Sexual Misconduct.
 - b Any such partnership shall be clearly communicated to students, faculty, and staff.
 - c Any victim presenting to an institution without on-campus resources shall be informed about the agreement and encouraged to seek services from the partnering community organizations.
- 2. Victim Services Policy
 - a Each institution shall adopt a policy describing the assistance and services it provides to victims. Each policy shall include, at a minimum, the following:

- (1) The identity and contact information for any trained on- and off-campus advocates and counselors who can provide an immediate confidential response in a crisis situation;
- (2) Emergency numbers for on- and off-campus safety, law enforcement, and other first responders, including the Title IX Coordinator;
- (3) A list of health care options, both on- and off-campus, including options to seek treatment for injuries, preventative treatment for sexually transmitted diseases, and where and how to get a rape kit or find a Sexual Assault Nurse Examiner (SANE);
- (4) A statement that it is very important for the Complainant to seek medical attention immediately so that the Complainant can be screened for sexually transmitted diseases/pregnancy/drugs that may have been used to incapacitate, obtain emergency contraception, and receive treatment for any injuries. Valuable physical evidence can be obtained from the Complainant and the Complainant's clothing. Even those who are unsure whether to make a police report or take action may wish to have a forensic examination, which will facilitate the identification and preservation of physical evidence;
- (5) A statement that to help preserve evidence in the event of a sexual assault, it is important for the Complainant not to change clothes or bedding and not take a shower, douche, use the toilet, brush their teeth, or clean up until police have had a chance to gather evidence. However, if a Complainant has already changed clothes or cleaned up/showered, evidence may still be collected. The Complainant should leave any clothes or bedding unfolded and undisturbed, if possible. If clothing or bedding must be moved, items should be kept separate to prevent transfer of body fluids or other trace evidence. Parties should not delete

or destroy any text messages, social media, emails, voicemails, written notes, or any other documents that may be relevant.

(6) A list of locations, including contact information, for any available advocate (e.g., a local rape crisis center, on-campus advocacy program) who can accompany a victim to the hospital or health provider;

(7) A statement that these services are available for victims of Sexual Misconduct whether or not a victim chooses to make an official report or participate in the institutional disciplinary or criminal process.

VI. [Education, Training, and Awareness](#)

A. It is the intent of TBR that its institutions will offer educational programming and training to their students, faculty, and staff that are intended to end Sexual Misconduct.

B. TBR institutions are encouraged to provide user friendly materials to explain the policy and how victims can get help, and provide those materials online and through other strategies appropriate for the campus. Institutional education related to Sexual Misconduct should be provided to incoming students. Institutions should promote awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking. Education should also include information on how to prevent sexual assault, such as information on bystander intervention, as well as how to recognize abusive behavior and avoid potential abusive relationships. Students shall be trained on the procedures for filing a report, as well as procedures for institutional disciplinary action in cases of alleged sexual violence. Institutional education will also inform students of the sanctions and protective measures that the institution may impose once a report of sexual violence has been made.

C. Institutions shall establish procedures for regularly reviewing, evaluating, and updating the policy. Institutional training may provide training to all employees likely to witness or receive reports of sexual harassment, including faculty, school law enforcement, school administrators, school counselors, athletic coaches, and health personnel. Training should ensure that employees with the authority to address sexual

harassment know how to appropriately respond to reports of sexual harassment, that employees know whether they are obligated to report sexual harassment the Title IX Coordinator or other designated official, and that all employees understand how to respond to reports of sexual harassment. Training should also ensure that professional counselors, pastoral counselors, and non-professional counselors or advocates also understand the extent to which they may keep a report confidential.

D. Title IX Coordinators, investigators, decision-makers, institution-provided advisors, any person designated to facilitate an informal resolution process, and any person designated to resolve an appeal will receive training on the definition of Sexual Misconduct, the scope of TBR and institutional education programs and activities, how to conduct an investigation and grievance process, including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. Such individuals will receive training on issues of relevance related to creating and/or reviewing an investigative report that fairly summarizes relevant evidence. Training will not rely on sex stereotypes and will promote impartial investigations and adjudications of Formal Complaints.

E. Institutions will notify applicants for admission and employment, students and employees, that it does not discriminate on the basis of sex in its education programs and activities and will provide the name, title, office address, electronic mail address, and telephone number of the Title IX Coordinator in that notification.

VII. [Effective Date](#)

A. This policy is effective August [16, 2021 at community colleges and August 26, 2021 at TCATs14, 2020](#).

B. If any provision of the Title IX regulations on which this policy is based is enjoined or held invalid as it applies to the TBR institution or the Title IX regulations' application to any person, act, or practice is enjoined or held invalid as it applies to the TBR institution,

the remainder of this policy or the application of its provisions to any person, act, or practice shall not be affected thereby.

C. For conduct that occurs across multiple versions of this policy, complaints of Sexual Misconduct will be addressed utilizing the procedures outlined in the version of this policy in effect as of the date of the Notice of Allegations. The “Definitions” and “Clarifications” sections of the policy in effect as of the date of the alleged incident will be used. Complaints and reports of conduct spanning more than one version of the policy will be addressed using the “Definitions” and “Clarifications” sections in the version of the policy in effect at the time of the most recent alleged incident.

VIII. Clarifications

A. Consent

1. Consent means an active agreement to participate in sexual activity. An active agreement is words and/or conduct that communicate a person’s willingness to participate. The following individuals cannot give valid Consent:

- a A person who is Incapacitated, if either the person claiming to have obtained Consent knows that the other person is Incapacitated or a reasonable person would know that the other person is Incapacitated;
- b A person who is Forced; or
- c A person who is under the age of eighteen (18), unless the person giving Consent is at least the age of thirteen (13) and the other person is less than four (4) years older than the person giving Consent.

2. During a sexual encounter, each person has responsibility for obtaining Consent from the other person. During an investigation, the institution has the burden of obtaining evidence whether Sexual Misconduct occurred without Consent. During any hearing, the institution has the burden of proving that Sexual Misconduct occurred without Consent. (In other words, it is not a Respondent’s burden to prove Consent during an investigation or hearing). Whether a person has communicated Consent generally is evaluated from the perspective of what a

reasonable person who perceived the individual's words and/or nonverbal conduct would have understood; however, in the context of a relationship that has involved sexual activity and a pattern of communicating Consent, whether Consent has been communicated may be evaluated based on a subjective standard (i.e., what did the specific person who initiated the sexual activity conclude based on the pattern of communication?).

3. A verbal "no" (or words equivalent to "no") or the nonverbal communication of "no," even if it sounds or appears insincere or indecisive, means that Consent has not been communicated, or if previously communicated, has been withdrawn. The absence of a verbal "no" or the absence of a nonverbal communication of "no" does not necessarily mean that Consent has been communicated.

4. Consent must exist from the beginning to the end of each sexual encounter and for each sexual act that occurs during a sexual encounter. A person has a right to change their mind; thus, Consent may be withdrawn at any time. A withdrawal of Consent is communicated through clear words and/or conduct that indicate that a person no longer agrees to participate in sexual activity. Once a person's withdrawal of Consent has been communicated, the other person must cease the sexual act for which Consent was withdrawn and must obtain Consent before reinitiating that sexual act. Consent is automatically withdrawn when a person becomes incapacitated or is forced to participate in sexual activity.

5. Consent to one type of sexual activity (e.g., oral sex) does not constitute or imply Consent for another type of sexual activity (e.g., vaginal intercourse), whether during a sexual encounter or based on a previous sexual encounter.

6. The following do not communicate a person's willingness to participate in sexual activity:

- a Silence, unless accompanied by non-verbal conduct conveying a willingness to participate in sexual activity;
- b Consent communicated by the person on a previous occasion;

- c Consent communicated to a third person;
- d The person's failure to resist physical force (however, for purposes of the Policy, the person's resistance to physical force will be viewed as a clear demonstration that the person has not communicated Consent);
- e A current or previous dating, romantic, intimate, or sexual relationship with the other person;
- f Currently or previously cohabitating with the other person;
- g The person's attire, reputation, giving or acceptance of gifts, sexual arousal, or extension or acceptance of an invitation to go to a private residence, room, or other location.
- h One's own use of alcohol, drugs, or other substances does not diminish one's responsibility to obtain Consent from the other person. Another person's use of alcohol, drugs, or other substances does not diminish one's responsibility to obtain Consent from that person.

B. Force

1. Force includes physical force (such as pushing, hitting, pinning down), threats (direct or indirect expressions of intent to inflict harm to self or others), intimidation (implied or indirect threats), and/or other forms of coercion. To coerce is to attempt to cause another person to act or think in a certain way by use of force, pressure, threats, or intimidation; to compel is to coerce.

C. Incapacitation

1. A person violates this policy when they engage in sexual activity with another person who is incapacitated under circumstances in which a reasonable person would have known the other person to be Incapacitated. For evaluating Incapacitation, a "reasonable person" means a sober, objectively reasonable person in the same situation, with ordinary sensitivities, and with similar identities as the Respondent.

2. Incapacitation can be voluntary or involuntary. Signs of Incapacitation may include, without limitation: sleep; total or intermittent unconsciousness; lack of control over physical movements (e.g., inability to dress/undress without assistance; inability to walk without assistance); lack of awareness of circumstances or surroundings; emotional volatility; combativeness; vomiting; incontinence; unresponsiveness; and inability to communicate coherently. Incapacitation is an individualized determination based on the totality of the circumstances.

3. Blacking out is an amnesia-like state that may be brought on by drugs, heavy drinking, or intoxication; blacking out is not necessarily incompatible with the ability to engage in simple or even complex behavior. After blacking out, a person has no recollection of all or part of the events that occurred during the blackout. There is a distinction between passing out (falling asleep or becoming unconscious) due to drug or alcohol use and blacking out in that a person in a blackout remains conscious and operative.

4. Incapacitation or Incapacitated means a person's inability, temporarily or permanently, to communicate a willingness to participate in an activity (e.g., sexual activity) because of mental or physical helplessness, sleep, unconsciousness, or other lack of awareness that the activity is taking place. Incapacitation can be voluntary or involuntary. Signs of Incapacitation may include, without limitation: sleep; total or intermittent unconsciousness; lack of control over physical movements (e.g., inability to dress/undress without assistance; inability to walk without assistance); lack of awareness of circumstances or surroundings; emotional volatility; combativeness; vomiting; incontinence; unresponsiveness; and inability to communicate coherently. Incapacitation is an individualized determination based on the totality of the circumstances. Alcohol and drugs (including "date rape" drugs) are common causes of Incapacitation. When alcohol or drugs are involved, Incapacitation is a state beyond mere drunkenness or intoxication.

D. Severe and Pervasive

1. Severe and Pervasive. Severe means behavior that is more than antagonistic, non-consensual, and crass, even where the behavior is based on differences in sex or gender. Pervasive means systemic or widespread, and it necessarily involves more than one incident of sexual harassment. Sources: *Kollaritsch v. Michigan State Board of Trustees*, 944 F.3d 613, 620-21 (6th Cir. 2019) (citing *Davis v. Monroe County Board of Educ.*, 526 U.S. 629, 651-53 (1999)); *Doe v. Univ. of Kentucky*, 959 F.3d 246, 250 (6th Cir. 2020).

Sources

Authority

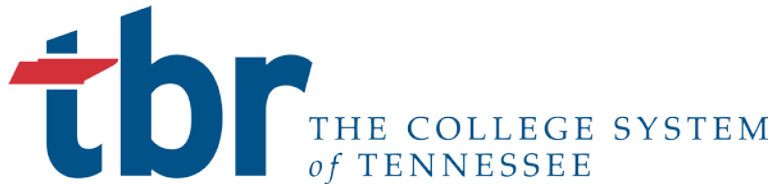
T.C.A. § 49-8-203; All State and Federal Statutes, Acts, Codes, Rules and Regulations referenced in this policy.

History

NEW Policy approved at Board Meeting, September 26, 2014; Revisions approved at August 12, 2020 Special Called Board Meeting; [Revised June 18, 2021 Board Meeting \(with an effective date of August 16, 2021 for Community Colleges and August 26, 2021 for TCATs\).](#)

Related Policies

- [Sex Discrimination, Sexual Harassment or Sexual Misconduct](#)
- [Discrimination & Harassment - Complaint & Investigation Procedure](#)
- [Equal Employment Opportunity and Affirmative Action](#)
- [General Policy on Student Conduct & Disciplinary Sanctions](#)



BOARD TRANSMITTAL

MEETING: Committee on Academic Policies and Programs and Student Life

SUBJECT: Revisions to TBR Policy 1.06.00.05, Procedures for Cases Subject to the Uniform Administrative Procedures Act

DATE: June 17, 2021

PRESENTER: General Counsel Brian Lapps

PRESENTATION REQUIREMENTS: Consent Agenda

ACTION REQUIRED: Roll Call Vote

STAFF'S RECOMMENDATION: Approval

BACKGROUND INFORMATION:

As previously explained, TBR needs to implement Rule 0240-01-05, Contested Case Procedures (the "Rule") for legal compliance reasons and to better defend the results of contested case hearings. Upon implementation of the Rule, TBR will use the formal processes of the Administrative Procedures Division (APD) in the Secretary of State's Office. The actual process of the hearing will remain similar to the current, but rarely used, processes under existing TBR policy. The major change is that TBR will use administrative judges from APD to preside over contested cases in most circumstances.

The attached draft policy is an almost complete replacement of the current policy, and thus only a clean copy is attached.

Because the Board will consider all comments received from the public at the June 15, 2021, Rulemaking Hearing and may make changes to the draft Rule based on those comments, the final version of this policy may need to be revised to be consistent with the Rule.

Unless decided otherwise by the Board, a vote to approve this policy:

- (1) Is contingent on the Board approving the Rule;
- (2) Delegates to General Counsel the authority to make changes to this policy to conform to the final version of Rule as approved by the Board; and
- (3) Includes an effective date of this policy that is simultaneous with the effective date of the Rule.

Attachment

Contested Cases Subject to the Uniform Administrative Procedures Act: 1.06.00.05

Policy Area

Governance, Organization, and General Policies

Applicable Divisions

TCATs, Community Colleges, System Office

PURPOSE

This policy sets forth the procedures that the Tennessee Board of Regents (the TBR) and institutions under the authority of the TBR shall use to conduct hearings in contested cases under the Uniform Administrative Procedures Act, Tennessee Code Annotated §§ 4-5-101 et seq (the UAPA). Contested cases are proceedings in which the legal rights, duties, or privileges of a student, employee, student organization, or other person (collectively referred to as a “person”) are required by any statute or constitutional provision to be determined only after that individual or entity has been provided an opportunity for a hearing.

Policy

I. Scope

- A. These procedures will apply to any case where a contested case hearing is properly requested and required by law to be offered, including:
 1. The suspension or expulsion of students, or revocation of recognition of a student organization, for misconduct or disciplinary reasons;
 2. Suspension of employees for cause, or termination of employee when the termination is potentially in violation of the employee’s contract, e.g., termination prior to expiration of the contract term;
 3. Support staff employees who are demoted, suspended without pay, or terminated and elect to pursue a UAPA hearing instead of an employee panel hearing as the final step of the grievance process; and
 4. Other matters in which the legal rights, duties, or privileges of a person are required by any statute or constitutional provision to be determined by TBR or a TBR institution after an opportunity for a hearing.
- B. This policy is not applicable to termination of faculty for adequate cause. Any such termination is subject to the provisions of T.C.A. § 49-8-302, TBR Policy 5.02.03.70, Academic Tenure for Community Colleges, and TBR Policy 5.02.03.10, Academic Freedom, Responsibility and Tenure at the Tennessee Colleges of Applied Technology: 5.02.03.10.
- C. Prior to offering any hearing pursuant to this policy, the institution shall contact the Office of General Counsel for advice on the applicability of this policy and for possible assistance in the hearing of the case.

II. Administrative Judges and Hearing Officers

- A. In any case where a contested case hearing is available, elected and properly requested, the president (or chancellor for cases arising out of the TBR System Office) or designee may make a request to the office of the secretary of state to have the contested case heard by an administrative judge or hearing officer employed in the office of the secretary of state.
- B. In lieu of asking the secretary of state to have the contested case heard by an administrative judge or hearing officer employed in the office of the secretary of state, the president (or chancellor for cases arising out of the TBR System Office) or designee may determine, in his or her sole discretion, whether the hearing shall be held before:
 - 1. A person who is licensed to practice law and who is not employed as an attorney for a TBR institution or TBR System Office;
 - 2. A former state, county, or municipal judge or a former federal judge or magistrate;
 - 3. An employee of a TBR institution or TBR System Office who has been trained to conduct contested cases, but who does not provide legal representation to TBR or any TBR institution; or
 - 4. An employee of another public institution who has been trained to conduct contested cases.
- C. Any administrative judge or hearing officer who hears a case involving sexual harassment, sexual assault, domestic violence, dating violence, or stalking shall receive training as required by federal and/or state law.

III. Procedures

- A. The UAPA and the Tennessee Department of State's Uniform Rules of Procedures for Hearing Contested Cases before State Administrative Agencies, Tennessee Department of State Rule Chapter 1360-04-01, shall be used for contested case hearings under this rule.
- B. For purposes of review and action following issuance of an initial order, the agency head will be the president or other head of a campus out of which the contested case arises, and the chancellor or chancellor's designee when the contested case arises out of the TBR System Office or when the president or other head of a campus is not available to serve as agency head due to a conflict of interest, recusal, disqualification, or other reason.

Sources

Authority:

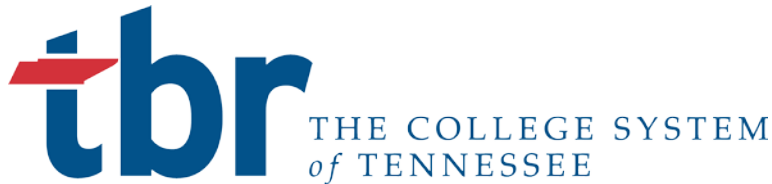
T.C.A §§ 49-8-203 and 49-7-167; all statutes referenced in the policy.

History

TBR Meetings, June 30, 1978; September 30, 1983; December 14, 1984; March 15, 2002; June 18, 2021.

Related Policies

- [General Policy on Student Conduct & Disciplinary Sanctions](#)



BOARD TRANSMITTAL

MEETING: Committee on Academic Policies and Programs and Student Life

SUBJECT: Revisions to TBR Policy 3.02.00.01, General Policy on Student Conduct

DATE: June 17, 2021

PRESENTER: General Counsel Brian Lapps

PRESENTATION REQUIREMENTS: Consent Agenda

ACTION REQUIRED: Roll Call Vote

STAFF'S RECOMMENDATION: Approval

BACKGROUND INFORMATION:

The attached draft policy includes major revisions to conform to and implement draft Rule 0240-02-03, Student Conduct and Disciplinary Sanctions (the “Rule”). The revised policy introduces more detail and specificity, both substantively and procedurally, into the current processes. The revised policy also removes the ability for institutions to make substantive alterations or additions to the policy. Both a clean copy and a version tracking changes to the policy are attached.

Because the Board will consider all comments received from the public at the June 15, 2021, Rulemaking Hearing and may make changes to the draft Rule based on those comments, the final version of this policy may need to be revised to be consistent with the Rule.

Unless decided otherwise by the Board, a vote to approve this policy:

- (1) Is contingent upon the Board approving the Rule;
- (2) Delegates to General Counsel the authority to make changes to this policy to conform to the final version of Rule as approved by the Board; and
- (3) Includes an effective date for Community Colleges of August 16, 2021 and for TCATs of August 26, 2021.

Attachment

General Policy on Student Conduct & Disciplinary Sanctions: 3.02.00.01

Policy Area

Student Policies

Applicable Divisions

TCATs, Community Colleges

Purpose

The Tennessee Board of Regents authorizes the institutions under its jurisdiction to take such action consistent with this policy as may be necessary to maintain campus conditions and preserve the integrity of the institution and its educational environment. Institutional policies on this subject shall be subject to prior review and approval by the TBR Offices of General Counsel and Academic Affairs.

Definitions

- For the purpose of this policy, a “student” shall mean any person
 - who is admitted, enrolled, and/or registered for study (including for non-credit classes) at a ~~State~~ Board of Regents institution for any academic period. This shall include any period of time following admission and/or registration, but preceding the start of classes for any academic period. ~~It will also include any period which~~ followings the end of an academic period through the last day for registration for the succeeding academic period, and during any period while the student is under suspension from the institution;
 - who engaged in academic misconduct as part of the application process; and/or
 - who previously attended a TBR institution and who was found to have violated the institution’s student conduct and disciplinary standards policy during the time of enrollment.
 - “Student” shall also include any person subject to a period of suspension or removal from campus resulting from a finding of a violation of this policy;
 - Unless explicitly provided otherwise in these rules, the term “student” shall also refer to a student organization.

- Definitions of “Disciplinary Offenses” and “Disciplinary Sanctions” are included in their respective sections, II. and IV.

Policy

I. Policy Statement

- A. Students enrolled in a TBR postsecondary educational institutions are citizens of their civic communities as well as the academic community. As such they are expected to conduct themselves as law-abiding members of each community at all times.
- B. Admission to an institution of postsecondary education carries with it special privileges and imposes special responsibilities apart from those rights and duties enjoyed by non-students. In recognition of the special relationship that exists between the institution and the academic community which it seeks to serve, the Tennessee Board of Regents (“TBR” or “the Board”) has authorized the presidents of the institutions under its jurisdiction to take such action as may be necessary to maintain ~~campus~~ conditions on institution-owned and controlled property and to preserve the integrity of the institution and its educational environment.
- C. Pursuant to this authorization and in fulfillment of its duties to provide a secure and stimulating atmosphere in which individual and academic pursuits may flourish, the ~~State Board of Regents~~ has developed the following policy, which is intended to govern student conduct at the institutions on the several campuses under its jurisdiction.
- D. Each institution under the jurisdiction of the TBR is directed to implement policies subject to, and consistent with, this policy.
- E. ~~In student discipline policies, each institution may supplement this policy, subject to prior approval by the TBR Offices of General Counsel and Academic Affairs.~~ In addition, students are subject to all federal, state and local laws and ordinances. If a student’s violation of such laws or ordinances also adversely affects the institution’s pursuit of its educational objectives, an the institutions may enforce its their own policies regardless of

the status or outcome of any external proceedings instituted by other civil or criminal authorities.

F. Students are responsible for compliance with this policy ~~the Student Conduct Policy~~ and with ~~similar~~ institutional policies and regulations ~~at all times~~.

G. Disciplinary action may be taken against a student for violation of ~~the~~ policies and regulations ~~that, which violations~~ occur on institutionally owned, leased or otherwise controlled property, while participating in international or distance learning programs, and off campus, when the conduct impairs, interferes with, or obstructs any institutional activity or the mission, processes, and functions of the institution. In the case of violations that occur off institutionally owned, leased, or controlled property, the institution will take into account whether the violation impairs, interferes with, or obstructs any institutional activity, or the mission, processes, and function of the institution, including, but not limited to, conduct that:

1. occurs in connection with any institutional activity, including but not limited to, international, distance, online, or remote learning programs, athletics events and other extracurricular activities, clinical, internship, practicum, and similar activities;

2. occurs while using institutional resources, such as computers and network systems;

3. involves or affects another member of the TBR community (a student, faculty, staff member, or guest of a TBR institution); or

G-4. poses a credible, serious threat to the health and safety of the TBR community.

H. This policy, and related material incorporated herein by reference, is applicable to student organizations as well as individual students. Whether a student organization will be held responsible for a violation of these rules by one or more of its members will be based on the following considerations: ~~Student organizations are subject to discipline for the conduct and actions of individual members of the organization while acting in their~~

capacity as members of, or while attending or participating in any activity of, the organization.

1. the violation is endorsed by the student organization or any of its officers. "Endorsed by" includes, but is not limited to, active or passive consent or support, having prior knowledge that the conduct was likely to occur, or helping to plan, advertise, or promote the conduct;

2. the violation took place during the course of an activity paid for by the student organization or by members of the student organization to support the activity in question;

3. the prohibited conduct occurred on property owned, controlled, rented, leased, or used by the student organization or any of its members for an organizational event;

4. the prohibited conduct was related to initiation, admission into, affiliation with, or as a condition for continued membership in the student organization; and

H.5. one or more officers of the student organization had prior knowledge or reasonably should have known the prohibited conduct would likely take place.

I. Confidentiality of Discipline Process. Subject to the exceptions provided pursuant to the Family Educational Rights and Privacy Act of 1974 (FERPA), 20 U.S.C. 1232g, ~~and/or~~ the Tennessee ~~Open-Public~~ Records Act, T.C.A. § 10-7-504(a)(4), and/or other state and federal law, a student's disciplinary records and files are considered "educational records" and are confidential in accordance with ~~in the meaning of those statutes-Acts.~~

H.J. Matters involving sexual harassment, sexual assault, stalking, domestic violence, and dating violence occurring within an education program or activity, if within the scope of TBR Policy 6.03.00.00, Sexual Misconduct, which implements 34 C.F.R. Part 106 related to Title IX of the Education Amendments of 1972, shall proceed in accordance with TBR Policy 6.03.00.00, Sexual Misconduct, and not this policy.

II. Disciplinary Offenses

~~A. Institutional d~~Disciplinary measures shall be imposed according to this policy and the institution's restatement of this policy and applicable procedures and processes.

~~B. Institutions shall use the "preponderance of the evidence" standard. A preponderance of the evidence means the greater weight of the evidence or that, according to the evidence, the conclusion sought by the party with the burden of proof is the more probable conclusion.~~

~~A.C. These rules shall not be used to violate rights guaranteed under the constitution of the State of Tennessee or the constitution of the United States., through appropriate due process procedures, for conduct which adversely affects the institution's pursuit of its educational objectives, which violates or shows a disregard for the rights of other members of the academic community, or which endangers property or persons on property owned or controlled by an institution.~~

~~B.D. Institutions shall adopt and publish a non-exclusive list, providing~~ notice of offenses for which both individuals and student organizations may be subject to disciplinary action.

~~The list may include any appropriate offense given the specific needs of the individual institution, subject to prior review and approval by the TBR Offices of General Counsel and Academic Affairs.~~

~~C.E. Institutions are pre-authorized to implement any or all of the disciplinary offenses, in the form set forth immediately below, without need for prior review or approval. Both~~ students and student organizations may be subject to disciplinary action for the following disciplinary offenses identified in this policy:

- ~~1. Threatening or Disruptive~~ Conduct. Any conduct, threatened conduct, or attempted conduct that, which poses a threat to a person's the safety, health, or personal well-being including, but not limited to, endangering the health, safety, or welfare of any person; engaging in conduct that causes a reasonable person to fear harm to his or her health, safety or welfare; or making an oral or written statement that an

objectively reasonable person hearing or reading the statement would interpret as a serious expression of an intent to commit an act of unlawful violence to a particular individual or group of individuals; ~~of others or where the student's behavior is disruptive of the institution's learning environment.~~

1.2. Disruptive Conduct. Any conduct, threatened conduct, or attempted conduct that is disruptive to the institution's learning environment, including, but not limited to, engaging in any action that interferes with the ability of the instructor to teach or other students to learn. Disruptive conduct in the class setting (which includes but is not limited to remote education and off-site locations) includes, but is not limited to, behavior that obstructs or disrupts the learning environment (e.g., offensive language, harassment of students or instructors, repeated outbursts from a student that disrupt the flow of instruction or prevent concentration, failure to cooperate in maintaining class decorum, etc.), text messaging, and the continued use of any electronic or other noise or light emitting device which disturbs others;

2.3. Hazing. Hazing, as defined in T.C.A. § 49-7-123(a)(1), means any intentional or reckless act, on or off the property, of any higher education institution by an individual acting alone, or with others, which is directed against any other person(s) that endangers the mental or physical health or safety of that person(s), or which induces or coerces a person(s) to endanger such person(s) mental or physical health or safety. Hazing does not include customary athletic events or similar contests or competitions, and is limited to those actions taken and situations created in connection with initiation into or affiliation with any organization;

3.4. Disorderly Conduct. Any individual or group behavior which is abusive, obscene, lewd, indecent (including, without limitation, public exposure of one's sex organs, public urinating, and public sexual acts), violent, excessively noisy, disorderly, or which unreasonably disturbs institutional functions, operations, classrooms, other groups or individuals;

4.5. Obstruction of or Interference with institutional activities or facilities. Any intentional interference with or obstruction of any institutional, program, event, or facility including but not limited to the following:

- a. Any unauthorized occupancy of facilities owned or controlled by an institution or blockage of access to or from such facilities;
- b. Interference with the right of any institution member or other authorized person to gain access to any activity, program, event or facilities sponsored or controlled by an institution;
- c. Any obstruction or delay of a ~~campus~~-security officer, public safety officer, police officer, firefighter, EMT, or any official of an institution, or failure to comply with any emergency directive issued by such person in the performance of their duty;
- d. Participation in a demonstration that substantially impedes institutional operations; or
- e. Obstruction of the free flow of pedestrian or vehicular traffic on property owned, leased or controlled by an institution or at an institutional activity.

5.6. Misuse of or Damage to Property. Any act of misuse, vandalism, malicious or unwarranted damage or destruction, defacing, disfiguring or unauthorized use of property belonging to the institution or a member of the TBR community ~~another~~ including, but not limited to, any personal property, fire alarms, fire equipment, elevators, telephones, institution keys, library materials and/or safety devices;

6.7. Theft, Misappropriation, or Unauthorized Sale of Property;

7.8. Misuse of Documents or Identification Cards. Any forgery, alteration of or unauthorized use of institutional documents, forms, records or identification cards, including the giving of any false information, or withholding of necessary information, in connection with a student's admission, enrollment or status in the institution;

8.9. ~~Firearms and Other Dangerous~~ Weapons. Possessing, carrying, using, storing, or manufacturing any weapon on institution controlled property or in connection with an

institution affiliated activity, unless federal or state law provides a student with an affirmative right to possess or carry a weapon on institution controlled property or in connection with an institution-affiliated activity. Any possession of or use of firearms, dangerous weapons of any kind, or replica/toy guns, e.g. BB guns, pellet guns, paintball guns, water guns, cap guns, toy knives or other items that simulate firearms or dangerous weapons. (Refer to Guidance on Firearms on Campus, Exhibit #1);

9-10. Explosives, Fireworks, ~~and~~ Flammable, and Hazardous Materials. The unauthorized possession, ignition or detonation of any object or article that represents a potential danger to the TBR community, including, but not limited to, explosives, fireworks, flammable materials, ammunition, hazardous liquids, chemicals, or hazardous materials;~~which would cause damage by fire or other means to persons or property or possession of any substance which could be considered to be and used as fireworks;~~

40-11. Alcoholic Beverages and Alcohol-Related Conduct. The use, ~~and/or~~ possession, and/or sale of alcoholic beverages on institution owned or controlled property or in connection with any institutional activity unless expressly permitted by the institution;~~This offense includes the violation of any local ordinance, state, or federal law concerning alcoholic beverages, on or off institution owned or controlled property, where an affiliated group or organization has alcoholic beverages present and available for consumption;~~

44-12. Drugs. The unlawful possession, ~~or~~ use, sale, or manufacture of any drug or controlled substance (including, but not limited to, any stimulant, depressant, narcotic or hallucinogenic drug, or marijuana), ~~sale or distribution of any such drug or controlled substance.~~ This offense includes using or possessing a prescription drug if the prescription was not issued to the student, as well as the violation of any local ordinance, state, or federal law concerning the unlawful possession or use of drugs, ~~on or off institution owned or controlled property;~~

- 42-13. Drug Paraphernalia. The use, ~~or~~ possession, distribution, sale, or manufacture of equipment, products or materials that are used or intended for use in manufacturing, growing, using or distributing any drug or controlled substance. This offense includes the violation of any local ordinance, state, or federal law concerning the unlawful possession of drug paraphernalia, ~~on or off institution owned or controlled property;~~
- 43-14. Public Intoxication. Appearing on institution owned or controlled property or at an institutional sponsored event while under the influence of alcohol, a controlled substance, or of any other intoxicating substance;
- 44-15. Gambling. Unlawful gambling in any form;
- 45-16. Financial Irresponsibility. Failure to meet financial responsibilities to the institution promptly including, but not limited to, knowingly passing a worthless check or money order in payment to the institution;
- 46-17. Unacceptable Conduct Related to ~~in~~ Disciplinary Proceedings. Any conduct at any stage of an institutional disciplinary proceeding or investigation that is contemptuous, ~~disrespectful~~, threatening, retaliatory, or disorderly, including false complaints, false testimony or other falsification of evidence, and attempts to influence the impartiality of a member of an adjudicatory-judicial body, verbal or physical harassment or intimidation of an institutional official, hearing panel-judicial board member, complainant, respondent or witness;
- 47-18. Failure to Cooperate with Institutional Officials. Failure to comply with reasonable directions of institutional officials acting in the performance of their duties. This includes, but is not limited to, failing to respond to a request to report to an institutional administrative office, failing to cooperate in an institutional investigation, and/or failing to appear at an institutional hearing, including, without limitation, a disciplinary hearing;

- ~~18. Violation of General Policies. Any violation of the general policies of the institution as published in an official institutional publication, including the intentional failure to perform any required action or the intentional performance of any prohibited action;~~
19. Attempts, Aiding and Abetting. Any attempt to commit any of the offenses listed under this section or the aiding or abetting of the commission of any of the offenses listed under this section. ~~(a) An attempt to commit an offense is defined as the intention to commit the offense coupled with the taking of some action toward its commission.)~~ Being present during the planning or commission of any offense listed under this section without having made an immediate report to the institution prior to the commission of the planned offense will be considered as aiding and abetting. Students who anticipate or observe an offense must remove themselves from the situation and are required to report the offense to the institution;
20. Violations of State or Federal Laws. Any conviction of violation of state or federal laws, rules, or regulations ~~proscribing prohibiting~~ conduct or establishing offenses, ~~if a student's violation of such laws or regulations also adversely affects the institutions' pursuit of its educational objectives;~~
21. Violation of Imposed Disciplinary Sanctions. Intentional or unintentional violation of a disciplinary sanction ~~officially imposed~~ through an institutional disciplinary proceeding by an institution official or a constituted body of the institution;
22. Sexual Misconduct. Committing any act of ~~sexual assault, rape, sexual battery, domestic violence, or dating violence as defined by state or federal law~~ sexual misconduct as defined by TBR Policy 6.03.00.00;
23. Harassment, Stalking, or Retaliation. Any conduct that falls within T.C.A. § 39-17-308 (Harassment) or T.C.A. § 39-17-315 (Stalking) or "student-on-student harassment," which means unwelcome conduct directed toward a person that is discriminatory on a basis prohibited by federal, state, or local law, and that is so severe, pervasive, and objectively offensive that it effectively bars the victim's access to educational opportunity or benefit. Engaging in "retaliation," which is an

act or omission committed by a student because of another person's participation in a protected activity that would discourage a reasonable person from engaging in protected activity. Retaliation violates these standards regardless of whether the underlying allegation of a violation of policy is ultimately found to have merit.

Retaliation can include, without limitation: an act or omission committed against a person's family, friends, advisors, and or other persons reasonably expected to provide information in connection with an institutional investigation or hearing, and an act or omission committed by a student through a third party; Any act by an individual or group against another person or group in violation of TBR policies, as well as federal and/or state laws prohibiting discrimination, including, but not limited to, TBR policies 5.01.02.00(F), 6.01.00.00, 6.02.00.00, and TBR Guideline P-080;

23-24. Discrimination. Any conduct prohibited by any federal or state law, rule, or regulation related to discrimination, harassment, or retaliation;

24-25. Academic Misconduct. Any action or attempted action designed to provide an unfair academic advantage or disadvantage for oneself or others. Academic misconduct includes a wide variety of behaviors such as pPlagiarism, cheating, fabrication, and other academic dishonesty. For purposes of this policysection the following definitions apply:

- a. Plagiarism. The adoption or reproduction of ideas, words, statements, images, or works of another person as one's own without proper attribution. Examples include but are not limited to copying of passages from works of others into one's own work without acknowledgment; summarizing or paraphrasing ideas from another source without proper attribution, unless such information is recognized as common knowledge; and using facts, statistics graphs, representations, or phrases without proper attribution;,-
- b. Cheating. Using or attempting to use unauthorized materials, information, or aids in any academic exercise or test/examination. Examples include but are not limited to copying another's work; obtaining or giving unauthorized assistance;

unauthorized collaboration or collusion with another person; having another person take a test for a student; and the use of unauthorized materials or devices. The term academic exercise includes all forms of work submitted for credit or hours;

- c. Fabrication. Falsifying, fabricating, or misrepresenting data, research results, citations or other information in connection with an academic assignment.

Unauthorized falsification or invention of any information or citation in an academic exercise.

25-26. Unauthorized Duplication or Possession of Keys. Making, causing to be made or the possession of, with the intent to use or make available for use by others, any key for an institutional facility without proper authorization;

26-27. Litter. Dispersing litter in any form onto the grounds or facilities of the campus;

27-28. Pornography. Public display of literature, films, pictures or other materials which an average person applying contemporary community standards would find, (1) taken as a whole, appeals to the prurient interest, (2) depicts or describes sexual conduct in a patently offensive way, and/or (3) taken as a whole, lacks serious literary, artistic, political or scientific value;

28-29. Abuse of Computer Resources and Facilities. Misusing and/or abusing campus computer resources including, but not limited to the following:

- a. Use of another person's identification to gain access to institutional computer resources;
- b. Use of institutional computer resources and facilities to violate copyright laws, including, but not limited to, the act of unauthorized distribution of copyrighted materials using institutional information technology systems;
- c. Unauthorized access to a computer or network file, including but not limited to, altering, using, reading, copying, or deleting the file;
- d. Unauthorized transfer of a computer or network file;

- e. Use of computing resources and facilities to send abusive or obscene correspondence;
- f. Use of computing resources and facilities in a manner that interferes with normal operation of the institutional computing system;
- g. Use of computing resources and facilities to interfere with the work of another student, faculty member, or institutional official; and

h. Violation of any published information technology resources policy;

i.h. Unauthorized peer-to-peer file sharing;

29-30. Unauthorized Access to Institutional Facilities and/or Grounds. Any unauthorized access and/or occupancy of institutional facilities and/or grounds is prohibited, including, but not limited to, gaining access to facilities and grounds that are closed to the public, being present in areas of campus that are open to limited guests only, being present in academic buildings after hours without permission, and being present in buildings when the student has no legitimate reason to be present;

30-31. Providing False Information. Giving any false information to, or withholding necessary information from, any institutional official acting in the performance of his or her duties in connection with a student's admission, enrollment, or status in the institution;

31-32. ~~Unauthorized Surveillance~~ Observation Without Consent. Observation Without Consent, which is prohibited by T.C.A. § 39-13-607 (a criminal statute) for purposes of this policy, means knowingly spying upon, observing, or otherwise viewing an individual, regardless of whether a photo, video, or recording is made, when the individual is in a place where there is reasonable expectation of privacy, without the prior effective consent of the individual, if the viewing would offend or embarrass an ordinary person if the person knew the person was being viewed. Making or causing to be made unauthorized video or photographic images of a person in a location in which that person has a reasonable expectation of privacy, without the prior effective

~~consent of the individual, or in the case of a minor, without the prior effective consent of the minor's parent or guardian.~~ This includes, but is not limited to, taking video or photographic images in shower/locker rooms, living quarters, residence hall rooms, and men's or women's restrooms, and storing, sharing, and/or distributing of such unauthorized images by any means;

33. Smoking Violations. Smoking or tobacco use in any institution building or facility, in any state-owned vehicle, or on any institution grounds or property, unless in a designated smoking or tobacco use area. For the purposes of these rules, "tobacco use" includes, but is not limited to, the personal use of any tobacco product, whether intended to be lit or not, which includes smoking tobacco or other substances that are lit and smoked, as well as the use of an electronic cigarette or any other device intended to simulate smoking, and the use of smokeless tobacco, including snuff; chewing tobacco; smokeless pouches; any form of loose-leaf, smokeless tobacco; and the use of unlit cigarettes, cigars, and pipe tobacco; Violation of any TBR and/or institutional smoking or other tobacco use rules or policies.

34. Maintenance of Ethical and Professional Standards. Failure to maintain the high ethical and professional standards of the various disciplines of the health professions may subject a student to suspension from a program, dismissal from a program, or other appropriate remedial action.

a. A student enrolled in a program leading to a degree or certificate in a health profession is subject to disciplinary action up to and including suspension and dismissal from a program for engaging in the following acts of misconduct, regardless of location:

(i) Commission of an offense classified as a felony by Tennessee or federal criminal statutes;

(ii) Unlawful use, possession, or sale of drugs or narcotics, whether or not felonious;

(iii) Other unprofessional or unethical conduct that would bring disrepute and disgrace upon both the student and profession and that would tend to substantially reduce or eliminate the student's ability to effectively practice the profession in which discipline he or she is enrolled; or

(iv) Conduct that is in violation of either a relevant Tennessee statute establishing professional standards or a rule or regulation of a Tennessee regulatory board or other body responsible for the establishment and enforcement of professional standards.

b. A person applying for admission to a health profession program may be denied admission to the program on the basis of his or her violation of the aforementioned ethical and professional standards;

35. Traffic and Parking Fines. Receiving \$100.00 or more in traffic and/or parking violations on institution property or institution-controlled property during any semester.

32-36. Indecent Exposure. Indecent Exposure, which is prohibited by T.C.A. § 39-13-511 (a criminal statute), for purposes of this policy means in a public place intentionally exposing one's genitals or buttocks to another or engaging in sexual contact or sexual penetration where the person reasonably expects that the acts will be viewed by another, and the acts will offend an ordinary viewer or are for the purpose of sexual arousal and/or gratification.

~~D. Disciplinary action may be taken against a student for violations of the foregoing policies which occur at or in association with enrollment at an institution governed by the State Board of Regents for any academic period.~~

~~E. Each student shall be responsible for his/her conduct from the time of application for admission through the actual awarding of a degree including periods prior to or between semesters.~~

~~Conduct occurring while a student is registered or enrolled at the institution, but not discovered until after the student leaves the institution, including after the awarding of a degree, is actionable under these provisions and may result in the retroactive application of a disciplinary sanction.~~

F. Disciplinary Holds.

1. An institution may place a hold on a student record when the student has
 - a. Withdrawn from the institution while a disciplinary meeting and/or proceeding is pending;
 - b. Not responded to an institutional official's request for a meeting or hearing; or
 - c. Been suspended or expelled.
2. A disciplinary hold may remain on a student's record until final resolution of a disciplinary meeting and/or disciplinary hearing.
3. An institution will not confer a degree or credential when a student record has been placed on hold, or when a student has a pending disciplinary meeting and/or disciplinary proceeding.
4. Except for cases involving Academic Misconduct, an institution will not revoke a degree or credential based on conduct occurring while a person was a student, but not discovered until after the awarding of a degree or credential.

~~F. Should a student withdraw from the institution with disciplinary action or academic misconduct action pending, the student's record may be encumbered by the appropriate institutional office until the proceedings have been concluded.~~

III. ~~Academic and Classroom~~ and Academic Misconduct

A. Classroom Misconduct.

1. The instructor has the primary responsibility for maintenance of academic integrity and controlling classroom (which for this policy includes any remote class and/or offsite class such as a clinic site or other non-traditional class environment) behavior and responding to disruptive conduct. ~~and can~~

2. The instructor may order the temporary removal or exclusion from the classroom of any student engaged in disruptive conduct or other conduct that violates this policy ~~general rules and policies of the institution~~ for each class session during which the conduct occurs. Extended or permanent exclusion from the classroom, beyond the session in which the conduct occurred, or further disciplinary action can be effected only through appropriate procedures. ~~of the institution.~~

B. Academic Misconduct

1. ~~Plagiarism, cheating, and other forms of a~~ Academic misconduct is dishonesty ~~are~~ prohibited. Students guilty of academic misconduct, either directly or indirectly, through participation or assistance, are immediately responsible to the instructor of the class. In addition to other possible disciplinary sanctions which may be imposed in accordance with this policy, ~~through the regular institutional disciplinary procedures,~~ the instructor has the authority to take academic discipline consistent with institutional policy, procedures, and processes. ~~assign an appropriate grade for the exercise or examination, proportional to the nature and extent of academic misconduct. Disciplinary sanctions will be imposed only through the appropriate institutional student disciplinary processes.~~

2. An instructor who determines that a student has engaged in academic misconduct may choose to exercise academic discipline by lowering to any extent, including to a grade of "F" or "zero," a student's grade in the course, assignment, or examination affected by the alleged academic misconduct.

3. An instructor who initiates academic discipline shall inform the appropriate Chair and Dean (or other individual(s) identified by the institution) in writing of the finding of academic misconduct, the basis therefor, the academic discipline imposed, and the appeals process within five (5) days of the imposition of academic discipline.

4. A student may not withdraw from a course pending final resolution of an allegation of academic misconduct. Students are permitted and encouraged to continue attending class until the academic disciplinary decision, including all appeals, is final.

5. A student charged with academic misconduct has the option of either accepting the academic discipline imposed by the instructor or initiating the appeals process to challenge the allegation of academic misconduct or the severity of the academic discipline. If the student does not respond in writing within five (5) days by either accepting or appealing the academic discipline to the institutional academic misconduct appeals committee, the student waives the right to contest the academic discipline, at which time it becomes final.

6. An institutional academic misconduct appeals committee shall consist of at least three (3) individuals and include at least one (1) student. The chief academic officer or other administrator identified by the institution will assemble the committee and coordinate the hearing but will not participate on the committee. Any individual who has an interest in the incident, a conflict of interest, or a bias is not permitted to serve on the committee. An institution may maintain standing pools from which individuals may appointed and/or appoint ad hoc academic misconduct appeals committees. At a technical college the president has the authority to appoint a single administrator to perform the functions of the academic misconduct appeals committee and to effectuate the processes identified in this policy.

7. The academic misconduct appeals committee will set a hearing date that is within fifteen (15) business days of receipt of date of the student's appeal. The student must receive at least seven (7) calendar days' notice of the date, time, and location of the hearing. A student will be notified of the due process protections provided for in this policy.

8. The academic misconduct appeals committee will conduct the appeal hearing, consider the evidence presented, and make a decision based on a simple majority vote using a preponderance of the evidence standard. The committee can either uphold, overturn, or lessen the academic discipline. The results of the committee's decision will be conveyed to the student in writing, through the chief academic officer or other individual identified by the institution, within ten (10) business days of the hearing.

9. If the academic misconduct appeals committee upholds or lessens the academic discipline, the student may appeal in writing to the president within five (5) business days following receipt of the decision of the committee. The president will make a decision within ten (10) business days. The president's decision is final.

10. The institution's chief academic officer, president, or other administrator identified by the institution has the ability to extend any deadline in this section for good cause and upon written notice to the student.

11. In addition to academic discipline, a student who is found responsible for academic misconduct, either one or more times, may be subject to disciplinary sanctions in accordance with this policy.

12. The institution shall maintain permanently all submissions by the student and all decisions of institutional officials and committees relating to academic misconduct.

~~A. Students may appeal a grade assignment associated with a finding of academic misconduct, as distinct from a student disciplinary sanction, through appropriate institutional academic misconduct or grade appeal procedures. Courses may not be dropped pending the final resolution of an allegation of academic misconduct.~~

~~B. Disruptive behavior in the classroom may be defined as, but not limited to, behavior that obstructs or disrupts the learning environment (e.g., offensive language, harassment of students and professors, repeated outbursts from a student which disrupt the flow of instruction or prevent concentration on the subject taught, failure to cooperate in maintaining classroom decorum, etc.), text messaging, and the continued use of any electronic or other noise or light emitting device which disturbs others.~~

IV. Disciplinary Sanctions

A. Institutions shall ~~adopt and~~ publish a this policy, providing notice of potential disciplinary sanctions applicable to both students individuals and student organizations. Disciplinary sanctions may be imposed only after a violation of this policy has been established.~~The policy may include any appropriate sanction, given the specific needs of the individual institution, subject to prior review and approval by the TBR Offices of General Counsel and Academic Affairs. Institutions are authorized to implement any or all of the sanctions, in the form set forth in sub-section (B) below, without need for prior review or approval. Upon a determination that a student or student organization has violated any of the disciplinary offenses set forth in this policy, institutional disciplinary policies, or the general policies of an institution, d~~ Disciplinary sanctions may be imposed, either singly or in combination, by the appropriate institution or school officials.

B. Types Definition of Sanctions.:

1. Restitution. Restitution may be required in situations which involve theft, destruction, damage, or loss of property, or unreimbursed medical expenses resulting from

physical injury. When restitution is required, the student or student organization is obligated by the appropriate ~~institutional judicial~~ authority to compensate a party or parties for a loss suffered as a result of disciplinary violation(s). This action may take the form of appropriate service, monetary compensation, or material replacement.

Any ~~monetary such~~ payment in restitution shall be limited to actual cost of repair, replacement or financial loss;

2. Warning. The appropriate institutional official may notify orally or in writing the student or student organization that continuation or repetition of specified conduct may be cause for other disciplinary action;
3. Reprimand. A written or verbal reprimand or censure may be given to any student or student organization whose conduct violates any part of ~~this policy~~ these policies and provides notice that that any further violation(s) may result in more serious penalties;
4. Service to the Institution or Community. A student, or student organization, may be required to donate a specified number of service hours to the institution performing reasonable tasks for an appropriate institution office, official(s), or the local community. The service required shall be commensurate to the offense (~~e.g.,~~ including but not limited to service for maintenance staff for defacing institutional property);
5. Specified Educational/Counseling Program. A student or student organization may be required to participate in specified educational or counseling program(s) relevant to the offense, or to prepare a project or report concerning a relevant topic;
- ~~6. Apology. A student or student organization may be required to apologize to an affected party, either verbally or in writing, for the behavior related to a disciplinary offense;~~
- 7.6. Fines. Penalties in the form of fines may be imposed against a student or student organization whenever the appropriate institutional authority deems appropriate. The sanction of fines may be imposed in addition to other forms of disciplinary sanctions. Failure to pay fines may result in further disciplinary action;

- 8-7. Restriction. A restriction upon a student's or student organization's privileges for a period of time may be imposed. This restriction may include, ~~but is not limited to~~ ~~for example,~~ denial of the ability to represent the institution at any event, ability to participate in institution or TBR sponsored travel, use of facilities, parking privileges, participation in extracurricular activities or restriction of organizational privileges;
- 9-8. Probation. Continued enrollment of a student or recognition of a student organization on probation may be conditioned upon adherence to ~~th~~~~ese~~ ~~policy~~~~ies~~. Any student or organization placed on probation will be notified in writing of the terms and length of the probation. Probation may include ~~but not be limited to~~ restrictions upon extracurricular activities, or any other appropriate special condition(s). Any conduct in further violation of ~~this policy~~ ~~these policies~~ while on probationary status or the failure to comply with the terms of the probationary period may result in the imposition of further disciplinary action;
- 10-9. Suspension. Suspension is the separation of a student or student organization from the institution for a specified period of time. Suspension may be accompanied by special conditions for readmission or recognition;
- 11-10. Expulsion. Expulsion entails a permanent separation from the institution. The imposition of this sanction is a permanent bar to the student's admission, or a student organization's recognition ~~by~~ the institution. A student or organization that has been expelled may not enter institution property or facilities ~~or institution-~~ ~~controlled property or facilities~~ without obtaining prior approval from an appropriate campus official with knowledge of the expulsion directive;
- 12-11. Revocation ~~and Withholding~~ of Admission, Degree, or Credential; ~~and~~
- 13-12. Interim Involuntary Withdrawal or Suspension. As a general rule, the status of a student or student organization accused of violation of TBR ~~rules~~~~regulations~~, this policy, or ~~an~~ institutional ~~policy~~~~ies~~ should not be altered until a final determination has been made in regard to the charges. However, interim ~~or~~ involuntary withdrawal or suspension, pending the completion of disciplinary procedures, may be imposed

upon a finding ~~by the appropriate institutional official~~ that the conduct, or attempted conduct of the student poses a direct threat to the safety of any other member of the institution, its guests, property, or the student's behavior is materially and substantially disruptive of the institution's learning environment or other campus activities. In any case of interim or involuntary withdrawal or suspension, the student, or student organization, shall be given an opportunity at the time of the decision, or as soon thereafter as reasonably possible, to contest the suspension in accordance with this policy;

~~14. — Housing Probation. Continued residence in campus or student housing may be conditioned upon adherence to these policies as well as institutional housing policies. Any resident placed on housing probation will be notified in writing of the terms and length of the probation. Probation may include restrictions upon the activities of the resident, including any other appropriate special condition(s);~~

~~Housing Suspension and Forfeiture. A resident suspended from housing may not reside, visit, or make any use whatsoever of a housing facility or participate in any housing activity during the period for which the sanction is in effect. A suspended resident shall be required to forfeit housing fees (including any unused portion thereof and the Housing Deposit). A suspended resident must vacate the housing unit. Housing suspension shall remain a part of the student resident's disciplinary record.~~

C. The president is authorized, either personally or through a designee, to negotiate a mutually acceptable resolution to any disciplinary proceeding or to rescind or convert any sanction imposed to a lesser sanction.

~~V. — Traffic and Parking~~

~~A. — General: Institutions governed by the TBR shall adopt institutional policies governing traffic and parking on their respective campuses. The purpose of these policies shall be to facilitate the orderly and efficient flow of traffic on those campuses, to provide a safe~~

~~atmosphere for both pedestrians and motor vehicle operators, and to provide order with regard to parking within limited space. Institutional policies enacted in compliance with this policy shall be subject to prior review and approval of the TBR. Once adopted, such policies shall be published, at least annually, and, as appropriate, through signage, traffic/parking handbooks, student/faculty handbooks and institutional websites.~~

~~B. — Registration of Automobiles/Permits/Decals: TBR institutions shall adopt policies regarding the registration of vehicles and/or the issuance of decals and/or permits on campus, and/or the alternate use of campus access fees in lieu of registration of individual vehicles for the purpose of effective enforcement of campus traffic and/or parking regulations. Reasonable fees/costs may be assessed in association with the vehicle registration, permit, or decal issuance process. Any fees/costs associated with registration of vehicles or the issuance of permits/decals, together with appropriate information sufficient to justify the fee/cost amount, shall be submitted for review and approval by the TBR prior to implementation at any institution, pursuant to the requirement set forth in TBR policy.~~

~~C. — Parking: TBR institutions shall adopt policies with regard to parking on institution owned, operated, or controlled sites. Those policies shall reflect the physical availability and limitations of parking facilities at institution owned, operated, or controlled sites. TBR institutions are further authorized to adopt appropriate parking zones or designated parking systems for faculty, staff, students, residents of campus housing, visitors, and other appropriate groups. Institutions may also establish a schedule of hours for enforcement for parking regulations at their various campus sites. Reasonable fees/costs may be assessed in association with the issuance of parking decals or passes as set forth in section (2) above. Any fees/costs associated with parking permits/decals, together with appropriate information sufficient to justify the fee/cost amount, shall be submitted for review and approval by the TBR prior to implementation at any institution, pursuant to the requirement set forth in TBR policy.~~

~~D.—Traffic: TBR institutions shall adopt policies with regard to motor and other vehicular traffic on institution owned, operated, or controlled sites. Those policies shall reflect the nature of traffic patterns, roads, and physical limitations of the particular institution owned or controlled site. TBR institutions are further directed to adopt and publish a traffic code reflecting the traffic rules and offenses for that institution's sites. Such violations may include, but are not limited to, all traffic offenses provided under state, county, or municipal ordinance applicable to the locality of each institutional site. Adoption of such policies shall be subject to prior review and approval by the TBR. Once adopted or amended all traffic and parking regulations shall be affirmatively communicated to the faculty, staff, and students of the institution as well as published in appropriate websites, handbooks, or manuals.~~

~~E.—Fines/Penalties: TBR institutions shall have the authority to adopt appropriate fines and/or disciplinary sanctions for violations of the traffic and parking regulations established pursuant to sections (3) & (4) above. Fines may be set as determined necessary at each institution, but shall not exceed the amounts provided for by the higher of state law, county, or municipal ordinance for the same offense. Such fines are subject to the prior review and approval of the TBR, pursuant to the requirement set forth in TBR policy. Proposed fines shall be submitted to the TBR together with information sufficient to justify the fine. Such information shall include consideration of state/county/municipal fines for the same offense, fines for the same offense at similarly situated institutions, association to enforcement costs at the institution, and/or the unique traffic/parking considerations at each institution. Once adopted or amended, all fines shall be affirmatively communicated to the faculty, staff, and students of the institution as well as published in appropriate websites, handbooks, or manuals.~~

~~Appeals: Institutions shall establish an appropriate system of due process associated with any traffic/parking codes or fines, consistent with the due process requirements set forth in TBR Systemwide Rule 0240-02-03-.06, wherein persons cited for violation of institutional traffic/parking regulations may contest their citations. Institutions are~~

~~authorized to establish alternative or multiple methods/bodies for hearings and/or for the resolution of such matters.~~

VI.V. Disciplinary Procedures

- A. General: Institutions governed by the TBR, in the implementation of TBR policies pertaining to discipline and conduct of students, Institutions shall ensure provide students with the constitutional rights of students by affording a system of constitutionally and legally sound procedures ~~that which~~ provide the protection of due process of law. ~~In furtherance of this mandate, all TBR institutions shall enact policies setting forth the disciplinary procedures for the institution. All such policies shall be enacted in compliance~~ in accordance with TBR Systemwide Student Rules, this policy, and applicable state and federal law. All policies adopted related to student conduct shall be subject to prior review and approval by the TBR Offices of General Counsel and Academic Affairs. Once adopted or amended, all disciplinary procedures shall be affirmatively communicated to the faculty, staff, and students of the institution as well as published in appropriate websites, handbooks, or manuals.
- B. At community colleges, the Vice President of Student Affairs or other administrator designated by the institution is responsible for matters within the scope of this policy, except that the Chief Academic Officer is responsible for matters related to academic misconduct. In situations where the conduct could fall within both areas of responsibility, the two offices will confer and decide which procedures will apply and advise the student or student organization in writing of the decision. At colleges of applied technology, the president or designee has responsibility.
- C. Complaints related to discrimination, harassment, and retaliation that are not subject to another rule will be investigated and resolved in accordance with this policy and the institution's restatement of this policy, procedures, and processes.
1. In determining whether the evidence establishes a violation of institutional policy, the institution shall use the preponderance of the evidence standard for contested cases,

- as explained in TBR Policy 1.06.00.05, Uniform Procedures for Cases Subject to the Uniform Administrative Procedures Act and Department of State Rule 1360-04-01. At all times the burden of obtaining evidence and establishing a violation shall be on the institution.
2. In the event of bias or conflict of interest by an institutional official, the institution may appoint a substitute, who may or may not be employed by the institution.
 3. The investigator shall conduct an appropriate investigation, which may include interviews of the parties and witnesses, as well as review of documents and other information. The purpose of the investigation is to determine whether the evidence establishes a violation of institutional policy and procedures. The parties are encouraged, but not required, to provide information that they want the investigator to consider.
 4. The investigator shall provide written notice of receipt of a written complaint or the decision to initiate an investigation.
 5. The investigator shall notify students that the institution will comply with FERPA and only disclose information in accordance with FERPA and other applicable law.
 6. The investigator shall prepare a report summarizing the investigation. The report shall include, but not be limited to, the dates of the alleged occurrences, the response of the respondent, the findings of the investigator, and recommendations regarding disposition of the complaint.
 7. The report shall be submitted to the institution's president within sixty (60) calendar days following receipt of the complaint, absent cause for extending the investigation timeline. In situations where more time is needed to complete the investigation, written notice shall be provided to the parties explaining the reasons.
 8. The president shall review the investigator's report and shall make a written determination as to whether this policy, and institutional policy, processes, and

procedures have been violated and the appropriate disciplinary sanction, if any. The president's determination and the investigator's report shall be provided to the parties, unless prohibited by law.

9. Either party may send a written request to reconsider to the president within ten (10) working days, absent good cause, of receipt of the president's determination.

(i) The request to reconsider process shall consist of an opportunity for the parties to provide information to the president's attention that would change the determination and/or disciplinary sanction. A party must explain why the factual information was incomplete, the analysis of the facts was incorrect, the determination was affected by bias or a conflict of interest, procedural irregularity, and/or the appropriate standard was not applied, and how this would affect the determination. Failure to do so may result in denial of the request to reconsider.

(ii) The parties will not be allowed to present their request to reconsider in person unless the president determines, in his or her sole discretion, to allow an in-person appearance.

(iii) The president shall issue a written response to the request to reconsider as promptly as possible. The decision will constitute the institution's final decision.

(iv) The institution shall provide written notice of the ability to contest the determination and/or disciplinary sanctions, including where applicable, the ability to request a contested case hearing pursuant to the UAPA, to the parties at the time the parties are advised of the determination and upon the resolution of any request to reconsider or appeal.

D. Students and student organizations subject to any disciplinary sanction are entitled to a due process hearing in accordance with this policy and standards established by the constitutions of the State of Tennessee and the United States unless that right is waived after receiving written notice of the available procedures.

E. All proceedings under this policy will be held in closed session and not open to the public. Formal rules of evidence shall not be applicable. The administrator or committee chair may exclude evidence which in their judgment is immaterial, irrelevant, or unduly repetitious.

F. Written notice to a student or student organization is accomplished either by handing a copy to the student; sending documents via to email to the student's or student organization's institutional email account; email account of record on file with the institution; or by sending a copy via certified mail, registered mail, return receipt requested mail, or a nationally recognized delivery service that tracks delivery to the student's residence of record or the student organization's address of record.

B. Initiation of Charges

G. An institution may initiate the disciplinary process on the basis of written allegations received from any source, including any member of the college community. Complaints should be directed to the Vice President of Student Affairs or other administrator identified by the institution, except that complaints relating to discrimination, harassment, and retaliation should be referred to the administrator identified by the institution so that such complaints can be handled in accordance with institutional policy and procedures. The institution may also initiate disciplinary procedures without written allegations if it becomes aware of potential violations of these rules through other means.

H. When the allegations, if proven, may warrant the imposition of a disciplinary sanction, the institution shall inform the student of the allegations and proceed to gather information concerning the matter, including, but not limited to, interviewing relevant witnesses and reviewing relevant documents and evidence. Students who may be the subject of disciplinary sanctions will be provided the minimum due

process protections identified in this policy.

I. After reviewing the evidence, the administrator with responsibility for the matter shall decide whether sufficient evidence exists to charge the student, and if so, the appropriate disciplinary sanction(s). Notice of the charges and disciplinary sanction(s), if any, shall be provided in writing to the student. If there is insufficient evidence to continue the disciplinary process, the matter will be closed, and written notice will be provided to the student.

VI. Minimum Due Process Protections. Institutions shall provide the following minimum procedural due process protection components in disciplinary matters:

A. The student shall be advised, in writing, of the breach of the policy provision(s) of which he or she is charged;

B. The student shall be advised of the time, date, and place of the hearing allowing reasonable time for preparation; and

C. The student shall be advised of the following rights applicable at the hearing:

1. The right to present his or her case;

2. The right to be accompanied by an advisor of his or her choice. The advisor's participation shall be limited to advising the student, and not include advocating on behalf of the student, speaking on behalf of the student, or otherwise actively representing the student. An advisor is not permitted to interfere with the hearing;

3. The right to call witnesses on his or her behalf;

4. The right to confront witnesses against him or her; and

5. The method and time limitations for appeal, if any is applicable.

(4)-(d) Options for Students. Four potential processes exist for adjudication of disciplinary matters. The student will be informed in writing of each available option and the due process rights associated with each option. A student will have five (5) business days

following written notification to select an option. If a student fails to return the election of a procedure in a timely manner, the student will be deemed to have waived the right to contest the disciplinary sanction. Selection of one option constitutes waiver of all other options.

(a) Contested Case Hearing Procedure: All cases which may result in either: (a) suspension or expulsion of a student from the institution for disciplinary reasons, or (b) revocation of registration of a student organization, are subject to the contested case provisions of the Uniform Administrative Procedures Act (UAPA), T.C.A. § 4-5-301 et seq., and shall be processed in accord with the Uniform Contested Case procedures adopted by the Board of Regents TBR Policy 1.06.00.05, Uniform Procedures for Cases Subject to the Uniform Administrative Procedures Act, unless the student or student organization, after receiving written notice, waives those procedures, and elects to have the case disposed of in accord with institutional procedures or waives all right to contest the case under any procedure. These procedures shall be described in the institution's policy.

(b) A student at a community college may elect an institutional panel hearing. A student at a college of applied technology may elect a formal hearing in front of a single administrator appointed by the president.

1. Institutional Panel Hearing (Community Colleges)

(i) An institutional panel hearing committee at a community college shall consist of at least three (3) individuals and include at least one (1) student. The dean of students or other administrator identified by the institution will assemble the committee and coordinate the hearing but will not vote as to the committee's decision. An individual who has an interest in the incident, a conflict of interest, or a bias is not permitted to serve on the committee. The institution may appoint individuals from standing pools and/or appoint ad hoc committees.

(ii) The committee will set a hearing date that is within fifteen (15) business days of receipt of the student's request for a panel hearing. The student must be notified of the date, time, and location of the hearing as soon as possible, but given at least seven (7) calendar days' notice. A student will be notified of the due process protections provided for in these rules.

(iii) The committee will conduct the hearing, consider the relevant evidence presented, and make a decision based on a simple majority vote. The committee can either uphold, overturn, or lessen the disciplinary finding and/or sanction. The results of the decision will be conveyed to the student in writing, through the dean of students or other administrator identified by the institution, within ten (10) business days of the hearing.

(iv) If the committee upholds or lessens the disciplinary finding and/or sanction, the student may appeal in writing to the president within five (5) business days following receipt of the decision of the committee. The president will make a decision within ten (10) business days. The president's decision is final.

(v) The president, dean of students or other administrator identified by the institution has the ability to extend deadlines for good cause and upon written notice to the student.

(vi) The institution shall maintain all submissions by the student and all decisions of institutional officials and committees permanently.

2. Formal Administrative Hearing (Colleges of Applied Technology)

(i) The president of a college of applied technology shall appoint an administrator who will set a hearing date that is within fifteen (15) business days of receipt of the student's request for a hearing. The student must be given at least seven (7) calendar days' notice of the hearing. A student will be notified of the due process protections provided for in this policy.

(ii) The administrator will conduct a hearing, consider the relevant evidence presented, and make a decision either upholding, overturning, or lessening the disciplinary finding and/or sanction. The results of the decision will be conveyed to the student within ten (10) business days of the hearing.

(iii) If the administrator upholds or lessens the disciplinary finding and/or sanction, the student may appeal in writing to the president within five (5) business days following receipt of the decision of the committee. The president will make a decision within ten (10) business days. The president's decision is final.

(iv) The president has the ability to extend deadlines for good cause and upon written notice to the student.

(c) Administrative Resolution. An administrative resolution involves the student meeting with a single administrator appointed by (i) for community college students, the dean of students or other administrator identified by the institution or (ii) for college of applied technology students, the president. There is no appeal. The decision of the administrator is final.

(d) A student may elect not to contest the disciplinary action, either affirmatively or by failing to return the election of a procedure in a timely manner, which serves as a waiver of the right to contest the disciplinary action.

~~A.~~

~~1. For cases which may result in Interim Involuntary Withdrawal or Suspension, the institution must incorporate the guidelines set forth below in (F) in its decision-making processes.~~

~~B. Institutional Procedures: For matters not subject to the requirements of UAPA, each institution shall include in its policies a description of the procedures applicable at each level of a student/organizational misconduct, student housing violation or traffic/parking violation proceeding, including procedures for the initiation, investigation, resolution~~

~~and/or prosecution of a violation applicable at each level, including appeal(s). This policy shall also set forth minimum requirements for advance notice of charges/violations as well as the time, date, and place for any procedure or hearing.~~

~~C. Institutional Hearings: For matters not subject to the requirements of UAPA, institutions shall establish a body or bodies, with authority to hear student/organizational misconduct, student housing violations, or traffic/parking violations. Such body may be constituted as determined by the institution and may consist of one (1) individual or a committee. Authority may be vested in a single entity or in separate bodies.~~

~~D. Minimum Requirements of Due Process for Institutional Hearings: Institutional hearing bodies and procedures governing discipline in cases of student/organizational misconduct, student housing violations and/or traffic/parking violations may be structured in any manner deemed appropriate given the organizational structure of the individual institution, but shall include the following minimal procedural components:~~

~~1. The student shall be advised, in writing, of the breach of regulation(s) of which they are charged;~~

~~2. The student shall be advised of the time, date, and place of the hearing allowing reasonable time for preparation;~~

~~3. The student shall be advised of the following rights applicable at the hearing:~~

~~a. The right to present their case,~~

~~b. The right to be accompanied by an advisor,~~

~~c. The right to call witnesses in their behalf,~~

~~d. The right to confront witnesses against them, and~~

~~e. The student shall be advised of the method and time limitations for appeal, if any is applicable.~~

~~4. Students subject to any disciplinary sanction are entitled to a due process hearing unless that right is waived by the student after receiving written notice of the available procedures.~~

D. Procedures Related to Interim Involuntary Withdrawal or Suspension Hearings:

1. When the Vice President for Student Affairs or other administrator identified

by the institution determines that an interim suspension or other interim measure is required for the health and safety of the institutional community and/or property, or to prevent an ongoing imminent threat of disruption to or interference with the normal operations of the institution, the student will receive an opportunity for an informal hearing with the Vice President of Student Affairs or other administrator identified by the institution to contest the interim measure.

2. The informal hearing will be held within five (5) calendar days, absent good cause.

3. The evidence presented at the hearing shall be limited to that which is relevant to the basis asserted for imposition of the interim suspension or other interim measure.

~~E. Hearings conducted with regard to interim involuntary withdrawal or suspensions imposed prior to or pending the outcome of a disciplinary investigation or proceeding shall be conducted consistent with the minimum requirements of due process applicable to an institutional hearing, taking into account the need for a timely hearing. The evidence presented at the hearing shall be limited to that which is relevant to the basis asserted for imposition of the interim involuntary withdrawal or suspension.~~

~~1. In determining whether a student should be involuntarily withdrawn or suspended for threatening or disruptive conduct, the institution shall consider the nature, duration, severity, and probability of the threat posed or the disruption caused by a student, relying on the best available objective evidence and, if applicable and obtainable, on the most current medical evidence.~~

~~2. The institutions shall also determine whether reasonable modifications of its policies, practices, or procedures could sufficiently mitigate the risk.~~

3. ~~Absent exigent circumstances creating an imminent risk or harm, the assessment will be made prior to a decision to involuntarily withdraw or suspend based on the threat he or she poses on others.~~

4. ~~If exigent circumstances warrant the immediate removal of a student from the institution, the student will receive, at a minimum, notice and an initial opportunity to present evidence immediately after being placed on involuntary withdrawal, and the opportunity to initiate full due process within 30 days of the removal.~~

~~F.E.~~ Alternative Resolution Procedures: ~~An institution is authorized to establish alternative or multiple methods/bodies for hearings and/or for the resolution of disciplinary matters, with the consent of all relevant parties, may use an~~ Alternative resolution methods ~~may include~~, but ~~are~~ not limited to, an apology, mediation, ~~diversion programs, and/or~~ a negotiated resolutions.

Exhibits

- [Configure](#)



[Exhibit 1 - Guide to Gun Laws on Campus](#) (pdf /63.72 KB)

Sources

Authority

T.C.A. § 49-8-203; All Federal and State statutes, codes, rules and regulations referenced in this policy.

History

TBR Meetings, December 2, 1977; March 3, 1978; March 18, 1983; September 30, 1983; TBR Board Meeting, March 29, 2012; TBR Board Meeting June 19, 2015.

Related Policies

- [Student Due Process Procedure](#)
- [Equal Employment Opportunity and Affirmative Action](#)
- [Sex Discrimination, Sexual Harassment or Sexual Misconduct](#)
- [Sex Discrimination and Sexual Harassment](#)

- Sexual Misconduct

General Policy on Student Conduct & Disciplinary Sanctions: 3.02.00.01

Policy Area

Student Policies

Applicable Divisions

TCATs, Community Colleges

Purpose

The Tennessee Board of Regents authorizes the institutions under its jurisdiction to take such action consistent with this policy as may be necessary to maintain campus conditions and preserve the integrity of the institution and its educational environment. Institutional policies on this subject shall be subject to prior review and approval by the TBR Offices of General Counsel and Academic Affairs.

Definitions

- For the purpose of this policy, a “student” shall mean any person
 - who is admitted, enrolled, and/or registered for study (including for non-credit classes) at a Board of Regents institution for any academic period. This shall include any period of time following admission and/or registration, but preceding the start of classes for any academic period, following the end of an academic period through the last day for registration for the succeeding academic period, and during any period while the student is under suspension from the institution; who engaged in academic misconduct as part of the application process; and/or
 - who previously attended a TBR institution and who was found to have violated the institution’s student conduct and disciplinary standards policy during the time of enrollment.
 - “Student” shall also include any person subject to a period of suspension or removal from campus resulting from a finding of a violation of this policy;
 - Unless explicitly provided otherwise in these rules, the term “student” shall also refer to a student organization.
- Definitions of “Disciplinary Offenses” and “Disciplinary Sanctions” are included in their respective sections, II. and V.

Policy

I. Policy Statement

- A. Students enrolled in a TBR postsecondary educational institutions are citizens of their civic communities as well as the academic community. As such they are expected to conduct themselves as law-abiding members of each community at all times.
- B. Admission to an institution of postsecondary education carries with it special privileges and imposes special responsibilities apart from those rights and duties enjoyed by non-students. In recognition of the special relationship that exists between the institution and the academic community which it seeks to serve, the Tennessee Board of Regents (“TBR” or “the Board”) has authorized the presidents of the institutions under its jurisdiction to take such action as may be necessary to maintain conditions on institution-owned and controlled property and to preserve the integrity of the institution and its educational environment.
- C. Pursuant to this authorization and in fulfillment of its duties to provide a secure and stimulating atmosphere in which individual and academic pursuits may flourish, the Board has developed the following policy, which is intended to govern student conduct at the institutions under its jurisdiction.
- D. Each institution under the jurisdiction of the TBR is directed to implement policies subject to, and consistent with, this policy.
- E. In addition, students are subject to all federal, state and local laws and ordinances. If a student’s violation of such laws or ordinances also adversely affects the institution’s pursuit of its educational objectives, an institution may enforce its own policies regardless of the status or outcome of any external proceedings instituted by other civil or criminal authorities.
- F. Students are responsible for compliance with this policy and with institutional policies and regulations.
- G. Disciplinary action may be taken against a student for violation of policies and regulations that occur on institutionally owned, leased or otherwise controlled property,

while participating in international or distance learning programs, and off campus, when the conduct impairs, interferes with, or obstructs any institutional activity or the mission, processes, and functions of the institution. In the case of violations that occur off institutionally owned, leased, or controlled property, the institution will take into account whether the violation impairs, interferes with, or obstructs any institutional activity, or the mission, processes, and function of the institution, including, but not limited to, conduct that:

1. occurs in connection with any institutional activity, including but not limited to, international, distance, online, or remote learning programs, athletics events and other extracurricular activities, clinical, internship, practicum, and similar activities;
2. occurs while using institutional resources, such as computers and network systems;
3. involves or affects another member of the TBR community (a student, faculty, staff member, or guest of a TBR institution); or
4. poses a credible, serious threat to the health and safety of the TBR community.

H. This policy, and related material incorporated herein by reference, is applicable to student organizations as well as individual students. Whether a student organization will be held responsible for a violation of these rules by one or more of its members will be based on the following considerations:

1. the violation is endorsed by the student organization or any of its officers. “Endorsed by” includes, but is not limited to, active or passive consent or support, having prior knowledge that the conduct was likely to occur, or helping to plan, advertise, or promote the conduct;
2. the violation took place during the course of an activity paid for by the student organization or by members of the student organization to support the activity in question;

3. the prohibited conduct occurred on property owned, controlled, rented, leased, or used by the student organization or any of its members for an organizational event;
4. the prohibited conduct was related to initiation, admission into, affiliation with, or as a condition for continued membership in the student organization; and
5. one or more officers of the student organization had prior knowledge or reasonably should have known the prohibited conduct would likely take place.

- I. Confidentiality of Discipline Process. Subject to the exceptions provided pursuant to the Family Educational Rights and Privacy Act of 1974 (FERPA), 20 U.S.C. 1232g, the Tennessee Public Records Act, T.C.A. § 10-7-504, and/or other state and federal law, a student's disciplinary records and files are considered "education records" and are confidential in accordance with those statutes.
- J. Matters involving sexual harassment, sexual assault, stalking, domestic violence, and dating violence occurring within an education program or activity, if within the scope of TBR Policy 6.03.00.00, Sexual Misconduct, which implements 34 C.F.R. Part 106 related to Title IX of the Education Amendments of 1972, shall proceed in accordance with TBR Policy 6.03.00.00, Sexual Misconduct, and not this policy.

II. [Disciplinary Offenses](#)

- A. Disciplinary measures shall be imposed according to this policy and the institution's restatement of this policy and applicable procedures and processes.
- B. Institutions shall use the "preponderance of the evidence" standard. A preponderance of the evidence means the greater weight of the evidence or that, according to the evidence, the conclusion sought by the party with the burden of proof is the more probable conclusion.
- C. These rules shall not be used to violate rights guaranteed under the constitution of the State of Tennessee or the constitution of the United States.

- D. Institutions shall adopt and publish notice of offenses for which both individuals and student organizations may be subject to disciplinary action.
- E. Both students and student organizations may be subject to disciplinary action for the following disciplinary offenses identified in this policy:
1. Threatening Conduct. Any conduct, threatened conduct, or attempted conduct that, poses a threat to a person's safety, health, or personal well-being including, but not limited to, endangering the health, safety, or welfare of any person; engaging in conduct that causes a reasonable person to fear harm to his or her health, safety or welfare; or making an oral or written statement that an objectively reasonable person hearing or reading the statement would interpret as a serious expression of an intent to commit an act of unlawful violence to a particular individual or group of individuals;
 2. Disruptive Conduct. Any conduct, threatened conduct, or attempted conduct that is disruptive to the institution's learning environment, including, but not limited to, engaging in any action that interferes with the ability of the instructor to teach or other students to learn. Disruptive conduct in the class setting (which includes but is not limited to remote education and off-site locations) includes, but is not limited to, behavior that obstructs or disrupts the learning environment (e.g., offensive language, harassment of students or instructors, repeated outbursts from a student that disrupt the flow of instruction or prevent concentration, failure to cooperate in maintaining class decorum, etc.), text messaging, and the continued use of any electronic or other noise or light emitting device which disturbs others;
 3. Hazing. Hazing, as defined in T.C.A. § 49-7-123(a)(1), means any intentional or reckless act, on or off the property, of any higher education institution by an individual acting alone, or with others, which is directed against any other person(s) that endangers the mental or physical health or safety of that person(s), or which induces or coerces a person(s) to endanger such person(s) mental or physical health or safety. Hazing does not include customary athletic events or similar

contests or competitions, and is limited to those actions taken and situations created in connection with initiation into or affiliation with any organization;

4. Disorderly Conduct. Any individual or group behavior which is abusive, obscene, lewd, indecent (including, without limitation, public exposure of one's sex organs, public urinating, and public sexual acts), violent, excessively noisy, disorderly, or which unreasonably disturbs institutional functions, operations, classrooms, other groups or individuals;
5. Obstruction of or Interference with institutional activities or facilities. Any intentional interference with or obstruction of any institutional, program, event, or facility including but not limited to the following:
 - a. Any unauthorized occupancy of facilities owned or controlled by an institution or blockage of access to or from such facilities;
 - b. Interference with the right of any institution member or other authorized person to gain access to any activity, program, event or facilities sponsored or controlled by an institution;
 - c. Any obstruction or delay of a security officer, public safety officer, police officer, firefighter, EMT, or any official of an institution, or failure to comply with any emergency directive issued by such person in the performance of their duty;
 - d. Participation in a demonstration that substantially impedes institutional operations; or
 - e. Obstruction of the free flow of pedestrian or vehicular traffic on property owned, leased or controlled by an institution or at an institutional activity.
6. Misuse of or Damage to Property. Any act of misuse, vandalism, malicious or unwarranted damage or destruction, defacing, disfiguring or unauthorized use of property belonging to the institution or a member of the TBR community including, but not limited to, any personal property, fire alarms, fire equipment, elevators, telephones, institution keys, library materials and/or safety devices;
7. Theft, Misappropriation, or Unauthorized Sale of Property;

8. Misuse of Documents or Identification Cards. Any forgery, alteration of or unauthorized use of institutional documents, forms, records or identification cards, including the giving of any false information, or withholding of necessary information, in connection with a student's admission, enrollment or status in the institution;
9. Weapons. Possessing, carrying, using, storing, or manufacturing any weapon on institution controlled property or in connection with an institution affiliated activity, unless federal or state law provides a student with an affirmative right to possess or carry a weapon on institution controlled property or in connection with an institution-affiliated activity. (Refer to Guidance on Firearms on Campus, Exhibit #1);
10. Explosives, Fireworks, Flammable, and Hazardous Materials. The unauthorized possession, ignition or detonation of any object or article that represents a potential danger to the TBR community, including, but not limited to, explosives, fireworks, flammable materials, ammunition, hazardous liquids, chemicals, or hazardous materials;
11. Alcoholic Beverages and Alcohol-Related Conduct. The use, possession, and/or sale of alcoholic beverages on institution owned or controlled property or in connection with any institutional activity unless expressly permitted by the institution;
12. Drugs. The unlawful possession, use, sale, or manufacture of any drug or controlled substance (including, but not limited to, any stimulant, depressant, narcotic or hallucinogenic drug, or marijuana). This offense includes using or possessing a prescription drug if the prescription was not issued to the student, as well as the violation of any local ordinance, state, or federal law concerning the unlawful possession or use of drugs;
13. Drug Paraphernalia. The use, possession, distribution, sale, or manufacture of equipment, products or materials that are used or intended for use in manufacturing, growing, using or distributing any drug or controlled substance. This offense includes the violation of any local ordinance, state, or federal law concerning the unlawful possession of drug paraphernalia;

14. Public Intoxication. Appearing on institution owned or controlled property or at an institutional sponsored event while under the influence of alcohol, a controlled substance, or of any other intoxicating substance;
15. Gambling. Unlawful gambling in any form;
16. Financial Irresponsibility. Failure to meet financial responsibilities to the institution promptly including, but not limited to, knowingly passing a worthless check or money order in payment to the institution;
17. Unacceptable Conduct Related to Disciplinary Proceedings. Any conduct at any stage of an institutional disciplinary proceeding or investigation that is contemptuous, threatening, retaliatory, or disorderly, including false complaints, false testimony or other falsification of evidence, and attempts to influence the impartiality of a member of an adjudicatory body, verbal or physical harassment or intimidation of an institutional official, hearing panel member, complainant, respondent or witness;
18. Failure to Cooperate with Institutional Officials. Failure to comply with reasonable directions of institutional officials acting in the performance of their duties. This includes, but is not limited to, failing to respond to a request to report to an institutional administrative office, failing to cooperate in an institutional investigation, and/or failing to appear at an institutional hearing, including, without limitation, a disciplinary hearing;
19. Attempts, Aiding and Abetting. Any attempt to commit any of the offenses listed under this section or the aiding or abetting of the commission of any of the offenses listed under this section. (An attempt to commit an offense is defined as the intention to commit the offense coupled with the taking of some action toward its commission.) Being present during the planning or commission of any offense listed under this section without having made an immediate report to the institution prior to the commission of the planned offense will be considered as aiding and abetting.

Students who anticipate or observe an offense must remove themselves from the situation and are required to report the offense to the institution;

20. Violations of State or Federal Laws. Any conviction of violation of state or federal laws, rules, or regulations prohibiting conduct or establishing offenses;
21. Violation of Imposed Disciplinary Sanctions. Intentional or unintentional violation of a disciplinary sanction imposed through an institutional disciplinary proceeding;
22. Sexual Misconduct. Committing any act of sexual assault, rape, sexual battery, domestic violence, or dating violence as defined by state or federal law;
23. Harassment, Stalking, or Retaliation. Any conduct that falls within T.C.A. § 39-17-308 (Harassment) or T.C.A. § 39-17-315 (Stalking) or “student-on-student harassment,” which means unwelcome conduct directed toward a person that is discriminatory on a basis prohibited by federal, state, or local law, and that is so severe, pervasive, and objectively offensive that it effectively bars the victim’s access to educational opportunity or benefit. Engaging in “retaliation,” which is an act or omission committed by a student because of another person’s participation in a protected activity that would discourage a reasonable person from engaging in protected activity. Retaliation violates these standards regardless of whether the underlying allegation of a violation of policy is ultimately found to have merit. Retaliation can include, without limitation: an act or omission committed against a person’s family, friends, advisors, and or other persons reasonably expected to provide information in connection with an institutional investigation or hearing, and an act or omission committed by a student through a third party;
24. Discrimination. Any conduct prohibited by any federal or state law, rule, or regulation related to discrimination, harassment, or retaliation;
25. Academic Misconduct. Any action or attempted action designed to provide an unfair academic advantage or disadvantage for oneself or others. Academic misconduct includes a wide variety of behaviors such as plagiarism, cheating, fabrication, and

other academic dishonesty. For purposes of this policy the following definitions apply:

- a. Plagiarism. The adoption or reproduction of ideas, words, statements, images, or works of another person as one's own without proper attribution. Examples include but are not limited to copying of passages from works of others into one's own work without acknowledgment; summarizing or paraphrasing ideas from another source without proper attribution, unless such information is recognized as common knowledge; and using facts, statistics graphs, representations, or phrases without proper attribution;
 - b. Cheating. Using or attempting to use unauthorized materials, information, or aids in any academic exercise or test/examination. Examples include but are not limited to copying another's work; obtaining or giving unauthorized assistance; unauthorized collaboration or collusion with another person; having another person take a test for a student; and the use of unauthorized materials or devices. The term academic exercise includes all forms of work submitted for credit or hours;
 - c. Fabrication. Falsifying, fabricating, or misrepresenting data, research results, citations or other information in connection with an academic assignment. Unauthorized falsification or invention of any information or citation in an academic exercise.
26. Unauthorized Duplication or Possession of Keys. Making, causing to be made or the possession of, with the intent to use or make available for use by others, any key for an institutional facility without proper authorization;
 27. Litter. Dispersing litter in any form onto the grounds or facilities of the campus;
 28. Pornography. Public display of literature, films, pictures or other materials which an average person applying contemporary community standards would find, (1) taken as a whole, appeals to the prurient interest, (2) depicts or describes sexual conduct

in a patently offensive way, and/or (3) taken as a whole, lacks serious literary, artistic, political or scientific value;

29. Abuse of Computer Resources and Facilities. Misusing and/or abusing campus computer resources including, but not limited to the following:
 - a. Use of another person's identification to gain access to institutional computer resources;
 - b. Use of institutional computer resources and facilities to violate copyright laws, including, but not limited to, the act of unauthorized distribution of copyrighted materials using institutional information technology systems;
 - c. Unauthorized access to a computer or network file, including but not limited to, altering, using, reading, copying, or deleting the file;
 - d. Unauthorized transfer of a computer or network file;
 - e. Use of computing resources and facilities to send abusive or obscene correspondence;
 - f. Use of computing resources and facilities in a manner that interferes with normal operation of the institutional computing system;
 - g. Use of computing resources and facilities to interfere with the work of another student, faculty member, or institutional official; and
 - h. Unauthorized peer-to-peer file sharing;
30. Unauthorized Access to Institutional Facilities and/or Grounds. Any unauthorized access and/or occupancy of institutional facilities and/or grounds is prohibited, including, but not limited to, gaining access to facilities and grounds that are closed to the public, being present in areas of campus that are open to limited guests only, being present in academic buildings after hours without permission, and being present in buildings when the student has no legitimate reason to be present;
31. Providing False Information. Giving any false information to, or withholding necessary information from, any institutional official acting in the performance of his

or her duties in connection with a student's admission, enrollment, or status in the institution;

32. **Observation Without Consent.** Observation Without Consent, which is prohibited by T.C.A. § 39-13-607 (a criminal statute) for purposes of this policy, means knowingly spying upon, observing, or otherwise viewing an individual, regardless of whether a photo, video, or recording is made, when the individual is in a place where there is reasonable expectation of privacy, without the prior effective consent of the individual, if the viewing would offend or embarrass an ordinary person if the person knew the person was being viewed. This includes, but is not limited to, taking video or photographic images in shower/locker rooms, living quarters, restrooms, and storing, sharing, and/or distributing of such unauthorized images by any means;
33. **Smoking Violations.** Smoking or tobacco use in any institution building or facility, in any state-owned vehicle, or on any institution grounds or property, unless in a designated smoking or tobacco use area. For the purposes of these rules, "tobacco use" includes, but is not limited to, the personal use of any tobacco product, whether intended to be lit or not, which includes smoking tobacco or other substances that are lit and smoked, as well as the use of an electronic cigarette or any other device intended to simulate smoking, and the use of smokeless tobacco, including snuff; chewing tobacco; smokeless pouches; any form of loose-leaf, smokeless tobacco; and the use of unlit cigarettes, cigars, and pipe tobacco;
34. **Maintenance of Ethical and Professional Standards.** Failure to maintain the high ethical and professional standards of the various disciplines of the health professions may subject a student to suspension from a program, dismissal from a program, or other appropriate remedial action.
 - a. A student enrolled in a program leading to a degree or certificate in a health profession is subject to disciplinary action up to and including suspension and dismissal from a program for engaging in the following acts of misconduct, regardless of location:

- (1) Commission of an offense classified as a felony by Tennessee or federal criminal statutes;
 - (2) Unlawful use, possession, or sale of drugs or narcotics, whether or not felonious;
 - (3) Other unprofessional or unethical conduct that would bring disrepute and disgrace upon both the student and profession and that would tend to substantially reduce or eliminate the student's ability to effectively practice the profession in which discipline he or she is enrolled; or
 - (4) Conduct that is in violation of either a relevant Tennessee statute establishing professional standards or a rule or regulation of a Tennessee regulatory board or other body responsible for the establishment and enforcement of professional standards.
- b. A person applying for admission to a health profession program may be denied admission to the program on the basis of his or her violation of the aforementioned ethical and professional standards;
35. Traffic and Parking Fines. Receiving \$100.00 or more in traffic and/or parking violations on institution property or institution-controlled property during any semester.
36. Indecent Exposure. Indecent Exposure, which is prohibited by T.C.A. § 39-13-511 (a criminal statute), for purposes of this policy means in a public place intentionally exposing one's genitals or buttocks to another or engaging in sexual contact or sexual penetration where the person reasonably expects that the acts will be viewed by another, and the acts will offend an ordinary viewer or are for the purpose of sexual arousal and/or gratification.

F. Disciplinary Holds.

1. An institution may place a hold on a student record when the student has
 - a. Withdrawn from the institution while a disciplinary meeting and/or proceeding is pending;
 - b. Not responded to an institutional official's request for a meeting or hearing; or
 - c. Been suspended or expelled.
2. A disciplinary hold may remain on a student's record until final resolution of a disciplinary meeting and/or disciplinary hearing.
3. An institution will not confer a degree or credential when a student record has been placed on hold, or when a student has a pending disciplinary meeting and/or disciplinary proceeding.
4. Except for cases involving Academic Misconduct, an institution will not revoke a degree or credential based on conduct occurring while a person was a student, but not discovered until after the awarding of a degree or credential.

III. Classroom and Academic Misconduct

A. Classroom Misconduct.

1. The instructor has the primary responsibility for maintenance of academic integrity and controlling class (which for this policy includes any remote class and/or offsite class such as a clinic site or other non-traditional class environment) behavior and responding to disruptive conduct.
2. The instructor may order the temporary removal or exclusion from the class of any student engaged in disruptive conduct or other conduct that violates this policy for each class session during which the conduct occurs. Extended or permanent exclusion from the classroom, beyond the session in which the conduct occurred, or further disciplinary action can be effected only through appropriate procedures.

B. Academic Misconduct

1. Academic misconduct is prohibited. Students guilty of academic misconduct, either directly or indirectly, through participation or assistance, are immediately responsible to the instructor of the class. In addition to other possible disciplinary sanctions which may be imposed in accordance with this policy, the instructor has the authority to take academic discipline consistent with institutional policy, procedures, and processes.
2. An instructor who determines that a student has engaged in academic misconduct may choose to exercise academic discipline by lowering to any extent, including to a grade of "F" or "zero," a student's grade in the course, assignment, or examination affected by the alleged academic misconduct.
3. An instructor who initiates academic discipline shall inform the appropriate Chair and Dean (or other individual(s) identified by the institution) in writing of the finding of academic misconduct, the basis therefor, the academic discipline imposed, and the appeals process within five (5) days of the imposition of academic discipline.
4. A student may not withdraw from a course pending final resolution of an allegation of academic misconduct. Students are permitted and encouraged to continue attending class until the academic disciplinary decision, including all appeals, is final.
5. A student charged with academic misconduct has the option of either accepting the academic discipline imposed by the instructor or initiating the appeals process to challenge the allegation of academic misconduct or the severity of the academic discipline. If the student does not respond in writing within five (5) days by either accepting or appealing the academic discipline to the institutional academic misconduct appeals committee, the student waives the right to contest the academic discipline, at which time it becomes final.
6. An institutional academic misconduct appeals committee shall consist of at least three (3) individuals and include at least one (1) student. The chief academic officer or other

administrator identified by the institution will assemble the committee and coordinate the hearing but will not participate on the committee. Any individual who has an interest in the incident, a conflict of interest, or a bias is not permitted to serve on the committee. An institution may maintain standing pools from which individuals may be appointed and/or appoint ad hoc academic misconduct appeals committees. At a technical college the president has the authority to appoint a single administrator to perform the functions of the academic misconduct appeals committee and to effectuate the processes identified in this policy.

7. The academic misconduct appeals committee will set a hearing date that is within fifteen (15) business days of receipt of date of the student's appeal. The student must receive at least seven (7) calendar days' notice of the date, time, and location of the hearing. A student will be notified of the due process protections provided for in this policy.
8. The academic misconduct appeals committee will conduct the appeal hearing, consider the evidence presented, and make a decision based on a simple majority vote using a preponderance of the evidence standard. The committee can either uphold, overturn, or lessen the academic discipline. The results of the committee's decision will be conveyed to the student in writing, through the chief academic officer or other individual identified by the institution, within ten (10) business days of the hearing.
9. If the academic misconduct appeals committee upholds or lessens the academic discipline, the student may appeal in writing to the president within five (5) business days following receipt of the decision of the committee. The president will make a decision within ten (10) business days. The president's decision is final.
10. The institution's chief academic officer, president, or other administrator identified by the institution has the ability to extend any deadline in this section for good cause and

upon written notice to the student.

11. In addition to academic discipline, a student who is found responsible for academic misconduct, either one or more times, may be subject to disciplinary sanctions in accordance with this policy.

12. The institution shall maintain permanently all submissions by the student and all decisions of institutional officials and committees relating to academic misconduct.

IV. Disciplinary Sanctions

A. Institutions shall publish this policy, provide notice of potential disciplinary sanctions applicable to both students and student organizations. Disciplinary sanctions may be imposed only after a violation of this policy has been established. Disciplinary sanctions may be imposed, either singly or in combination, by the appropriate institution or school officials.

B. Types of Sanctions.

1. Restitution. Restitution may be required in situations which involve theft, destruction, damage, or loss of property, or unreimbursed medical expenses resulting from physical injury. When restitution is required, the student or student organization is obligated by the appropriate institutional authority to compensate a party or parties for a loss suffered as a result of disciplinary violation(s). This action may take the form of appropriate service, monetary compensation, or material replacement. Any monetary payment in restitution shall be limited to actual cost of repair, replacement or financial loss;
2. Warning. The appropriate institutional official may notify orally or in writing the student or student organization that continuation or repetition of specified conduct may be cause for other disciplinary action;
3. Reprimand. A written or verbal reprimand or censure may be given to any student or student organization whose conduct violates any part of this policy and provides notice that that any further violation(s) may result in more serious penalties;

4. Service to the Institution or Community. A student, or student organization, may be required to donate a specified number of service hours to the institution performing reasonable tasks for an appropriate institution office, official(s), or the local community. The service required shall be commensurate to the offense (including but not limited to service for maintenance staff for defacing institutional property);
5. Specified Educational/Counseling Program. A student or student organization may be required to participate in specified educational or counseling program(s) relevant to the offense, or to prepare a project or report concerning a relevant topic;
6. Restriction. A restriction upon a student's or student organization's privileges for a period of time may be imposed. This restriction may include, but is not limited to denial of the ability to represent the institution at any event, ability to participate in institution or TBR sponsored travel, use of facilities, parking privileges, participation in extracurricular activities or restriction of organizational privileges;
7. Probation. Continued enrollment of a student or recognition of a student organization on probation may be conditioned upon adherence to this policy. Any student or organization placed on probation will be notified in writing of the terms and length of the probation. Probation may include but not be limited to restrictions upon extracurricular activities, or any other appropriate special condition(s). Any conduct in further violation of this policy while on probationary status or the failure to comply with the terms of the probationary period may result in the imposition of further disciplinary action;
8. Suspension. Suspension is the separation of a student or student organization from the institution for a specified period of time. Suspension may be accompanied by special conditions for readmission or recognition;
9. Expulsion. Expulsion entails a permanent separation from the institution. The imposition of this sanction is a permanent bar to the student's admission, or a student organization's recognition by the institution. A student or organization that has been expelled may not enter institution property or facilities or institution-

controlled property or facilities without obtaining prior approval from an appropriate campus official with knowledge of the expulsion directive;

10. Revocation and Withholding of Admission, Degree, or Credential; and

11. Interim Involuntary Withdrawal or Suspension. As a general rule, the status of a student or student organization accused of violation of TBR rules, this policy, or an institutional policy should not be altered until a final determination has been made in regard to the charges. However, interim or involuntary withdrawal or suspension, pending the completion of disciplinary procedures, may be imposed upon a finding that the conduct, or attempted conduct of the student poses a direct threat to the safety of any other member of the institution, its guests, property, or the student's behavior is materially and substantially disruptive of the institution's learning environment or other campus activities. In any case of interim or involuntary withdrawal or suspension, the student, or student organization, shall be given an opportunity at the time of the decision, or as soon thereafter as reasonably possible, to contest the suspension in accordance with this policy;

C. The president is authorized, either personally or through a designee, to negotiate a mutually acceptable resolution to any disciplinary proceeding or to rescind or convert any sanction imposed to a lesser sanction.

V. [Disciplinary Procedures](#)

A. Institutions shall provide students with a system of constitutionally and legally sound procedures that provide the protection of due process of law in accordance with TBR Systemwide Student Rules, this policy, and applicable state and federal law. All policies adopted related to student conduct shall be subject to prior review and approval by the TBR Offices of General Counsel and Academic Affairs. Once adopted or amended, all disciplinary procedures shall be affirmatively communicated to the faculty, staff, and students of the institution as well as published in appropriate websites, handbooks, or manuals.

- B. At community colleges, the Vice President of Student Affairs or other administrator designated by the institution is responsible for matters within the scope of this policy, except that the Chief Academic Officer is responsible for matters related to academic misconduct. In situations where the conduct could fall within both areas of responsibility, the two offices will confer and decide which procedures will apply and advise the student or student organization in writing of the decision. At colleges of applied technology, the president or designee has responsibility.
- C. Complaints related to discrimination, harassment, and retaliation that are not subject to another rule will be investigated and resolved in accordance with this policy and the institution's restatement of this policy, procedures, and processes.
1. In determining whether the evidence establishes a violation of institutional policy, the institution shall use the preponderance of the evidence standard for contested cases, as explained in TBR Policy 1.06.00.05, Uniform Procedures for Cases Subject to the Uniform Administrative Procedures Act and Department of State Rule 1360-04-01. At all times the burden of obtaining evidence and establishing a violation shall be on the institution.
 2. In the event of bias or conflict of interest by an institutional official, the institution may appoint a substitute, who may or may not be employed by the institution.
 3. The investigator shall conduct an appropriate investigation, which may include interviews of the parties and witnesses, as well as review of documents and other information. The purpose of the investigation is to determine whether the evidence establishes a violation of institutional policy and procedures. The parties are encouraged, but not required, to provide information that they want the investigator to consider.
 4. The investigator shall provide written notice of receipt of a written complaint or the decision to initiate an investigation.

5. The investigator shall notify students that the institution will comply with FERPA and only disclose information in accordance with FERPA and other applicable law.
6. The investigator shall prepare a report summarizing the investigation. The report shall include, but not be limited to, the dates of the alleged occurrences, the response of the respondent, the findings of the investigator, and recommendations regarding disposition of the complaint.
7. The report shall be submitted to the institution's president within sixty (60) calendar days following receipt of the complaint, absent cause for extending the investigation timeline. In situations where more time is needed to complete the investigation, written notice shall be provided to the parties explaining the reasons.
8. The president shall review the investigator's report and shall make a written determination as to whether this policy, and institutional policy, processes, and procedures have been violated and the appropriate disciplinary sanction, if any. The president's determination and the investigator's report shall be provided to the parties, unless prohibited by law.
9. Either party may send a written request to reconsider to the president within ten (10) working days, absent good cause, of receipt of the president's determination.
 - a. The request to reconsider process shall consist of an opportunity for the parties to provide information to the president's attention that would change the determination and/or disciplinary sanction. A party must explain why the factual information was incomplete, the analysis of the facts was incorrect, the determination was affected by bias or a conflict of interest, procedural irregularity, and/or the appropriate standard was not applied, and how this would affect the determination. Failure to do so may result in denial of the request to reconsider.
 - b. The parties will not be allowed to present their request to reconsider in person unless the president determines, in his or her sole discretion, to allow an in-person

appearance.

- c. The president shall issue a written response to the request to reconsider as promptly as possible. The decision will constitute the institution's final decision.
 - d. The institution shall provide written notice of the ability to contest the determination and/or disciplinary sanctions, including where applicable, the ability to request a contested case hearing pursuant to the UAPA, to the parties at the time the parties are advised of the determination and upon the resolution of any request to reconsider or appeal.
- D. Students and student organizations subject to any disciplinary sanction are entitled to a due process hearing in accordance with this policy and standards established by the constitutions of the State of Tennessee and the United States unless that right is waived after receiving written notice of the available procedures.
- E. All proceedings under this policy will be held in closed session and not open to the public. Formal rules of evidence shall not be applicable. The administrator or committee chair may exclude evidence which in their judgment is immaterial, irrelevant, or unduly repetitious.
- F. Written notice to a student or student organization is accomplished either by handing a copy to the student; sending documents via to email to the student's or student organization's institutional email account; email account of record on file with the institution; or by sending a copy via certified mail, registered mail, return receipt requested mail, or a nationally recognized delivery service that tracks delivery to the student's residence of record or the student organization's address of record.
- G. Initiation of Changes
- 1. An institution may initiate the disciplinary process on the basis of written allegations received from any source, including any member of the college community. Complaints should be directed to the Vice President of Student Affairs or other

- administrator identified by the institution, except that complaints relating to discrimination, harassment, and retaliation should be referred to the administrator identified by the institution so that such complaints can be handled in accordance with institutional policy and procedures. The institution may also initiate disciplinary procedures without written allegations if it becomes aware of potential violations of these rules through other means.
2. When the allegations, if proven, may warrant the imposition of a disciplinary sanction, the institution shall inform the student of the allegations and proceed to gather information concerning the matter, including, but not limited to, interviewing relevant witnesses and reviewing relevant documents and evidence. Students who may be the subject of disciplinary sanctions will be provided the minimum due process protections identified in this policy.
 3. After reviewing the evidence, the administrator with responsibility for the matter shall decide whether sufficient evidence exists to charge the student, and if so, the appropriate disciplinary sanction(s). Notice of the charges and disciplinary sanction(s), if any, shall be provided in writing to the student. If there is insufficient evidence to continue the disciplinary process, the matter will be closed, and written notice will be provided to the student.
- H. Minimum Due Process Protections. Institutions shall provide the following minimum procedural due process protection components in disciplinary matters:
1. The student shall be advised, in writing, of the breach of the policy provision(s) of which he or she is charged;
 2. The student shall be advised of the time, date, and place of the hearing allowing reasonable time for preparation; and
 3. The student shall be advised of the following rights applicable at the hearing:
 - a. The right to present his or her case;

- b. The right to be accompanied by an advisor of his or her choice. The advisor's participation shall be limited to advising the student, and not include advocating on behalf of the student, speaking on behalf of the student, or otherwise actively representing the student. An advisor is not permitted to interfere with the hearing;
 - c. The right to call witnesses on his or her behalf;
 - d. The right to confront witnesses against him or her; and
 - e. The method and time limitations for appeal, if any is applicable.
- I. Options for Students. Four potential processes exist for adjudication of disciplinary matters. The student will be informed in writing of each available option and the due process rights associated with each option. A student will have five (5) business days following written notification to select an option. If a student fails to return the election of a procedure in a timely manner, the student will be deemed to have waived the right to contest the disciplinary sanction. Selection of one option constitutes waiver of all other options.
- 1. Contested Case Hearing: All cases which may result in either: suspension or expulsion of a student from the institution for disciplinary reasons, or revocation of registration of a student organization, are subject to the contested case provisions of the Uniform Administrative Procedures Act , T.C.A. § 4-5-301 et seq., and TBR Policy 1.06.00.05, Uniform Procedures for Cases Subject to the Uniform Administrative Procedures Act, unless the student or student organization, after receiving written notice, waives those procedures.
 - 2. A student at a community college may elect an institutional panel hearing. A student at a college of applied technology may elect a formal hearing in front of a single administrator appointed by the president.
 - a. Institutional Panel Hearing (Community Colleges)
 - (1) An institutional panel hearing committee at a community college shall

consist of at least three (3) individuals and include at least one (1) student. The dean of students or other administrator identified by the institution will assemble the committee and coordinate the hearing but will not vote as to the committee's decision. An individual who has an interest in the incident, a conflict of interest, or a bias is not permitted to serve on the committee. The institution may appoint individuals from standing pools and/or appoint ad hoc committees.

- (2) The committee will set a hearing date that is within fifteen (15) business days of receipt of the student's request for a panel hearing. The student must be notified of the date, time, and location of the hearing as soon as possible, but given at least seven (7) calendar days' notice. A student will be notified of the due process protections provided for in these rules.
- (3) The committee will conduct the hearing, consider the relevant evidence presented, and make a decision based on a simple majority vote. The committee can either uphold, overturn, or lessen the disciplinary finding and/or sanction. The results of the decision will be conveyed to the student in writing, through the dean of students or other administrator identified by the institution, within ten (10) business days of the hearing.
- (4) If the committee upholds or lessens the disciplinary finding and/or sanction, the student may appeal in writing to the president within five (5) business days following receipt of the decision of the committee. The president will make a decision within ten (10) business days. The president's decision is final.
- (5) The president, dean of students or other administrator identified by the institution has the ability to extend deadlines for good cause and upon written notice to the student.

(6) The institution shall maintain all submissions by the student and all decisions of institutional officials and committees permanently.

b. Formal Administrative Hearing (Colleges of Applied Technology)

(1) The president of a college of applied technology shall appoint an administrator who will set a hearing date that is within fifteen (15) business days of receipt of the student's request for a hearing. The student must be given at least seven (7) calendar days' notice of the hearing. A student will be notified of the due process protections provided for in this policy.

(2) The administrator will conduct a hearing, consider the relevant evidence presented, and make a decision either upholding, overturning, or lessening the disciplinary finding and/or sanction. The results of the decision will be conveyed to the student within ten (10) business days of the hearing.

(3) If the administrator upholds or lessens the disciplinary finding and/or sanction, the student may appeal in writing to the president within five (5) business days following receipt of the decision of the committee. The president will make a decision within ten (10) business days. The president's decision is final.

(4) The president has the ability to extend deadlines for good cause and upon written notice to the student.

3. Administrative Resolution. An administrative resolution involves the student meeting with a single administrator appointed by (i) for community college students, the dean of students or other administrator identified by the institution or (ii) for college of applied technology students, the president. There is no appeal. The decision of the administrator is final.

4. A student may elect not to contest the disciplinary action, either affirmatively or by failing to return the election of a procedure in a timely manner, which serves as a

waiver of the right to contest the disciplinary action.

J. Procedures Related to Interim Involuntary Withdrawal or Suspension Hearings.

1. When the Vice President for Student Affairs or other administrator identified by the institution determines that an interim suspension or other interim measure is required for the health and safety of the institutional community and/or property, or to prevent an ongoing imminent threat of disruption to or interference with the normal operations of the institution, the student will receive an opportunity for an informal hearing with the Vice President of Student Affairs or other administrator identified by the institution to contest the interim measure.
2. The informal hearing will be held within five (5) calendar days, absent good cause.
3. The evidence presented at the hearing shall be limited to that which is relevant to the basis asserted for imposition of the interim suspension or other interim measure.

K. Alternative Resolution Procedures: An institution, with the consent of all relevant parties, may use an alternative resolution method including, but not limited to, an apology, mediation, or a negotiated resolution.

Exhibits

- [Configure](#)



[Exhibit 1 - Guide to Gun Laws on Campus](#) (pdf /63.72 KB)

Sources

Authority

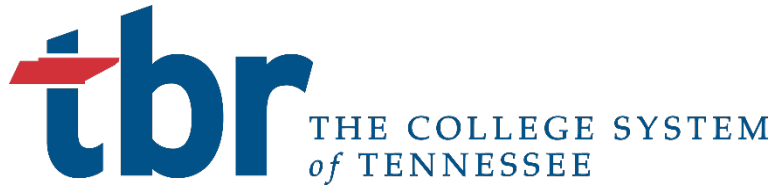
T.C.A. § 49-8-203; All Federal and State statutes, codes, rules and regulations referenced in this policy.

History

TBR Meetings, December 2, 1977; March 3, 1978; March 18, 1983; September 30, 1983; TBR Board Meeting, March 29, 2012; TBR Board Meeting June 19, 2015; TBR Board Meeting June 18, 2021 (Effective August 16, 2021 for Community Colleges and August 26, 2021 for TCAT's).

Related Policies

- Student Due Process Procedure
- Equal Employment Opportunity and Affirmative Action
- Sex Discrimination, Sexual Harassment or Sexual Misconduct
- Sex Discrimination and Sexual Harassment
- Sexual Misconduct



BOARD TRANSMITTAL

MEETING: Committee on Academic Policies and Programs and Student Life

SUBJECT: Proposed Program Terminations, Modifications, and New Technical Program Implementations

DATE: June 17, 2021

PRESENTER: Assistant Vice Chancellor Tachaka Hollins

PRESENTATION REQUIREMENTS: 10 minutes with discussion

ACTION REQUIRED: Voice Vote

STAFF'S RECOMMENDATION: Approve

Program Proposals requiring Board approval from TCAT Committee:

Twenty-seven (27) program proposals are being presented for the Committee's review and approval. These proposals will allow the Technical Colleges to be more responsive to the needs of students, businesses, and industries. Please see corresponding implementation proposals for each program following the list below. The proposals are:

1. Relocate the Mechanical Maintenance Electrical and Instrumentation program from the TCAT Athens-Cleveland Instructional Service Center (2A) to the TCAT Athens- McMinn Higher Education Center Extension Campus (pending THEC site code approval).
2. Implementation of a Cosmetology program at the TCAT Athens-main campus.
3. Duplicate the Electrical and Plumbing Construction Technology program by adding an evening offering at the TCAT Crump- Henderson/Chester Technology Center Instructional Service Center (2B).

4. Duplicate the Heating, Ventilation, Air Conditioning, and Refrigeration program by adding an evening offering at the TCAT Crump- main campus.
5. Implementation of a Heavy Equipment Technology program at the TCAT Crump - Parsons Extension Campus (2P).
6. Implementation of a Pre-Practical Nursing (DE Only) program at the TCAT Crump - McNairy Central High School (2C).
7. Implementation of a Pre-Practical Nursing (DE Only) program at the TCAT Crump - Decatur County Riverside High School (2M).
8. Implementation of a Pre-Practical Nursing (DE Only) program at the TCAT Crump - Adamsville High School (2A).
9. Implementation of a Pre-Practical Nursing (DE Only) program at the TCAT Dickson – main campus.
10. Implementation of a Pre-Practical Nursing (DE Only) program at the TCAT Dickson – Northwest High School (2H).
11. Implementation of a Welding Technology program at the TCAT Hohenwald - Summertown Instructional Service Center ((pending THEC site code approval).
12. Implementation of a Forestry and Ag Technology program at the TCAT Hohenwald – main campus.
13. Implementation of a Forestry and Ag Technology program at the TCAT Hohenwald –Wayne County Technology Center (2L).
14. Implementation of a Forestry and Ag Technology program at the TCAT Hohenwald –Bevis Educational Center (pending THEC site code approval).
15. Implementation of a Forestry and Ag Technology program at the TCAT Hohenwald –Perry County High School (2P).
16. Implementation of a Pre-Practical Nursing program (DE Only) at the TCAT Hohenwald – main campus.
17. Implementation of a Pre-Practical Nursing (DE Only) program at the TCAT Hohenwald – Wayne County Technology Center (2L).
18. Implementation of a Building Construction Technology dual enrollment program at the TCAT Jackson- Humboldt High School (pending THEC site code approval).

19. Replicate the existing Automotive Technology program located at the Knoxville main campus to the new Anderson County Higher Education Center Extension Campus (pending THEC site code approval).
20. Replicate the existing Diesel-Powered Equipment Technology program located at the Knoxville main campus to the new Anderson County Higher Education Center Extension Campus (pending THEC site code approval).
21. Relocate the Industrial Maintenance/Mechatronics program from the TCAT Knoxville- Pellissippi State Community College Strawberry Plains (2G) campus to the TCAT Knoxville- Anderson County Higher Education Center Extension Campus (pending THEC site code approval).
22. Relocate the Machine Tool Technology program from the TCAT Knoxville- Anderson County (2F) campus to the TCAT Knoxville- Anderson County Higher Education Center Extension Campus (pending THEC site code approval).
23. Relocate the Welding Technology program from the TCAT Knoxville- Anderson County (2F) campus to the TCAT Knoxville- Anderson County Higher Education Center Extension Campus (pending THEC site code approval).
24. Implementation of an Information Technology program at the TCAT Murfreesboro – main campus.
25. Implementation of an Information Technology program at the TCAT Murfreesboro- Smyrna Campus (2A).
26. Implementation of a Manicuring program at the TCAT Murfreesboro-main campus.
27. Implementation of an evening Automotive Service Technology program at the TCAT Murfreesboro-Smyrna Campus (2A).

Academic Actions for June 2021 Requiring Only Notification to Vice Chancellor:

Seven (7) academic actions were submitted by a TCAT institution to the Vice Chancellor for approval based on section C of the TBR Policy: 2:01:02:00, requiring only notification to the Vice Chancellor. Appropriate documentation to support need was provided. The proposals are as follows:

College	Summary of Proposal	New Costs/Funding Source	Approval/Implementation Date
Athens	TCAT Athens is proposing to terminate the Electro-Mechanical Technology program at the Cleveland Institutional Service Center (2A) location. This proposal is due to low program enrollment. No additional personnel or fiscal resources are required for this proposed change.	None	Spring 2022
Athens	TCAT Athens is proposing to inactivate the Pharmacy Technology program. This proposal is due to low program enrollment. No additional personnel or fiscal resources are required for this proposed change.	None	Spring 2022
Jackson	TCAT Jackson is proposing to reduce the program length for the Computer Information System program from 1,728 to 1,296 clock hours due to workforce development demands.	None	Fall 2021
Murfreesboro	TCAT Murfreesboro is proposing to reduce the program length for the Administrative Office Technology program from 1,296 to 864 clock hours due to workforce development demands.	None	Fall 2021
Murfreesboro	TCAT Murfreesboro is proposing to change the program name from Building Electrical Technology to Electrical Plumbing Technology at the Murfreesboro- main campus.	None	Spring 2022
Murfreesboro	TCAT Murfreesboro is proposing to terminate the Information Technology and Infrastructure Management program at the Murfreesboro -main campus location. The deletion of this program will better meet regional needs. This program will be replaced with the Information Technology program listed in the new program proposal section.	None	Spring 2022

Morristown	TCAT Morristown is proposing to inactivate the Administrative Office Technology program located at the Hawkins County Branch only. This proposal is due to low program enrollment.	None	Spring 2022
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PROGRAM IMPLEMENTATION PROPOSAL – 1

INSTITUTION: Tennessee College of Applied Technology- Athens

PROPOSED PROGRAM TITLE: Mechanical Maintenance Electrical and Instrumentation

PROPOSAL: The Tennessee College of Applied Technology Athens is seeking to relocate the Mechanical Maintenance Electrical and Instrumentation program from the Cleveland Institutional Service Center (2A) to the McMinn Higher Education Center Extension Campus (pending THEC site code approval). The program would award a Mechanical Maintenance Electrical and Instrumentation Diploma and the program length is 2160 clock hours.

PROGRAM ACCREDITATOR: n/a

EFFECTIVE DATE: Summer 2021

OBJECTIVES: Relocate Mechanical Maintenance Electrical and Instrumentation from the Cleveland Institutional Service Center to the McMinn Higher Education Center Extension Campus.

NEED: McMinn Higher Education Center is to provide enhanced opportunities for citizens to attain credentials in high demand careers to promote collaboration between Cleveland State Community College, TCAT Athens, University of Tennessee Extension Services and Southeast TN Adult Education to support the ongoing workforce and training needs of area industries by providing dedicated training infrastructure. This request does not duplicate programs or services withing TCAT or at other institutions in the primary service area and will use the common curriculum already in place.

PROJECTED ENROLLMENT:	YEAR	ENROLLMENT	COMPLETERS
	1	40	0
	2	40	24
	3	40	24

PROJECTED COSTS:	YEAR	COST
	1st Year:	\$ 1,379,600
	2nd Year:	\$235,000
	3rd Year:	\$235,000

NEW FACULTY NEEDED:	YEAR	NUMBER	COST
	1st Year:	0	\$0
	2nd Year:	0	\$0
	3rd Year:	0	\$0

FISCAL RESOURCES: The county pledged \$500,000 in support of this project as well as an additional \$500,000 for the inclusion of the Extension Services office into the Center. The City of Athens has pledged \$500,000 toward the completion of the project. Denso Manufacturing pledged \$150,000 toward equipment.

FACILITIES: Utilize the McMinn Higher Education Center Extension Campus.

ACTION REQUIRED: Staff recommends approval

PROGRAM IMPLEMENTATION PROPOSAL – 2

INSTITUTION: Tennessee College of Applied Technology-Athens

PROPOSED PROGRAM TITLE: Cosmetology

PROPOSAL: The Tennessee College of Applied Technology Athens proposes a new Cosmetology program at Athens main campus. The program would award a Cosmetology diploma of 1500 clock hours.

PROGRAM ACCREDITATOR: Board of Cosmetology

EFFECTIVE DATE: Summer 2022

OBJECTIVES: The program also provides for the upgrading and updating of employed workers and is designed to help students master all the skills necessary for passing the State Board Examination. Classroom instruction and practical learning experiences are combined into a variety of beauty treatments, including the care and beautification of the hair, complexion, and hands. The course of study includes hands-on and classroom instruction in giving shampoos, rinses, scalp treatments, hair styling, setting, cutting, tinting, decolorizing, chemical texturing services, special effects haircoloring, facials, manicures, hand and arm massages, bacteriology, anatomy, hygiene, sanitation, and salon management. Safety and customer relations are also emphasized throughout the program.

NEED: This is a new program for TCAT Athens. There is no educational institution within a reasonable distance where potential workers can be trained in Cosmetology. Several letters of support have been submitted by local salon owners.

PROJECTED ENROLLMENT:	YEAR	ENROLLMENT	COMPLETERS
	1	15	10
	2	20	15
	3	25	20

PROJECTED COSTS:	YEAR	COST
	1st Year:	\$450,000
	2nd Year:	\$350,000
	3rd Year:	\$350,000

NEW FACULTY NEEDED:	YEAR	NUMBER	COST
	1st Year:	2	\$154,000
	2nd Year:	2	\$154,000
	3rd Year:	3	\$231,000

FISCAL RESOURCES: Fiscal resources for the program will come from institutional budget and committed start-up funds from TBR.

FACILITIES: The Cosmetology program will be housed at the TCAT Athens Main Campus and will become part of the Administrative Office Technology program area.

ACTION REQUIRED: Staff recommends approval

PROGRAM IMPLEMENTATION PROPOSAL – 3

INSTITUTION: Tennessee College of Applied Technology- Crump

PROPOSED PROGRAM TITLE: Electrical and Plumbing Construction Technology

PROPOSAL: The Tennessee College of Applied Technology Crump is seeking to duplicate the Electrical and Plumbing Construction Technology program by adding an evening offering at the Henderson/Chester Technology Instructional Service Center (2B). The program would award a Commercial Electrician and Plumbing diploma and the program length is 1296 clock hours.

PROGRAM ACCREDITATOR: n/a

EFFECTIVE DATE: Fall 2021

OBJECTIVES: At the completion of the diploma in the Electrical and Plumbing Construction Technology program: The graduates of the Residential and Commercial Electrician and Plumbing program will possess a number of valuable skills such as electrical theory, wiring techniques, load calculations, conduit bending, National Electric Code, plumbing fixtures and installation, pipes and fittings, water distribution and drainage installations.

NEED: This is in response to demand from potential students, the college is adding an evening program to accommodate working individuals.

PROJECTED ENROLLMENT:	YEAR	ENROLLMENT	COMPLETERS
	1	20	0
	2	20	12
	3	20	12

PROJECTED COSTS:	YEAR	COST
	1st Year:	\$0
	2nd Year:	\$0
	3rd Year:	\$0

NEW FACULTY NEEDED:	YEAR	NUMBER	COST
	1st Year:	1	\$18,000
	2nd Year:	1	\$18,000
	3rd Year:	1	\$18,000

FISCAL RESOURCES: Fiscal resources will be provided by TCAT Crump.

FACILITIES: Will use already existing facilities.

ACTION REQUIRED: Staff recommends approval

PROGRAM IMPLEMENTATION PROPOSAL – 4

INSTITUTION: Tennessee College of Applied Technology- Crump

PROPOSED PROGRAM TITLE: Heating, Ventilation, Air Conditioning, and Refrigeration Program

PROPOSAL: The Tennessee College of Applied Technology Crump is seeking to duplicate the Heating, Ventilation, Air Conditioning, and Refrigeration program by adding an evening offering at the main campus. The program would award a Heating, Ventilation, Air Conditioning, Refrigeration Technician diploma and the program length is 1728 clock hours.

PROGRAM ACCREDITATOR: n/a

EFFECTIVE DATE: Fall 2021

OBJECTIVES: This is a program duplication to add an evening program of Heating, Ventilation, Air Conditioning and Refrigeration program at the same location.

NEED: This is in response to demand from potential students of the HVAC program. The evening offering will accommodate working adults.

PROJECTED ENROLLMENT:	YEAR	ENROLLMENT	COMPLETERS
	1	15	0
	2	15	9
	3	15	9

PROJECTED COSTS:	YEAR	COST
	1st Year:	\$0
	2nd Year:	\$0
	3rd Year:	\$0

NEW FACULTY NEEDED:	YEAR	NUMBER	COST
	1st Year:	1	\$18,000
	2nd Year:	1	\$18,000
	3rd Year:	1	\$18,000

FISCAL RESOURCES: Fiscal resources will be provided by TCAT Crump.

FACILITIES: Use already existing facilities.

ACTION REQUIRED: Staff recommends approval

PROGRAM IMPLEMENTATION PROPOSAL – 5

INSTITUTION: Tennessee College of Applied Technology- Crump

PROPOSED PROGRAM TITLE: Heavy Equipment Technology

PROPOSAL: The Tennessee College of Applied Technology Crump is proposing a new Heavy Equipment Technology program at the Parsons Extension Campus (2p). This program is the third of the proposed programs as part of TCAT Crump's Regional Education Transportation Center (RTEC) GIVE Grant. The Heavy Equipment Maintenance program will prepare individuals for careers related to repair and maintenance of mobile equipment used in industry, farming, construction, and transportation. The program would award a Heavy Equipment diploma, and the program length is 2160 clock hours.

PROGRAM ACCREDITATOR: n/a

EFFECTIVE DATE: Fall 2021

OBJECTIVES: The program will complement the Diesel-Powered Equipment Technology program at the Parsons Extension Campus allowing that program to focus on over-the-road heavy truck mechanic needs while this program's focus will be on equipment used in logging, ag, construction and industry. Students will also learn basic skills in diesel theory, preventative maintenance, diesel engine mechanical, electronic engine controls, brakes, suspension and steering, hydraulics, hydrostats, heavy equipment power train and heating, ventilation, and AC. The program will be housed at the Parsons Extension Campus and will help meet workforce needs in the ag, logging, construction and manufacturing industries.

NEED:

The Transportation Workforce Needs Survey conducted by The Ayers Foundation, the Decatur County Chamber of Commerce, and the TCAT Crump of local employers found that there is a need for 109 farm / heavy equipment mechanics over the next 5 years. In related occupations there is a need to hire 88 first-line supervisors of mechanics, installers, and repairers and 106 transportation workers in this same time period. According to the Tennessee Department of Economic and Community Development the transportation industry pays higher wages (\$53,231) than the average for all industries (\$40,793) in the Parsons 60 Minute Drive Labor Shed. Heavy Equipment Mechanics have a 5-year growth of 24%, 17 annual job openings and median hourly wages of \$18.72. Adding urgency to the need to train the next generation is the fact that over 20% of the workforce in this occupation is age 55 or older. According to Jobs4TN there are 18 Heavy Equipment Technician jobs currently open in the service area. Expanding the search to the Nashville Area, which is a reasonable drive from Decatur County and surrounding area, there are 180 Heavy Equipment Technician jobs currently unfilled. The only other Heavy Equipment Technology program in the TCAT System is at TCAT Memphis. Letters of support have been from local businesses reflect the need for training.

PROJECTED ENROLLMENT:

YEAR	ENROLLMENT	COMPLETERS
1	15	0
2	20	12
3	25	20

PROJECTED COSTS:

YEAR	COST
1st Year:	\$0
2nd Year:	\$0
3rd Year:	\$10,000.00

NEW FACULTY NEEDED:	YEAR	NUMBER	COST
	1st Year:	1	\$0
	2nd Year:	1	\$37,200
	3rd Year:	1	\$74,400.00

FISCAL RESOURCES: This program and its operational costs will be funded through the RTEC GIVE Grant for initial start-up through December 2022 (first two years). After GIVE Grant funds expire the program will be funded through institutional funds generated from tuition and fees and state appropriations.

FACILITIES: The program will be housed at the Parsons Extension Campus.

ACTION REQUIRED: Staff recommends approval

PROGRAM IMPLEMENTATION PROPOSAL – 6

INSTITUTION:	Tennessee College of Applied Technology- Crump
PROPOSED PROGRAM TITLE:	Pre-Practical Nursing program (DE Only)
PROPOSAL:	<p>The Tennessee College of Applied Technology Crump is proposing a new Pre-Practical Nursing program (DE Only) at McNairy Central High School (2C). Students will learn listening skills, verbal and nonverbal communication, medical terminology, geriatric nursing, principles of emergency nursing, physical assessment, CPR, AED use, First Aid, administration of medications, IV Therapy, Basic Anatomy and Physiology, Lab / Simulations for Pre-Practical Nursing. The program would provide pathway from high school to post-secondary. This is a dual enrollment program allowing students to transition into the second trimester of coursework in the Practical Nursing program.</p>
PROGRAM ACCREDITATOR:	n/a
EFFECTIVE DATE:	Fall 2021
OBJECTIVES:	<p>TCAT Crump will partner with secondary schools to deliver the Pre-Practical Nursing Pathway to eligible junior and senior high school students. The purpose of this program is to establish an articulated pathway from high school into the TCAT Practical Nursing program to allow high school students the opportunity to earn postsecondary credit, become familiar with postsecondary rigor and expectations, and decrease the time and cost of completing a diploma.</p>
NEED:	<p>TCAT Crump has a practical nursing program that this pre-practical nursing program will help supplement by providing a pathway from high school to post-secondary.</p>

PROJECTED ENROLLMENT:	YEAR	ENROLLMENT	COMPLETERS
	1	20	0
	2	25	12
	3	30	15

PROJECTED COSTS:	YEAR	COST
	1st Year:	\$0.00
	2nd Year:	\$0.00
	3rd Year:	\$0.00

NEW FACULTY NEEDED:	YEAR	NUMBER	COST
	1st Year:	3	\$2,000
	2nd Year:	3	\$2,500
	3rd Year:	3	\$3,000

FISCAL RESOURCES: Funds from the dual enrollment grant will be used to provide stipends to the Dual Enrollment instructors.

FACILITIES: The secondary schools will provide facilities, equipment, and supplies for this program.

ACTION REQUIRED: Staff recommends approval

PROGRAM IMPLEMENTATION PROPOSAL – 7

INSTITUTION:	Tennessee College of Applied Technology- Crump
PROPOSED PROGRAM TITLE:	Pre-Practical Nursing program (DE Only)
PROPOSAL:	<p>The Tennessee College of Applied Technology Crump is proposing a new Pre-Practical Nursing program (DE Only) at Decatur County Riverside High School (2M). Students will learn listening skills, verbal and nonverbal communication, medical terminology, geriatric nursing, principles of emergency nursing, physical assessment, CPR, AED use, First Aid, administration of medications, IV Therapy, Basic Anatomy and Physiology, Lab / Simulations for Pre-Practical Nursing. The program would provide pathway from high school to post-secondary. This is a dual enrollment program allowing students to transition into the second trimester of coursework in the Practical Nursing program.</p>
PROGRAM ACCREDITATOR:	n/a
EFFECTIVE DATE:	Fall 2021
OBJECTIVES:	<p>TCAT Crump will partner with secondary schools to deliver the Pre-Practical Nursing Pathway to eligible junior and senior high school students. The purpose of this program is to establish an articulated pathway from high school into the TCAT Practical Nursing program to allow high school students the opportunity to earn postsecondary credit, become familiar with postsecondary rigor and expectations, and decrease the time and cost of completing a diploma.</p>
NEED:	<p>TCAT Crump has a practical nursing program that this pre-practical nursing program will help supplement by providing a pathway from high school to post-secondary.</p>

PROJECTED ENROLLMENT:	YEAR	ENROLLMENT	COMPLETERS
	1	20	0
	2	25	12
	3	30	15

PROJECTED COSTS:	YEAR	COST
	1st Year:	\$0
	2nd Year:	\$0
	3rd Year:	\$0

NEW FACULTY NEEDED:	YEAR	NUMBER	COST
	1st Year:	3	\$2,000
	2nd Year:	3	\$2,500
	3rd Year:	3	\$3,000

FISCAL RESOURCES: Funds from the dual enrollment grant will be used to provide stipends to the Dual Enrollment instructors.

FACILITIES: The secondary schools will provide facilities, equipment, and supplies for this program.

ACTION REQUIRED: Staff recommends approval

PROGRAM IMPLEMENTATION PROPOSAL – 8

INSTITUTION:	Tennessee College of Applied Technology- Crump
PROPOSED PROGRAM TITLE:	Pre-Practical Nursing program (DE Only)
PROPOSAL:	<p>The Tennessee College of Applied Technology Crump is proposing a new Pre-Practical Nursing program (DE Only) at Adamsville High School (2A). Students will learn listening skills, verbal and nonverbal communication, medical terminology, geriatric nursing, principles of emergency nursing, physical assessment, CPR, AED use, First Aid, administration of medications, IV Therapy, Basic Anatomy and Physiology, Lab / Simulations for Pre-Practical Nursing. The program would provide pathway from high school to post-secondary. This is a dual enrollment program allowing students to transition into the second trimester of coursework in the Practical Nursing program.</p>
PROGRAM ACCREDITATOR:	n/a
EFFECTIVE DATE:	Fall 2021
OBJECTIVES:	<p>TCAT Crump will partner with secondary schools to deliver the Pre-Practical Nursing Pathway to eligible junior and senior high school students. The purpose of this program is to establish an articulated pathway from high school into the TCAT Practical Nursing program to allow high school students the opportunity to earn postsecondary credit, become familiar with postsecondary rigor and expectations, and decrease the time and cost of completing a diploma.</p>
NEED:	<p>TCAT Crump has a practical nursing program that this pre-practical nursing program will help supplement by providing a pathway from high school to post-secondary.</p>

PROJECTED ENROLLMENT:	YEAR	ENROLLMENT	COMPLETERS
	1	20	0
	2	25	12
	3	30	15

PROJECTED COSTS:	YEAR	COST
	1st Year:	\$0
	2nd Year:	\$0
	3rd Year:	\$0

NEW FACULTY NEEDED:	YEAR	NUMBER	COST
	1st Year:	3	\$2,000
	2nd Year:	3	\$2,500
	3rd Year:	3	\$3,000

FISCAL RESOURCES: Funds from the dual enrollment grant will be used to provide stipends to the Dual Enrollment instructors.

FACILITIES: The secondary schools will provide facilities, equipment, and supplies for this program.

ACTION REQUIRED: Staff recommends approval

PROGRAM IMPLEMENTATION PROPOSAL – 9

INSTITUTION: Tennessee College of Applied Technology- Dickson

PROPOSED PROGRAM TITLE: Pre-Practical Nursing Program (DE Only)

PROPOSAL: The Tennessee College of Applied Technology Dickson is proposing a Pre-Practical Nursing program (DE Only) at the main campus. Students will learn basic nursing skills including such competencies as vital signs, safety, nutrition, and care/comfort measures. Skills are included in the Fundamentals for Pre-Practical Nursing, Basic Principles for Pre-Practical Nursing, and Administration of Meds and Basic IV Theory courses. This program will establish an articulated pathway from high school to the TCAT Practical Nursing program. The curriculum will include preparatory coursework for the Practical Nursing program taught and facilitated by TCAT faculty. This is a dual enrollment program allowing students to transition into the second trimester of coursework in the Practical Nursing program.

PROGRAM ACCREDITATOR: n/a

EFFECTIVE DATE: Fall 2021

OBJECTIVES: Upon successful completion of the Pre-Practical Nursing pathway, fulfilling all Practical Nursing program requirements, and high school graduation, students will transition to an adult student with full admission to the TCAT Practical Nursing Program in the second trimester of coursework.

NEED: There are currently no Pre-Practical Nursing dual-enrollment courses offered in the primary service area of TCAT Dickson. The Tennessee Board of Nursing has shared a letter of support.

PROJECTED ENROLLMENT:	YEAR	ENROLLMENT	COMPLETERS
	1	24	18

2	24	20
3	24	20

PROJECTED COSTS:	YEAR	COST
	1st Year:	\$5,000
	2nd Year:	\$2,000
	3rd Year:	\$2,000

NEW FACULTY NEEDED:	YEAR	NUMBER	COST
	1st Year:	1	\$31,200
	2nd Year:	1	\$31,700
	3rd Year:	1	\$32,000

FISCAL RESOURCES: A grant has been received that will assist students with the costs of books and uniforms. The program/salary costs will be covered through the dual-enrollment grant funds.

FACILITIES: The class will be held at the TCAT Dickson campus. Existing classroom and lab space will be used.

ACTION REQUIRED: Staff recommends approval

PROGRAM IMPLEMENTATION PROPOSAL – 10

INSTITUTION: Tennessee College of Applied Technology- Dickson

PROPOSED PROGRAM TITLE: Pre-Practical Nursing program (DE Only)

PROPOSAL: The Tennessee College of Applied Technology Dickson is proposing a Pre-Practical Nursing program (DE Only) at Northwest High School (2H) in Clarksville, TN. Students will learn basic nursing skills including such competencies as vital signs, safety, nutrition, and care/comfort measures. Skills are included in the Fundamentals for Pre-Practical Nursing, Basic Principles for Pre-Practical Nursing, and Administration of Meds and Basic IV Theory courses. This program will establish an articulated pathway from high school to the TCAT Practical Nursing program. The curriculum will include preparatory coursework for the Practical Nursing program taught and facilitated by TCAT faculty. This is a dual enrollment program allowing students to transition into the second trimester of coursework in the Practical Nursing program.

PROGRAM ACCREDITATOR: n/a

EFFECTIVE DATE: Fall 2021

OBJECTIVES: Upon successful completion of the Pre-Practical Nursing pathway, fulfilling all Practical Nursing program requirements, and high school graduation, students will transition to an adult student with full admission to the TCAT Practical Nursing Program in the second trimester of coursework.

NEED: There are currently no Pre-Practical Nursing dual-enrollment courses offered in TCAT Dickson's primary service area. The Tennessee Board of Nursing has shared a letter of support.

PROJECTED ENROLLMENT:	YEAR	ENROLLMENT	COMPLETERS
	1	24	18
	2	24	20
	3	24	20

PROJECTED COSTS:	YEAR	COST
	1st Year:	\$5,000
	2nd Year:	\$2,000
	3rd Year:	\$2,000

NEW FACULTY NEEDED:	YEAR	NUMBER	COST
	1st Year:	1	\$31,200
	2nd Year:	1	\$31,700
	3rd Year:	1	\$32,000

FISCAL RESOURCES: A grant has been obtained to cover the textbook/uniform costs for students. The dual-enrollment grant will assist with the program costs.

FACILITIES: The class will be held at Northwest High School in Clarksville, TN. The school has classroom space and a lab available for use.

ACTION REQUIRED: Staff recommends approval

PROGRAM IMPLEMENTATION PROPOSAL – 11

INSTITUTION: Tennessee College of Applied Technology-Hohenwald

PROPOSED PROGRAM TITLE: Welding Technology

PROPOSAL: The Tennessee College of Applied Technology Hohenwald is proposing a new, full-time Welding Technology program at Summertown Instructional Service Center (pending THEC site code approval). The program would award a Welding diploma and the program length is 1296 clock hours.

PROGRAM ACCREDITATOR: n/a

EFFECTIVE DATE: Fall 2021

OBJECTIVES: To provide Welding Technology training to students and prepare those students for the workforce.

NEED: TCAT Hohenwald provides a Welding Technology program on the main campus, however no Welding Technology program exists in the Summertown area. There is demand in the service area for Welding Technology training. TCAT Hohenwald provides training needs for residents in Lewis County, as well as the residents in the six counties that surround Lewis County. The residents in Lewis and surrounding counties totals almost 200,000 residents combined. Several letters of support from area businesses reflect the need.

PROJECTED ENROLLMENT:	YEAR	ENROLLMENT	COMPLETERS
	1	10	9
	2	15	14
	3	20	19

PROJECTED COSTS:	YEAR	COST
	1st Year:	\$90,000
	2nd Year:	\$70,000
	3rd Year:	\$70,000

NEW FACULTY NEEDED:	YEAR	NUMBER	COST
	1st Year:	1	\$45,000
	2nd Year:	1	\$45,000
	3rd Year:	1	\$45,000

FISCAL RESOURCES: The fiscal resources will be provided through the budget of TCAT Hohenwald.

FACILITIES: Facilities at Summertown High School will be provided by Lawrence County Schools.

ACTION REQUIRED: Staff recommends approval

PROGRAM IMPLEMENTATION PROPOSAL – 12

INSTITUTION: Tennessee College of Applied Technology-
Hohenwald

PROPOSED PROGRAM TITLE: Forestry and Ag Technology

PROPOSAL: The Tennessee College of Applied Technology
Hohenwald is proposing a Forestry and Ag
Technology program at the Main Campus. The
program would award a Forestry Technician diploma
and the program length is 1296 clock hours.

PROGRAM ACCREDITATOR: n/a

EFFECTIVE DATE: Fall 2021

OBJECTIVES: To provide Forestry and Ag Technology training to
students and prepare those students for the work
force.

NEED: There is demand in Lewis county among the 12,035
residents for Forestry and Ag Technology training.
TCAT Hohenwald provides training needs for these
residents, as well as the residents in the six counties
that surround Lewis County. The residents in Lewis
and surrounding counties totals almost 200,000
residents combined. Many letters of support have
been provided for this proposal.

PROJECTED ENROLLMENT:	YEAR	ENROLLMENT	COMPLETERS
	1	20	19
	2	20	19
	3	20	19

PROJECTED COSTS:	YEAR	COST
	1st Year:	\$95,000
	2nd Year:	\$75,000
	3rd Year:	\$75,000

NEW FACULTY NEEDED:	YEAR	NUMBER	COST
	1st Year:	1	\$65,000
	2nd Year:	1	\$65,000

3rd Year: 1 \$65,000

FISCAL RESOURCES: The fiscal resources will be provided through the budget of TCAT Hohenwald.

FACILITIES: Facilities are being offered to TCAT Hohenwald by Wayne County without the expenses of rent.

ACTION REQUIRED: Staff recommends approval

PROGRAM IMPLEMENTATION PROPOSAL – 13

INSTITUTION: Tennessee College of Applied Technology-
Hohenwald

PROPOSED PROGRAM TITLE: Forestry and Ag Technology

PROPOSAL: The Tennessee College of Applied Technology Hohenwald is proposing a Forestry and Ag Technology program at the Wayne County Technology Center (2L). The program would award a Forestry Technician and the program length is 1,296 clock hours.

PROGRAM ACCREDITATOR: n/a

EFFECTIVE DATE: Fall 2021

OBJECTIVES: To provide Forestry and Ag Technology training to students and prepare those students for the work force.

NEED: There is demand in Lewis county among the 12,035 residents for Forestry and Ag Technology training. TCAT Hohenwald provides training needs for these residents, as well as the residents in the six counties that surround Wayne County. The residents in Lewis and surrounding counties totals almost 200,000 residents combined. Many letters of support have been provided for this proposal.

PROJECTED ENROLLMENT:	YEAR	ENROLLMENT	COMPLETERS
	1	20	19
	2	20	19
	3	20	19

PROJECTED COSTS:	YEAR	COST
	1st Year:	\$95,000
	2nd Year:	\$75,000
	3rd Year:	\$75,000

NEW FACULTY NEEDED:	YEAR	NUMBER	COST
	1st Year:	1	\$65,000
	2nd Year:	1	\$65,000
	3rd Year:	1	\$65,000

FISCAL RESOURCES: The fiscal resources will be provided through the budget of TCAT Hohenwald.

FACILITIES: Facilities are being offered to TCAT Hohenwald by Wayne County without the expense of rent.

ACTION REQUIRED: Staff recommends approval

PROGRAM IMPLEMENTATION PROPOSAL – 14

INSTITUTION: Tennessee College of Applied Technology-
Hohenwald

PROPOSED PROGRAM TITLE: Forestry and Ag Technology

PROPOSAL: The Tennessee College of Applied Technology Hohenwald is proposing a new Forestry and Ag Technology program at the Bevis Educational Center Instructional Service Center (pending THEC site code approval). The program would award a Forestry Technician diploma and the program length is 1,296 clock hours.

PROGRAM ACCREDITATOR: n/a

EFFECTIVE DATE: Fall 2021

OBJECTIVES: To provide Forestry and Ag Technology training to students and prepare students for the workforce.

NEED: There is demand in the industry for students that will receive training in the Forestry and Ag Technology program. Employers have expressed an increased demand for students graduating from this program. The employers that will hire future graduates from this program include companies such as Graham Lumber Company and Hassle and Hughes Lumber Company.

PROJECTED ENROLLMENT:	YEAR	ENROLLMENT	COMPLETERS
	1	20	19
	2	20	19
	3	20	19

PROJECTED COSTS:	YEAR	COST
	1st Year:	\$50,000
	2nd Year:	\$10,000
	3rd Year:	\$10,000

NEW FACULTY NEEDED:	YEAR	NUMBER	COST
	1st Year:	1	\$70,000
	2nd Year:	1	\$70,000
	3rd Year:	1	\$70,000

FISCAL RESOURCES: The fiscal resources will be provided through the budget of TCAT Hohenwald.

FACILITIES: The Bevis Educational Center Instructional Service Center

ACTION REQUIRED: Staff recommends approval

PROGRAM IMPLEMENTATION PROPOSAL – 15

INSTITUTION: Tennessee College of Applied Technology-Hohenwald

PROPOSED PROGRAM TITLE: Forestry and Ag Technology

PROPOSAL: The Tennessee College of Applied Technology Hohenwald is proposing a new Forestry and Ag Technology program at the Perry County High School (2P). The program would award a Forestry Technician diploma and the program length is 1,296 clock hours.

PROGRAM ACCREDITATOR: n/a

EFFECTIVE DATE: Fall 2021

OBJECTIVES: To provide Forestry and Ag Technology training to students and prepare students for the workforce.

NEED: There is demand in Perry county among the 12,035 residents for Forestry and Ag Technology training. TCAT Hohenwald provides training needs for these residents, as well as the residents in the six counties that surround Perry County. The residents in Perry and surrounding counties totals almost 200,000 residents combined. There is currently no existing Forestry and Ag Technology program in TCAT Hohenwald's service area. Several letters of support from area businesses reflect the need.

PROJECTED ENROLLMENT:	YEAR	ENROLLMENT	COMPLETERS
	1	20	19
	2	20	19
	3	20	19

PROJECTED COSTS:	YEAR	COST
	1st Year:	\$95,000
	2nd Year:	\$75,000
	3rd Year:	\$75,000

NEW FACULTY NEEDED:	YEAR	NUMBER	COST
	1st Year:	1	\$65,000
	2nd Year:	1	\$65,000
	3rd Year:	1	\$65,000

FISCAL RESOURCES: The fiscal resources will be provided through the budget of TCAT Hohenwald.

FACILITIES: Facilities are being offered to Perry Cuntly High School.

ACTION REQUIRED: Staff recommends approval

PROGRAM IMPLEMENTATION PROPOSAL – 16

INSTITUTION: Tennessee College of Applied Technology-Hohenwald

PROPOSED PROGRAM TITLE: Pre-Practical Nursing Program (DE Only)

PROPOSAL: The Tennessee College of Applied Technology Hohenwald is proposing a new Pre-Practical Nursing program (DE Only) at main campus. This is a dual enrollment program allowing students to transition into the Practical Nursing program.

PROGRAM ACCREDITATOR: n/a

EFFECTIVE DATE: Fall 2021

OBJECTIVES: To provide Pre-Practical Nursing training to students and prepare those students for the workforce.

NEED: There is demand in Lewis county among the 12,035 residents for Pre-Practical Nursing training. TCAT Hohenwald provides training needs for these residents, as well as the residents in the six counties that surround Lewis County. The residents in Lewis and surrounding counties totals almost 200,000 residents combined.

PROJECTED ENROLLMENT:	YEAR	ENROLLMENT	COMPLETERS
	1	15	14
	2	15	14
	3	15	14

PROJECTED COSTS:	YEAR	COST
	1st Year:	\$75,000
	2nd Year:	\$75,000
	3rd Year:	\$75,000

NEW FACULTY NEEDED:	YEAR	NUMBER	COST
	1st Year:	1	\$65,000
	2nd Year:	1	\$65,000
	3rd Year:	1	\$65,000

FISCAL RESOURCES:

The fiscal resources will be provided through the budget of TCAT Hohenwald.

FACILITIES:

Facilities will be provided at the TCAT Hohenwald main campus.

ACTION REQUIRED:

Staff recommends approval

PROGRAM IMPLEMENTATION PROPOSAL – 17

INSTITUTION: Tennessee College of Applied Technology-Hohenwald

PROPOSED PROGRAM TITLE: Pre-Practical Nursing Program (DE Only)

PROPOSAL: The Tennessee College of Applied Technology Hohenwald is proposing a new Pre-Practical Nursing program (DE Only) at the Wayne County Technology Center (2L). This is a dual enrollment program allowing students to transition into the Practical Nursing program.

PROGRAM ACCREDITATOR: n/a

EFFECTIVE DATE: Fall 2021

OBJECTIVES: To provide Pre-Practical Nursing training to students and prepare those students for the workforce.

NEED: There is demand in Wayne county among the 12,035 residents for Pre-Practical Nursing training. TCAT Hohenwald provides training needs for these residents, as well as the residents in the six counties that surround Wayne County. The residents in Wayne and surrounding counties totals almost 200,000 residents combined.

PROJECTED ENROLLMENT:	YEAR	ENROLLMENT	COMPLETERS
	1	15	14
	2	15	14
	3	15	14

PROJECTED COSTS:	YEAR	COST
	1st Year:	\$75,000
	2nd Year:	\$75,000
	3rd Year:	\$75,000

NEW FACULTY NEEDED:	YEAR	NUMBER	COST
	1st Year:	1	\$65,000
	2nd Year:	1	\$65,000

3rd Year: 1 \$65,000

FISCAL RESOURCES: The fiscal resources will be provided through the budget of TCAT Hohenwald.

FACILITIES: Facilities will be provided at the Wayne County Technology Center

ACTION REQUIRED: Staff recommends approval

PROGRAM IMPLEMENTATION PROPOSAL – 18

INSTITUTION: Tennessee College of Applied Technology-Jackson

PROPOSED PROGRAM TITLE: Building Construction Technology

PROPOSAL: The Tennessee College of Applied Technology Jackson is proposing a Building Construction Technology program at the Humboldt High School in Humboldt, TN (pending THEC site code approval).

PROGRAM ACCREDITATOR: n/a

EFFECTIVE DATE: Fall 2021

OBJECTIVES: To develop skills, attitude and proper working habits that will enable the student to make an intelligent entry into the building construction technology field. This will also provide opportunities for the student to learn the standards, codes, and regulations governing the phases of the general building contract field. The program will also aid in the development of certain ethics within the student that will cause them to realize the importance of quality workmanship to the customer.

NEED: Gibson County has experienced tremendous industry growth in the past 12-18 months. As of today, there are 1900+ production job that expected to come open by January 2021. This training will assist local industry by putting out 40-60 individuals each year with the credentials needed to be an entry level production associate. There are no similarly program within the TCAT Jackson service delivery area.

PROJECTED ENROLLMENT:	YEAR	ENROLLMENT	COMPLETERS
	1	40	10
	2	50	20
	3	60	35

PROJECTED COSTS:	YEAR	COST
	1st Year:	\$0
	2nd Year:	\$0
	3rd Year:	\$0

NEW FACULTY NEEDED:	YEAR	NUMBER	COST
	1st Year:	1	\$37,500
	2nd Year:	1	\$39,000
	3rd Year:	1	\$40,500

FISCAL RESOURCES: All costs associated with this program will be reimbursed by the Humboldt Special School District.

FACILITIES: Provided by Humboldt High School.

ACTION REQUIRED: Staff recommends approval

PROGRAM IMPLEMENTATION PROPOSAL – 19

INSTITUTION: Tennessee College of Applied Technology-
Knoxville

PROPOSED PROGRAM TITLE: Automotive Technology

PROPOSAL: The Tennessee College of Applied Technology Knoxville is seeking to replicate the existing Automotive Technology program locate at the main campus to the new Anderson County Higher Education Center Extension Campus (Pending THEC site code approval). The program would award an Automotive and Light Vehicle Diesel Technician diploma and the program length is 2592 clock hours.

PROGRAM ACCREDITATOR: n/a

EFFECTIVE DATE: Spring 2022

OBJECTIVES: Replicate the existing Automotive Technology program locate at the main campus to the new Anderson County Higher Education Center Extension Campus

NEED: New facility has more available and adequate space for students and staff.

PROJECTED ENROLLMENT:	YEAR	ENROLLMENT	COMPLETERS
	1	20	0
	2	20	12
	3	20	12

PROJECTED COSTS:	YEAR	COST
	1st Year:	\$7,800
	2nd Year:	\$7,800
	3rd Year:	\$7,800

NEW FACULTY NEEDED:	YEAR	NUMBER	COST
	1st Year:		\$45,000
	2nd Year:		\$45,000
	3rd Year:		\$45,000

FISCAL RESOURCES:

Program and salary cost is allocated in the Tennessee College of Applied Technology Knoxville budget for 2021/2022 year.

FACILITIES:

Anderson County High Education Center Extension Campus.

ACTION REQUIRED:

Staff recommends approval

PROGRAM IMPLEMENTATION PROPOSAL – 20

INSTITUTION: Tennessee College of Applied Technology-
Knoxville

PROPOSED PROGRAM TITLE: Diesel-Powered Equipment Technology

PROPOSAL: The Tennessee College of Applied Technology Knoxville is seeking to replicate the existing Diesel-Powered Equipment Technology program located at the main campus to the new Anderson County Higher Education Center Extension Campus (Pending THEC site code approval). The program would award an Diesel Technician diploma and the program length is 2,160 clock hours.

PROGRAM ACCREDITATOR: n/a

EFFECTIVE DATE: Spring 2022

OBJECTIVES: Replicate the existing Diesel-Powered Equipment Technology program locate at the main campus to the new Anderson County Higher Education Center Extension Campus

NEED: New facility has more available and adequate space for students and staff.

PROJECTED ENROLLMENT:	YEAR	ENROLLMENT	COMPLETERS
	1	20	0
	2	20	12
	3	20	12

PROJECTED COSTS:	YEAR	COST
	1st Year:	\$31,000
	2nd Year:	\$15,000
	3rd Year:	\$15,000

NEW FACULTY NEEDED:	YEAR	NUMBER	COST
	1st Year:		\$50,000
	2nd Year:		\$50,000
	3rd Year:		\$50,000

FISCAL RESOURCES:

Program and salary cost is allocated in the Tennessee College of Applied Technology Knoxville budget for 2021/2022 year.

FACILITIES:

Anderson County High Education Center Extension Campus.

ACTION REQUIRED:

Staff recommends approval

PROGRAM IMPLEMENTATION PROPOSAL – 21

INSTITUTION: Tennessee College of Applied Technology-
Knoxville

PROPOSED PROGRAM TITLE: Industrial Maintenance/Mechatronics

PROPOSAL: The Tennessee College of Applied Technology Knoxville is seeking to relocate the Industrial Maintenance/Mechatronics program from the Pellissippi State Community College Strawberry Plains (2G) Campus to the TCAT Knoxville-Anderson County Higher Education Center Extension Campus (Pending THEC site code approval). The program would award an Industrial Maintenance/Mechatronics diploma and the program length is 1728 clock hours.

PROGRAM ACCREDITATOR: n/a

EFFECTIVE DATE: Summer 2022

OBJECTIVES: Relocate existing Industrial Maintenance/Mechatronics Program to new Anderson County Higher Education Center Extension Campus.

NEED: Relocating Industrial Maintenance/Mechatronics program to new permanent campus. New facility has more available and adequate space for students and staff.

PROJECTED ENROLLMENT:	YEAR	ENROLLMENT	COMPLETERS
	1	20	0
	2	20	12
	3	20	12

PROJECTED COSTS:	YEAR	COST
	1st Year:	\$19,300
	2nd Year:	\$19,300
	3rd Year:	\$19,300

NEW FACULTY NEEDED:	YEAR	NUMBER	COST
	1st Year:		\$0
	2nd Year:		\$0
	3rd Year:		\$0

FISCAL RESOURCES: Program and salary cost is allocated in the Tennessee College of Applied Technology Knoxville budget for 2021/2022 year.

FACILITIES: New permanent campus site, Anderson County High Education Center Extension Campus.

ACTION REQUIRED: Staff recommends approval

PROGRAM IMPLEMENTATION PROPOSAL – 22

INSTITUTION: Tennessee College of Applied Technology-
Knoxville

PROPOSED PROGRAM TITLE: Machine Tool Technology

PROPOSAL: The Tennessee College of Applied Technology Knoxville is seeking to relocate the Machine Tool Technology program from the Anderson County Campus (2F) to the TCAT Knoxville-Anderson County Higher Education Center Extension Campus (pending THEC site code approval). This program would award a Machine Tool Technology diploma and the program length is 1728 clock hours.

PROGRAM ACCREDITATOR: n/a

EFFECTIVE DATE: Spring 2022

OBJECTIVES: Relocate existing Machine Tool Technology Program to new Anderson County Higher Education Center Extension Campus.

NEED: Relocating Machine Tool Technology program to new permanent campus. New facility has more available and adequate space for students and staff.

PROJECTED ENROLLMENT:	YEAR	ENROLLMENT	COMPLETERS
	1	20	0
	2	20	12
	3	20	12

PROJECTED COSTS:	YEAR	COST
	1st Year:	\$13,250
	2nd Year:	\$13,250
	3rd Year:	\$13,250

NEW FACULTY NEEDED:	YEAR	NUMBER	COST
	1st Year:		\$0
	2nd Year:		\$0
	3rd Year:		\$0

FISCAL RESOURCES:

Program and salary cost is allocated in the Tennessee College of Applied Technology Knoxville budgets for the current and upcoming 2021/2022 year.

FACILITIES:

New permanent campus site, Anderson County Higher Education Center Extension Campus.

ACTION REQUIRED:

Staff recommends approval

PROGRAM IMPLEMENTATION PROPOSAL –23

INSTITUTION: Tennessee College of Applied Technology-
Knoxville

PROPOSED PROGRAM TITLE: Welding Technology

PROPOSAL: The Tennessee College of Applied Technology Knoxville is seeking to relocate the Welding Technology program from the Anderson County Campus (2F) to the TCAT Knoxville-Anderson County Higher Education Center Extension Campus (pending THEC site code approval). This program would award a Welding Technology diploma and the program length is 1296 clock hours.

PROGRAM ACCREDITATOR: n/a

EFFECTIVE DATE: Spring 2022

OBJECTIVES: Relocate existing Welding Technology Program to new Anderson County Higher Education Center Extension Campus.

NEED: Relocating the Welding Technology program to new permanent campus. New facility has more available and adequate space for students and staff.

PROJECTED ENROLLMENT:	YEAR	ENROLLMENT	COMPLETERS
	1	18	11
	2	18	11
	3	18	11

PROJECTED COSTS:	YEAR	COST
	1st Year:	\$16,450
	2nd Year:	\$16,450
	3rd Year:	\$16,450

NEW FACULTY NEEDED:	YEAR	NUMBER	COST
	1st Year:		\$0
	2nd Year:		\$0
	3rd Year:		\$0

FISCAL RESOURCES:

Program and salary cost is allocated into the Tennessee College of Applied Technology Knoxville's budget for the current and upcoming 2021/2022 year.

FACILITIES:

New permanent campus site, Anderson County Higher Education Center Extension Campus.

ACTION REQUIRED:

Staff recommends approval

PROGRAM IMPLEMENTATION PROPOSAL – 24

INSTITUTION: Tennessee College of Applied Technology-
Murfreesboro

PROPOSED PROGRAM TITLE: Information Technology

PROPOSAL: The Tennessee College of Applied Technology
Murfreesboro is proposing an Information
Technology program at the main campus. The
program would award an Information Systems &
Cybersecurity Professional diploma and the program
length is 2,160 clock hours.

PROGRAM ACCREDITATOR: n/a

EFFECTIVE DATE: Fall 2021

OBJECTIVES: Graduates are prepared to function in a computer
operations environment and will be proficient in the
installation, configuration, support, and security of
computer networks. Graduates will be equipped to:
Provide customer and end user support for computer
systems. Install, operate, diagnose and repair
problems with various desktop and server operating
systems. Demonstrate a working knowledge of
network systems. Manage and maintain a secure
environment across all systems using appropriate
tools and practices.

NEED: The institution decided to implement this program
after receiving numerous inquiries.

PROJECTED ENROLLMENT:	YEAR	ENROLLMENT	COMPLETERS
	1	10	8
	2	15	12
	3	20	18

PROJECTED COSTS:	YEAR	COST
	1st Year:	\$50,000
	2nd Year:	\$60,000
	3rd Year:	\$60,000

NEW FACULTY NEEDED:	YEAR	NUMBER	COST
	1st Year:	1	\$45,000
	2nd Year:	1	\$45,000
	3rd Year:	1	\$45,000

FISCAL RESOURCES: State appropriations and tuition will be used.

FACILITIES: Existing space will be used

ACTION REQUIRED: Staff recommends approval

PROGRAM IMPLEMENTATION PROPOSAL – 25

INSTITUTION: Tennessee College of Applied Technology-
Murfreesboro

PROPOSED PROGRAM TITLE: Information Technology

PROPOSAL: The Tennessee College of Applied Technology
Murfreesboro is proposing an Information
Technology program at the Smyrna Campus (2A).
The program would award an Information Systems &
Cybersecurity Professional diploma and the program
length is 2,160 clock hours.

PROGRAM ACCREDITATOR: n/a

EFFECTIVE DATE: Fall 2021

OBJECTIVES: Graduates are prepared to function in a computer
operations environment and will be proficient in the
installation, configuration, support, and security of
computer networks. Graduates will be equipped to:
Provide customer and end user support for computer
systems. Install, operate, diagnose and repair
problems with various desktop and server operating
systems. Demonstrate a working knowledge of
network systems. Manage and maintain a secure
environment across all systems using appropriate
tools and practices.

NEED: The institution decided to implement this program
after receiving numerous inquiries.

PROJECTED ENROLLMENT:	YEAR	ENROLLMENT	COMPLETERS
	1	10	8
	2	15	12
	3	20	18

PROJECTED COSTS:	YEAR	COST
	1st Year:	\$50,000
	2nd Year:	\$60,000
	3rd Year:	\$60,000

NEW FACULTY NEEDED:	YEAR	NUMBER	COST
	1st Year:	1	\$45,000
	2nd Year:	1	\$45,000
	3rd Year:	1	\$45,000

FISCAL RESOURCES: State appropriations and tuition will be used.

FACILITIES: Existing space will be used

ACTION REQUIRED: Staff recommends approval

PROGRAM IMPLEMENTATION PROPOSAL – 26

INSTITUTION: Tennessee College of Applied Technology-
Murfreesboro

PROPOSED PROGRAM TITLE: Manicuring

PROPOSAL: The Tennessee College of Applied Technology
Murfreesboro is proposing a Manicuring program at
the Main Campus. The program would award a
Manicuring certificate and the program length is 600
clock hours.

PROGRAM ACCREDITATOR: n/a

EFFECTIVE DATE: Fall 2021

OBJECTIVES: The Manicuring Program is designed to help the
student master all the skills necessary for passing the
State Board Examination, selecting the phase or
phases of Manicuring or Pedicuring in which to
specialize, and entering employment. Classroom
instruction and practical learning experiences are
interwoven into a variety of manicuring and
pedicuring treatments. The course of study includes
hands-on and classroom instruction in giving
manicures and pedicures services, artificial nail
enhancements, hand and arm massages, hygiene,
sanitation, and salon management. Safety and
customer relations are also emphasized throughout
the program. Completion of the Manicuring
Certificate with 600 hours will qualify the successful
student to sit for Tennessee State Board Licensure
Exam.

NEED: The institution decided to implement this program
after receiving numerous inquiries.

PROJECTED ENROLLMENT:	YEAR	ENROLLMENT	COMPLETERS
	1	10	8
	2	15	12
	3	20	18

PROJECTED COSTS:	YEAR	COST
	1st Year:	\$50,000
	2nd Year:	\$60,000
	3rd Year:	\$60,000

NEW FACULTY NEEDED:	YEAR	NUMBER	COST
	1st Year:	1	\$45,000
	2nd Year:	1	\$45,000
	3rd Year:	1	\$45,000

FISCAL RESOURCES: State appropriations and tuition will be used.

FACILITIES: Existing space will be used

ACTION REQUIRED: Staff recommends approval

PROGRAM IMPLEMENTATION PROPOSAL – 27

INSTITUTION: Tennessee College of Applied Technology-
Murfreesboro

PROPOSED PROGRAM TITLE: Automotive Service Technology

PROPOSAL: The Tennessee College of Applied Technology
Murfreesboro is proposing an Automotive Service
Technology evening/part-time program at the
Murfreesboro-Smyrna Campus (2A). The program
would award an AST Automotive Technician
diploma of 1296 clock hours.

PROGRAM ACCREDITATOR: National Institute for Automotive Service Excellence

EFFECTIVE DATE: Fall 2021

OBJECTIVES: Train students for entry into the automotive repair
field. Prepare students to take the ASE certification
exams. Encourage professional and ethical behavior
to ensure success in a wide range of endeavors.

NEED: The evening program is being implemented to meet
high demand. TCAT Murfreesboro will follow TCAT
Chattanooga curriculum. Letters of support reflect the
need for this program.

PROJECTED ENROLLMENT:	YEAR	ENROLLMENT	COMPLETERS
	1	10	8
	2	15	12
	3	20	18

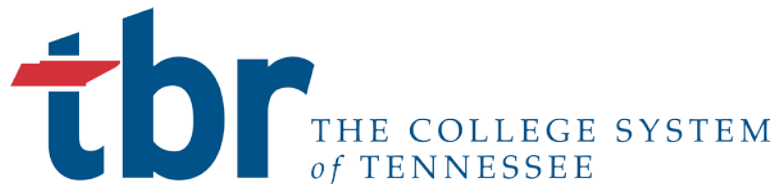
PROJECTED COSTS:	YEAR	COST
	1st Year:	\$50,000
	2nd Year:	\$60,000
	3rd Year:	\$60,000

NEW FACULTY NEEDED:	YEAR	NUMBER	COST
	1st Year:	1	\$45,000
	2nd Year:	1	\$45,000
	3rd Year:	1	\$45,000

FISCAL RESOURCES: State appropriation and tuition will be used.

FACILITIES: Existing space will be used.

ACTION REQUIRED: Staff recommends approval



BOARD TRANSMITTAL

MEETING: Committee on Academic Policies and Programs
and Student Life

SUBJECT: Accreditation Summary Report and Overview
2019-2020

DATE: June 17, 2021

PRESENTER: Executive Vice Chancellor Russ Deaton

PRESENTATION REQUIREMENT: 5 minutes with discussion

ACTION REQUIRED: Voice Vote

STAFF'S
RECOMMENDATION:

The Annual Accreditation Report and Overview summarizes all activity for the academic year 2019-2020 on regional and program accreditation. The report also provides information on all non-accreditable programs that go through either the Program Review or the Academic Audit process. A summary of all activity is provided along with a more detailed accounting of all accreditation and quality assurance activity.

Summary
TBR Annual Accreditation and Quality Assessment Report
July 1, 2019 to June 30, 2020

COMMUNITY COLLEGES

Institutional Accreditation

- All thirteen community colleges continually monitor and comply with standards required for accreditation by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC).
- Ten institutions submitted other types of compliance documents such as fifth-year interim reports, decennial reports, substantive changes, and monitoring reports. These ten institutions included: Chattanooga State, Cleveland State, Columbia State, Dyersburg State, Motlow State, Northeast State, Roane State, Southwest Tennessee, Volunteer State, and Walters State.

Program Accreditation

- In 2019-2020, TBR community colleges participated in a total of 97 accreditation-related activities including self-study reports, program reviews, site visits, and interim reports to accrediting agencies.
- 57 creditable programs in TBR community colleges received notice of reaffirmation and continuing accreditation in 2019-20.
- Additional program accreditation activities include annual reports, midterm quality assurance reports, and substantive change submissions.

Academic Audit

- For the 2019-2020 academic year, 28 academic programs system-wide underwent the Academic Audit process.
- In the spring of 2020, each of these programs completed an Academic Audit Self Study written report and hosted an Academic Auditor Team. The Academic Auditor Team provided an onsite or virtual visit and review and subsequently issued a written report including commendations, affirmations and recommendations for improvement.
- Academic Audits are conducted to meet the requirements of the THEC Quality Assurance Funding as well as program evaluation.

Program Review

- The TBR community colleges had 5 programs undergo a Program Review process in 2019-2020.
- For the Program Review, each prepared a written report and hosted external peer reviewers on campus. These peer reviewers each subsequently prepared an evaluation and a written report.
- All Program Reviews were conducted to meet the requirements of the THEC Quality Assurance Funding program.

Summary
TBR Annual Accreditation and Quality Assessment Report
July 1, 2019 to June 30, 2020

TENNESSEE COLLEGES OF APPLIED TECHNOLOGY (TCAT)

Institutional Accreditation

- All twenty-six technical colleges continually monitor and comply with standards required for accreditation by the Council on Occupational Education (COE).
- In 2019-2020, TBR technical colleges participated in a total of eleven accreditation-related activities, including self-studies, program reviews, and site visits to accrediting agencies.
- TCATs Athens, Covington, Hartsville, and Nashville hosted an unannounced focus review visit. The visit encompasses an on-site evaluation and written report. COE accepted all final responses from the institutions.
- TCAT Shelbyville submitted and received initial approval for a substantive change to establish the Franklin County Extension Campus.
- TCAT Jackson submitted and received initial approval for a substantive change to merge TCATs Jackson and Whiteville. The merger is pending final approval at the June 2021 Commissioner meeting.
- TCATs Hohenwald and McMinnville received final approval for a substantive change to establish the Instructional Service Centers.
- TCATs Hohenwald and Oneida submitted and received initial approval for a substantive change to establish the Wayne County Instructional Service Center and Morgan County Career & Technical Center Instructional Service Centers.
- All TCATs submitted their COE annual reports in December 2019.

Program Accreditation

- During this reporting cycle, TCATs did not have any program accreditation activities.

TBR Annual Accreditation and Quality Assessment Update 2019 - 2020

Tennessee Board of Regents

Annual Accreditation and Quality Assessment Update: July 1, 2019 to June 30, 2020

Institutional Level Accreditation Activities

Institution	Scope/Purpose of Review	Accrediting Body	Self-Study or Other Activity	Site Visit Date(s)	Official Action Taken
CHSCC	Reaffirmation of Accreditation	SACSCOC	Self Study, Focused Report, QEP Evaluation		Moved forward to official site visit in October 2020.
CLSCC	Referral Report SACSCOC	SACSCOC	Prepared Referral Report for submission in September 2020.		Reaffirmation decision by the Commission at the December 2020 meeting.
CoSCC	Submission of 2019 Financial Profile and Indicators	SACSCOC	Submitted on 07/16/2019		
CoSCC	Notification of change in institutional Accreditation Liaison	SACSCOC	Submitted on 09/13/2019		
CoSCC	Substantive Change to add new A.A.S. program in Civil and Construction Engineering at the Columbia Campus	SACSCOC	Prospectus submitted December 2019		Request additional information including credentials of program director. Program did not start Fall 2020 due to COVID.
CoSCC	Submission of 2019 Profile for General and Enrollment Information	SACSCOC	Submitted on 01/04/2019		
CoSCC	Notification of change in academic calendar to extend Spring Break from March 9-15 to March 9-22 for COVID-19 planning	SACSCOC	Submitted on 03/16/2019		
CoSCC	Substantive Change Temporary Emergency Relocation of Instruction Notification	SACSCOC	Submitted on 03/20/2020		Letter of acceptance of notification received 03/24/2020.
DSCC	Substantive Change-Offer 50% or more at West TN Healthcare Therapy and Learning Center	SACSCOC	Substantive Change	Prospectus submitted 08/14/2019	Approved
DSCC	Substantive Change-Offer 50% or more at West TN Penitentiary	SACSCOC	Substantive Change	Prospectus submitted 02/05/2020	Approved
DSCC	Substantive Change-Offer 50% or more at University of TN at Martin	SACSCOC	Substantive Change	Prospectus submitted 03/12/2020	Approved
DSCC	Substantive Change-Offer 50% or more at Union City High School	SACSCOC	Substantive Change	Prospectus submitted 03/12/2020	Approved

TBR Annual Accreditation and Quality Assessment Update 2019 - 2020

DSCC	Substantive Change-A.A.S., Business, Concentration in Logistics and Supply Chain Management		SACSCOC	Substantive Change	Prospectus submitted 06/08/2020	Approved
MSCC	Reaffirmation of Accreditation		SACSCOC	none		Reaffirmation Accreditation on June 14, 2018. The next reaffirmation is 2028.
NeSCC	Decennial Report		SACSCOC	Completing standard review and writing and revising as appropriate, ongoing	10/26/2020-10/29/2020	The SACSCOC Board of Trustees will vote on Northeast State's Reaffirmation status in June 2021.
RSCC	Substantive Change-Closure of Healthcare Documentation Specialist Certificate		SACSCOC			Closure approved by SACSCOC 07/05/2019
RSCC	Substantive Change-GIVE grant/Lenoir City High School site @50%+ of Mechatronics and CITC degree		SACSCOC	Prospectus submitted 12/17/2019		Site approved by SACSCOC 04/24/2020
RSCC	Substantive Change-MLT program		SACSCOC	Prospectus submitted 12/17/2019		Program approved by SACSCOC 05/22/2020
RSCC	Dicennial Reaffirmation		SACSCOC	Focused Report Submitted 09/04/2019	On-Site Visit 10/15-28/2019	
STCC	2019 Financial Profile and Indicators		SACSCOC	Annual Financial Profile	n/a	Completed
STCC	2019 Enrollment Profile		SACSCOC	Annual Financial Profile	n/a	Completed
VSCC	Reaffirmation		SACSCOC	Self Study	October 1, 2019	Reaffirmed
WSCC	Temporary Emergency Relocation of Instruction-March 15, 2020-July 14, 2020		SACSCOC	Substantive Change Notification		Submitted 03/16/20; Acknowledged 03/19/20; 04/13/20 Extended to 12/31/20

Academic Program Level Accreditation Activities

Institution	Program Name	Degree(s)	Accrediting Body	Self-Study or Other Activity	Site Visit Date(s)	Official Action Taken
CHSCC	Radiologic Technology	A.A.S.	JRCERT	Annual Report		N/A
CHSCC	Advanced Pharmacy Technology	Technical Certificate	ASHP	Midterm Progress Report		Midterm Report is halfway through the 6 year accreditation cycle and was approved.

TBR Annual Accreditation and Quality Assessment Update 2019 - 2020

CHSCC	Respiratory Care	A.A.S.	CoARC	Self Study		Moved forward to official site visit in January 2021.
CHSCC	Nuclear Medicine Technology	A.A.S./Technical Certificate	JRCNMT	Midterm Progress Report		Midterm Report is halfway through the 8 year accreditation cycle and was approved.
CLSCC	Emergency Management Paramedic Program	A.A.S.	CAAHEP	Progress Report		Report approved and accepted February 7, 2020.
CLSCC	Medical Assisting	A.A.S.	CAAHEP	2019 Annual Report for the Medical Assisting Education Review Board (MAERB)		Report reviewed April 3, 2020 and no further information required.
CoSCC	Business and Computer Information Technology	A.A.S./Technical Certificate	ACBSP	Biennial Report submitted 09/2019; Departments working on self-study for reaffirmation due in July 2020.		Accreditation maintained
CoSCC	Medical Lab Technology	A.A.S.	NAACLS	Notification of Program Director Change Submitted		Received letter of recognition of change on 09/23/2019
CoSCC	Radiologic Technology	A.A.S.	JRCERT	Annual Report submitted October 1, 2019		Accreditation maintained
CoSCC	Respiratory Care	A.A.S.	CoARC	2019 Annual Report Submitted Jun 15, 2020		Accreditation maintained
CoSCC	Veterinary Technology	A.A.S.	AVMA	Site Visit for affirmation of accreditation	10/2-3/2019	Full accreditation continued
DSCC	Health Information Management	A.A.S.	CAHIIM	Accreditation	12/5-6/2019	Continued accreditation after progress report
DSCC	Early Childhood Education	A.A.S.	NAEYE	Accreditation	03/01-04/2020	Continued accreditation with conditions
JSCC	Medical Laboratory Technician-MLT	A.A.S.	NAACLS	Self Study, 05/2020	10/27-28/2020	Continued accreditation recommended until 04/30/2021, official action in 4/2021
MSCC	Mechatronics	A.A.S. and C1	ATMAE	Evaluated Reaccreditation partial compliance findings; Employer surveys; Graduate/alumni surveys		Developed action plan; contacted some employers and alumni. Continuing work on these items.
MSCC	Early Childhood Education	A.A.S.	NAEYC	Annual reporting March 2019 and April 2020		Reaffirmed accreditation through NAEYC.
MSCC	Nursing	A.A.S.	ACEN	Annual reporting in December	Spring 2023	Reaffirmed accreditation

TBR Annual Accreditation and Quality Assessment Update 2019 - 2020

MSCC	Paramedic	A.A.S. and C1	CAAHEP/CoAEMSP	Annual reporting due 05/15/2020		Remain accredited
MSCC	Business	A.A.S.	ACBSP	Re-accreditation Visit	October. 6-9, 2019	Reaffirmed Accreditation
MSCC	Medical Laboratory Technology	A.A.S.	NAACLS	Initial accreditation site visit	November 7-8, 2019	5-year accreditation awarded April 2020
NaSCC	Architectural Design Technology	A.A.S.	ATMAE	Self Study - 3/28/2020	Virtual 4/2020	Reaffirmation with 2 year report
NaSCC	Civil Construction and Engineering Technology	A.A.S.	ATMAE	Self Study - 3/28/2020	Virtual 4/2020	Reaffirmation with 2 year report
NaSCC	Electrical Engineering Technology	A.A.S.	ATMAE	Self Study - 3/28/2020	Virtual 4/2020	Reaffirmation with 2 year report
NeSCC	Administrative Professional Technology: Business Office	A.A.S.	ACBSP	Submitted self-study report in December 2019	02/10/20-02/12/20	Continuing Accreditation awarded April 2020 for 10 years
NeSCC	Administrative Professional Technology: Legal Office	A.A.S.	ACBSP	Submitted self-study report in December 2019	02/10/20-02/12/20	Continuing Accreditation awarded April 2020 for 10 years
NeSCC	Administrative Professional Technology: Medical Office	A.A.S.	ACBSP	Submitted self-study report in December 2019	02/10/20-02/12/20	Continuing Accreditation awarded April 2020 for 10 years
NeSCC	Aviation Technology	A.A.S.	ATMAE	Self-study completed		Continuing Accreditation awarded November 2019 for 5 years
NeSCC	Business: Management	A.A.S.	ACBSP	Submitted self-study report in December 2019	02/10/20-02/12/20	Continuing Accreditation awarded April 2020 for 10 years
NeSCC	Business: Small Business Management	A.A.S.	ACBSP	Submitted self-study report in December 2019	02/10/20-02/12/20	Continuing Accreditation awarded April 2020 for 10 years
NeSCC	Business: Accounting	A.A.S.	ACBSP	Submitted self-study report in December 2019	02/10/20-02/12/20	Continuing Accreditation awarded April 2020 for 10 years
NeSCC	Cardiovascular Technology	A.A.S.	CAAHEP, JRC-CVT	Annual Report completed 12/2020 Accepted		
NeSCC	Computer and Information Sciences: Networking	A.A.S.	ATMAE	Self-study completed		Continuing Accreditation awarded November 2019 for 5 years

TBR Annual Accreditation and Quality Assessment Update 2019 - 2020

NeSCC	Computer and Information Sciences: Cyber Defense.	A.A.S.	ATMAE	Self-study completed		Continuing Accreditation awarded November 2019 for 5 years
NeSCC	Computer and Information Sciences: Programming	A.A.S.	ATMAE	Self-study completed		Continuing Accreditation awarded November 2019 for 5 years
NeSCC	Computer and Information Sciences: Systems Administration and Management	A.A.S.	ATMAE	Self-study completed		Continuing Accreditation awarded November 2019 for 5 years
NeSCC	Dental Assisting	A.A.S. and Certificate	ADA, CODA	Self-study completed	11/15/18-11/16/18	Reporting Requirements, Intent to Withdraw, we have until May 15, 2021, to meet standard requirements
NeSCC	Early Childhood Education	A.A.S. and Technical Certificate	NAEYC	Site Visit	10/06/19-10/09/19	Reaffirmation of accreditation
NeSCC	Electrical Technology: Electrical	A.A.S.	ATMAE	Self-study completed		Continuing Accreditation awarded November 2019 for 5 years
NeSCC	Electrical Technology: Electricalmechanical	A.A.S.	ATMAE	Self-study completed		Continuing Accreditation awarded November 2019 for 5 years
NeSCC	Entertainment Technology	A.A.S.	ATMAE	Submitted self-study report, August 2018	03/17/19-03/19/19	
NeSCC	Entertainment Technology	A.A.S.	ATMAE	Self-study completed		Continuing Accreditation awarded November 2019 for 5 years
NeSCC	Industrial Technology: Automotive Service	A.A.S.	ATMAE	Self-study completed		Continuing Accreditation awarded November 2019 for 5 years
NeSCC	Industrial Technology: Automotive Body/Collision Repair	A.A.S.	ATMAE	Self-study completed		Continuing Accreditation awarded November 2019 for 5 years
NeSCC	Industrial Technology: Engineering Design Technology	A.A.S.	ATMAE	Self-study completed		Continuing Accreditation awarded November 2019 for 5 years
NeSCC	Industrial Technology: Machine Tool	A.A.S.	ATMAE	Self-study completed		Continuing Accreditation awarded November 2019 for 5 years
NeSCC	Industrial Technology: Manufacturing Engineering Technology	A.A.S.	ATMAE	Self-study completed		Continuing Accreditation awarded November 2019 for 5 years

TBR Annual Accreditation and Quality Assessment Update 2019 - 2020

NeSCC	Industrial Technology: Mechanical	A.A.S.	ATMAE	Self-study completed		Continuing Accreditation awarded November 2019 for 5 years
NeSCC	Industrial Technology: Motor Sports	A.A.S.	ATMAE	Self-study completed		Continuing Accreditation awarded November 2019 for 5 years
NeSCC	Industrial Technology: Welding/Metal Fabrication	A.A.S.	ATMAE	Self-study completed		Continuing Accreditation awarded November 2019 for 5 years
NeSCC	Medical Laboratory Technology	A.A.S.	NAACLS	Self-study completed and sent 04/01/2021	unknown at this time	
NeSCC	Nursing (Traditional Option)	A.A.S.	ACEN	Annual report submitted November 2019 and began self-study in January 2019, ongoing. Expected ACEN three day site visit Feb. 2022.		
NeSCC	Nursing (LPN to RN Option)	A.A.S.	ACEN	Annual report submitted November 2019 and began self-study in January 2019, ongoing. Expected ACEN three day site visit Feb. 2022.		
NeSCC	Paramedic	A.A.S. and Certificate	CAAHEP, CoAEMSP, TDH-EMS	Annual report submitted 04/13/2021		Continuing Accreditation awarded March 2019 for 5 years
NeSCC	Surgical Technology	A.A.S.	CAAHEP, ARC/STSA	Annual report completed 7/2019 Accepted		
RSCC	Dental Hygiene	A.A.S.	ADA	Annual Report submitted October 2019		
RSCC	Advanced Pharmacy Technology	Certificate	ASHP		March 17, 2020	No areas of noncompliance cited; request for response to areas of partial compliance due 07/06/2020.
RSCC	Occupational Therapist Assistant	A.A.S.	AOTA	Annual Report accepted 04/06/2019		
RSCC	Radiologic Technology	A.A.S.	JRCERT	Annual Report submitted 10/03/2019		
RSCC	Vision Care Technology	A.A.S.	COA	Self-study submitted 06/03/2020		
RSCC	EMT/Paramedic	Certificate	CoAEMSP	Progress report submitted 11/20/2019		
RSCC	Physical Therapist Assistant	A.A.S.	CAPTA		Site Visit 11/18-20/2019	Reaffirmed 04/28/2020

TBR Annual Accreditation and Quality Assessment Update 2019 - 2020

RSCC	Respiratory Care	A.A.S.	COARC	Self-study submitted 06/01/2020	Annual report submitted 01/29/2020	
RSCC	Polysomnography	Certificate	CoAPSG	Annual report submitted December, 2019		
RSCC	Health Information Management	A.A.S.	CAHIIM	Follow-up Report submitted 11/01/2019		
RSCC	Nursing	A.A.S.	ACEN	Annual Report Submitted 10/31/2019		
STCC	Funeral Service Education	A.A.S.	ABFSE	February-19	February-20	Granted Candidacy
STCC	Business	A.A.S.	ACBSP	December-19	March-20	Reaffirmed
STCC	Logitics/Transporation Management	C1	ACBSP	December-19	March-20	Reaffirmed
STCC	Quality Assurance Supervision	C1	ACBSP	December-19	March-20	Reaffirmed
STCC	Mid Management		ACBSP	December-19	March-20	Reaffirmed
STCC	Accounting		ACBSP	December-19	March-20	Reaffirmed
STCC	Tax Preparer	C1	ACBSP	December-19	March-20	Reaffirmed
STCC	Accounting	C1	ACBSP	December-19	March-20	Reaffirmed
STCC	Administrative Professional Technology		ACBSP	December-19	March-20	Reaffirmed
STCC	Hospitality Management		ACBSP	December-19	March-20	Reaffirmed
STCC	General Technology	A.A.S.	ACBSP	December-19	March-20	Reaffirmed
STCC	Medical Laboratory Technician	A.A.S.	NAACLS		December-19	Reaffirmed
STCC	Laboratory Phlebotomy Technician	C1	NAACLS		December-19	Reaffirmed
VSCC	Business	A.A.S.	ACBSP	Self Study	August-19	Reaffirmed
VSCC	Diagnostic Medical Sonography	A.S.S.	CAAHEP	Self Study	October 17-18, 2019	Reaffirmed
VSCC	Radiologic Technology	A.A.S.	JRCERT	Self Study	April 15-16, 2019	Reaffirmed
WSCC	Business, Computer Science, and Computer Information Technology	A.S., A.A.S. and Technical	ACBSP	Quality Assurance Report		Reviewed and accepted 12/21/19

TBR Annual Accreditation and Quality Assessment Update 2019 - 2020

WSCC	Business - Culinary Arts	A.A.S. and Technical Certificates	ACFEF	2020 Annual Report		Reviewed and accepted 04/20/20
WSCC	Early Childhood Education	A.A.S. and Technical Certificate	NAEYC	Renewal Accreditation Report	Rescheduled 10/18-21/20	Submitted 10/15/19
WSCC	Health Information Management	A.A.S.	CAHIIM	2020 Annual Program Assessment Report		Reviewed and accepted 08/12/20
WSCC	Nursing	A.A.S.	ACEN	2019 Annual Report		Submitted October 2019
WSCC	Physical Therapist Assistant	A.A.S.	CAPTE	2019 Annual Report		Submitted November 2019
WSCC	Physical Therapist Assistant	A.A.S.	CAPTE	Substantive Change Progress Report on Approved Application		Received 02/25/20
WSCC	Physical Therapist Assistant	A.A.S.	CAPTE	Withdraw Accreditation at Institutions's Request applicable only to Greenville, TN Expansion Program		Request Received 04/20/20; Effective 04/28/20
WSCC	Respiratory Care	A.A.S.	CoARC	2019 Annual Report		Accepted 05/01/20
WSCC	Respiratory Care	A.A.S.	CoARC	2020 Annual Report		Submitted 06/29/20
WSCC	Respiratory Care	A.A.S.	CoARC	Application for Accreditation Services (reaffirmation)		Submitted 04/01/20
WSCC	Paralegal Studies	Certificate	ABA	Substantive Change Reporting Form		Approved 12/11/19
WSCC	Electrical Engineering Technology	A.A.S.	ATMAE	Accreditation Granted		11/6/2019
WSCC	Engineering Systems Technology	A.A.S.	ATMAE	Accreditation Granted		11/6/2019
WSCC	Occupational Therapy Assistant	A.A.S.	ACOTE	2020 Annual Report		Accepted 03/27/20
Academic Audit Activities						
Institution	Program Name	Degree(s)	Self-Study or Other Activity	Site Visit Date(s)		
CHSCC	Fine Arts	A.F.A.	January 31, 2020	April 3, 2020		
CHSCC	University Parellel	A.S., A.A.	January 31, 2020	April 7, 2020		

TBR Annual Accreditation and Quality Assessment Update 2019 - 2020

CHSCC	Chemistry	A.S.	January 31, 2020	April 20, 2020		
CHSCC	Criminal Justice	A.A.S., A.S.	January 31, 2020	May 7, 2020		
CHSCC	Social Sciences	A.A., A.S.	January 31, 2020	May 7, 2020		
CHSCC	Humanities	AA, AS	January 31, 2020	April 8, 2020		
CLSCC	Welding Basic Entry Level	2.1 C1 Certificate	Academic Audit	The Academic Auditor Team visit was held via Microsoft Teams on April 3, 2020.		
CoSCC	University Parellel	A.A. and A.S.	Academic Audit Site Visit conducted virtually	May 7, 2020		
MSCC	Computer Information Technology	A.A.S. Program with concentration in Cyber Defense	Self Study	Virtual Site Visit on April 21, 2020		
JSCC	Healthcare Technician	Certificate	Self Study 01/2020	April 29, 2020		
NaSCC	Computer Information Technology	A.A.S.	Self Study - 1/31/2020	Virtual - April 13, 2020		
NaSCC	University Parellel	A.A./A.S.	Self Study - 1/31/2020	Virtual - April 9, 2020		
NeSCC	Emergency Medical Technology-Basic	Certificate	TBR Academic Audit	Academic Audite Completed and sent to TBR March 22, 2021		
NeSCC	Criminal Justice	A.A.S.	Virtual Site visit	April 9, 2020		
NeSCC	Teacher Education	A.S.T.	Virtual Site visit	April 16, 2020		
NeSCC	Emergency Medical Technology-Advanced	Certificate	4/12/2019	Academic Audit sent to TBR January 2019		
PSCC	University Parellel	A.A., A.F.A., A.S., A.S.T.	1/29/2020	April 1, 2020		
PSCC	Criminal Justice	A.A., A.A.S., A.S.	1/29/2020	April 14, 2020		
RSCC	Education	A.S.T.	Self-study submitted 01/31/2020	Site visit April 23, 2020		
STCC	Allied Health Science	A.A.S.	January-20	March 1, 2020		
STCC	Automotive Service Technology	A.A.S.	January-20	April 1, 2020		

TBR Annual Accreditation and Quality Assessment Update 2019 - 2020

STCC	Industrial Process Control Technology	A.A.S.	January-20	May 1, 2020		
STCC	University Parellel	A.A./A.S.	January-20	May 1, 2020		
VSCC	Criminal Justice	A.A.S.	Audit	April 30, 2020		
WSCC	Production Horticulture	A.A.S.	Self Study submitted to TBR 01/30/20	April 7, 2020		
WSCC	Landscape Management	Certificate- Embedded	Self Study submitted to TBR 01/30/20	April 7, 2020		
WSCC	Horticulture	Certificate	Self Study submitted to TBR 01/30/20	April 7, 2020		
WSCC	Fire Science	A.A.S.	Self Study submitted to TBR 01/30/20	April 15, 2020		
Academic Program Review Activities						
Institution	Program Name	Degree(s)	Self Study or Other Activity	Site Visit Date(s)		
CoSCC	Hospitality and Tourism Management	Technical Certificate	Peer Review Site Visit conducted virtually	04/22-24/2020		
DSCC	Teaching	A.S.T.	External Peer Review	6/18/2020		
DSCC	Criminal Justice	A.A.S.	External Peer Review	4/17/2020		
NeSCC	Aviation Technology	A.A.S.	Continued Self-Study process in pursuit of FAA certiciation, ongoing	12/14/2020		
NeSCC	Welding	A.A.S.	AWS ATF (Accredited Testing Facility) welding equipment certification complete, March 2019	3/17/2019		

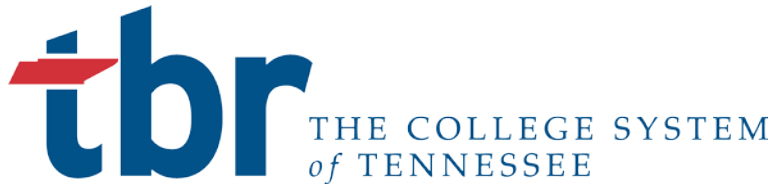
Tennessee Board of Regents
Annual Accreditation and Quality Assessment Update: July 1, 2019 to June 30, 2020

Institutional Level Accreditation Activities

Institution	Scope/Purpose of Review	Accrediting Body	Self-Study or Other Activity	Site Visit Date(s)	Official Action Taken
TCAT Athens	Unannounced Review	COE	On-site evaluation and written report	4/30/2019	Final response accepted March 2020
TCAT Covington	Unannounced Review	COE	On-site evaluation and written report	4/30/2019	Final response accepted September 2019
TCAT Hartsville	Unannounced Review	COE	On-site evaluation and written report	4/16/2019	Final response accepted September 2019
TCAT Hohenwald	Substantive Change	COE	Substantive Change Application Form- New Instructional Service Center	7/24-26/2019	Approval of Columbia Central High School ISC Sept. 2019
TCAT Hohenwald	Substantive Change	COE	Substantive Change Application Form- New Instructional Service Center	7/24-26/2019	Approval of Spring Hill High School ISC Sept. 2019
TCAT Hohenwald	Substantive Change	COE	Substantive Change Application Form- New Instructional Service Center	10/13/2020	Initial approval of Wayne County ISC May 2020
TCAT Jackson	Substantive Change	COE	Substantive Change Application Form- Merger	12/7-10/2020	Initial approval of TCAT Jackson/Whiteville campus merger July 2019. Pending final approval
TCAT McMinnville	Substantive Change	COE	Substantive Change Application Form- New Instructional Service Center	10/31-11/1/2019	Final approval of Warren County High School ISC Feb. 2020
TCAT Nashville	Unannounced Review	COE	On-site evaluation and written report	4/15/2019	Final response accepted March 2020
TCAT Oneida	Substantive Change	COE	Substantive Change Application Form- New Instructional Service Center	10/13/2020	Initial approval of Morgan County Career and Technical Center ISC Feb. 2020
TCAT Shelbyville	Substantive Change	COE	Substantive Change Application Form- Extension Campus	8/19/2020	Initial approval of Franklin County Extension Campus Nov. 2019

Academic Program Level Accreditation Activities

Institution	Program Name	Accrediting Body	Self-Study	Site Visit Date(s)	Official Action Taken
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BOARD TRANSMITTAL

MEETING: Quarterly Board Meeting

SUBJECT: Contested Case Procedures, Chapter 0240-01-05

DATE: June 18, 2021

PRESENTER: Brian Lapps, General Counsel

PRESENTATION REQUIREMENT: 5 minutes

ACTION REQUIRED: Roll Call Vote

STAFF'S
RECOMMENDATION: Recommend Approval

BACKGROUND INFORMATION:

“Contested case” hearings under the Uniform Administrative Procedures Act (“UAPA”) are offered when the government seeks to take away a “property interest” and in certain other circumstances. Students who are being suspended or dismissed for disciplinary reasons typically have an option of a contested case hearing. Contested case hearings are more limited for employees. Contested case hearings are not as formal as court proceedings, but there are similarities, which include prehearing discovery, a hearing with a judge, live testimony under oath, direct and cross examination, and a written decision. These are rare at TBR institutions. Nevertheless, the Office of General Counsel believes that TBR needs a rule on this subject.

TBR is proposing to use the formal processes and procedures of the Administrative Procedures Division (“APD”) in the Secretary of State’s Office. TBR will typically use administrative judges from APD to preside over contested cases, but because APD is not legally required to accept TBR cases, the draft rule provides other options as permitted by statute.

Attachment

**Department of State
Division of Publications**

312 Rosa L. Parks Ave., 8th Floor, Snodgrass/TN Tower
Nashville, TN 37243
Phone: 615-741-2650
Email: publications.information@tn.gov

For Department of State Use Only

Sequence Number: _____
Rule ID(s): _____
File Date: _____
Effective Date: _____

Rulemaking Hearing Rule(s) Filing Form

Rulemaking Hearing Rules are rules filed after and as a result of a rulemaking hearing (Tenn. Code Ann. § 4-5-205).

Pursuant to Tenn. Code Ann. § 4-5-229, any new fee or fee increase promulgated by state agency rule shall take effect on July 1, following the expiration of the ninety (90) day period as provided in § 4-5-207. This section shall not apply to rules that implement new fees or fee increases that are promulgated as emergency rules pursuant to § 4-5-208(a) and to subsequent rules that make permanent such emergency rules, as amended during the rulemaking process. In addition, this section shall not apply to state agencies that did not, during the preceding two (2) fiscal years, collect fees in an amount sufficient to pay the cost of operating the board, commission or entity in accordance with § 4-29-121(b).

Agency/Board/Commission:	Tennessee Board of Regents
Division:	
Contact Person:	Brian A. Lapps, Jr. General Counsel
Address:	1 Bridgestone Park, 3 rd Floor Nashville, TN
Zip:	37214
Phone:	615-366-4438
Email:	Brian.lapps@tbr.edu

Revision Type (check all that apply):

- Amendment
 New
 Repeal

Rule(s) (ALL chapters and rules contained in filing must be listed here. If needed, copy and paste additional tables to accommodate multiple chapters. Please make sure that **ALL** new rule and repealed rule numbers are listed in the chart below. Please enter only **ONE** Rule Number/Rule Title per row.)

Chapter Number	Chapter Title
0240-01-05	Contested Case Procedures
Rule Number	Rule Title
0240-01-05-.01	Contested Case Procedures

Place substance of rules and other info here. Please be sure to include a detailed explanation of the changes being made to the listed rule(s). Statutory authority must be given for each rule change. For information on formatting rules go to <https://sos.tn.gov/products/division-publications/rulemaking-guidelines>.

**RULES
OF
THE TENNESSEE BOARD OF REGENTS**

**CHAPTER 0240-01-05
CONTESTED CASE PROCEDURES**

New Chapter

Table of Contents is added to Chapter 0240-01-05 Contested Case Procedures and shall read as follows:

Table of Contents

0240-01-05-.01 Contested Case Procedures

0240-01-05-.01 is added to Chapter 0240-01-05 and shall read as follows:

0240-01-05-.01 Contested Case Procedures

- (1) This Chapter outlines the procedures that the Tennessee Board of Regents (the TBR) and institutions under the authority of the TBR shall use to conduct hearings in contested cases under the Uniform Administrative Procedures Act, Tennessee Code Annotated §§ 4-5-101 et seq (the UAPA). Contested cases are proceedings in which the legal rights, duties, or privileges of a student, student organization, employee, or other person are required by any statute or constitutional provision to be determined only after that individual or entity has been provided an opportunity for a hearing.
- (2) Applicability – TBR and institutions under its authority will apply the contested case provisions of the UAPA to:
 - (a) The suspension or expulsion of students who elect and properly request to pursue a UAPA hearing when made available by TBR rules instead of another available hearing option;
 - (b) Revocation of recognition of a student organization; and
 - (c) Any case where a contested case hearing is properly requested and required by law to be offered.
 - (d) These rules are not applicable either to termination of faculty for adequate cause, which proceedings are subject to the provisions of T.C.A. § 49-8-302; to proceedings subject to TBR Rule 0240-02-10, Title IX Compliance; or where otherwise prohibited by state or federal law.
- (3) Administrative Judges and Hearing Officers
 - (a) In any case where a UAPA contested case hearing is available, elected, and properly requested, the president (or chancellor for cases arising out of the TBR System Office) or designee may make a request to the office of the secretary of state to have the contested case heard by an administrative judge or hearing officer employed in the office of the secretary of state.
 - (b) In lieu of asking the secretary of state to have the contested case heard by an administrative judge or hearing officer employed in the office of the secretary of state, the president (or chancellor for cases arising out of the TBR System Office) or designee may determine, in his or her sole discretion, whether the hearing shall be held before:
 1. A person who is licensed to practice law and who is not employed as an attorney for a TBR institution or the TBR System Office;

2. A former state, county, or municipal judge or a former federal judge or magistrate;
 3. An employee of a TBR institution or TBR System Office who has been trained to conduct contested cases, but who does not provide legal representation to the institution; or
 4. An employee of another public institution who has been trained to conduct contested cases.
- (c) Any administrative judge or hearing officer who hears a case involving sexual harassment, sexual assault, domestic violence, dating violence, or stalking shall receive training as required by federal and/or state law.
- (4) Procedures
- (a) The UAPA and the Tennessee Department of State's Uniform Rules of Procedures for Hearing Contested Cases before State Administrative Agencies, Tennessee Department of State Rule Chapter 1360-04-01, shall be used for contested case hearings under this rule.
 - (b) For purposes of review and action following issuance of an initial order, the agency head will be the president or other head of an institution out of which the contested case arises, and the chancellor or chancellor's designee when the contested case arises out of the TBR System Office or when the president or other head of an institution is not available to serve as agency head due to a conflict of interest, recusal, disqualification, or other reason.

Authority: T.C.A §§ 49-8-203 and 49-7-167.

* If a roll-call vote was necessary, the vote by the Agency on these rulemaking hearing rules was as follows:

Board Member	Aye	No	Abstain	Absent	Signature (if required)
Gov. Bill Lee					
MaryLou Apple					
Miles Burdine					
Gregory Duckett					
Mark George					
Mark Gill					
Kenneth Goldsmith					
Yolanda Greene					
Joey Hatch					
Charles Hatcher					
Emily House					
William McElyea					
Nisha Powers					
Wanda Reid					
Emily Reynolds					
Penny Schwinn					
Danni Varlan					
Weston Wamp					
Tom White					

I certify that this is an accurate and complete copy of rulemaking hearing rules, lawfully promulgated and adopted by the Tennessee Board of Regents on 06/18/2021, and is in compliance with the provisions of T.C.A. § 4-5-222.

I further certify the following:

Notice of Rulemaking Hearing filed with the Department of State on: 04/21/2021

Rulemaking Hearing(s) Conducted on: (add more dates). 06/15/2021

Date: _____

Signature: _____

Name of Officer: Brian A. Lapps, Jr.

Title of Officer: General Counsel

Agency/Board/Commission: Tennessee Board of Regents

Rule Chapter Number(s): 0240-01-05

All rulemaking hearing rules provided for herein have been examined by the Attorney General and Reporter of the State of Tennessee and are approved as to legality pursuant to the provisions of the Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5.

Herbert H. Slatery III
Attorney General and Reporter

Date

Department of State Use Only

Filed with the Department of State on: _____

Effective on: _____

Tre Hargett
Secretary of State

Public Hearing Comments

One copy of a document that satisfies T.C.A. § 4-5-222 must accompany the filing.

General Counsel will include a response to any comments following the Rulemaking Hearing on 6/15/2021 and discussion with the Board on June 18, 2021.

Regulatory Flexibility Addendum

Pursuant to T.C.A. §§ 4-5-401 through 4-5-404, prior to initiating the rule making process, all agencies shall conduct a review of whether a proposed rule or rule affects small business.

The rule is not anticipated to have any impact on small businesses.

Impact on Local Governments

Pursuant to T.C.A. §§ 4-5-220 and 4-5-228 “any rule proposed to be promulgated shall state in a simple declarative sentence, without additional comments on the merits of the policy of the rules or regulation, whether the rule or regulation may have a projected impact on local governments.” (See Public Chapter Number 1070 (<http://publications.tnsosfiles.com/acts/106/pub/pc1070.pdf>) of the 2010 Session of the General Assembly.)

This rule is not anticipated to have any impact on local governments.

Additional Information Required by Joint Government Operations Committee

All agencies, upon filing a rule, must also submit the following pursuant to T.C.A. § 4-5-226(i)(1).

- (A)** A brief summary of the rule and a description of all relevant changes in previous regulations effectuated by such rule;

This rule describes the processes that TBR and TBR institutions will use for contested case hearings under the Uniform Administrative Procedures Act and how administrative judges will be selected to conduct those hearings.

- (B)** A citation to and brief description of any federal law or regulation or any state law or regulation mandating promulgation of such rule or establishing guidelines relevant thereto;

This rule is promulgated in accordance with TBR's rulemaking authority as established by T.C.A. § 49-8-203(a)(1)(D) and is promulgated in accordance with the requirements of T.C.A. § 4-5-102(12).

- (C)** Identification of persons, organizations, corporations or governmental entities most directly affected by this rule, and whether those persons, organizations, corporations or governmental entities urge adoption or rejection of this rule;

Those most directly impacted by this rule are students at TBR institutions. The rule may have limited impact on employees. The remainder of this response will be completed by General Counsel following the Rulemaking Hearing on 06/15/2021.

- (D)** Identification of any opinions of the attorney general and reporter or any judicial ruling that directly relates to the rule or the necessity to promulgate the rule;

TBR is not aware of an Attorney General opinion or judicial ruling directly related to this rule.

- (E)** An estimate of the probable increase or decrease in state and local government revenues and expenditures, if any, resulting from the promulgation of this rule, and assumptions and reasoning upon which the estimate is based. An agency shall not state that the fiscal impact is minimal if the fiscal impact is more than two percent (2%) of the agency's annual budget or five hundred thousand dollars (\$500,000), whichever is less;

None

- (F)** Identification of the appropriate agency representative or representatives, possessing substantial knowledge and understanding of the rule;

Brian A. Lapps, Jr., General Counsel

- (G)** Identification of the appropriate agency representative or representatives who will explain the rule at a scheduled meeting of the committees;

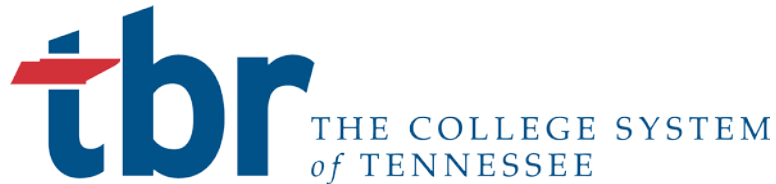
Brian A. Lapps, Jr., General Counsel

- (H)** Office address, telephone number, and email address of the agency representative or representatives who will explain the rule at a scheduled meeting of the committees; and

Brain A. Lapps, Jr.
Office of General Counsel
1 Bridgestone Park, 3rd Floor
Nashville, TN 37214
615-366-4438

- (I)** Any additional information relevant to the rule proposed for continuation that the committee requests.

None.



BOARD TRANSMITTAL

MEETING: Quarterly Board Meeting

SUBJECT: Parking and Traffic, Chapter 0240-01-06

DATE: June 18, 2021

PRESENTER: Brian Lapps, General Counsel

PRESENTATION REQUIREMENT: 5 minutes

ACTION REQUIRED: Roll Call Vote

STAFF'S
RECOMMENDATION: Recommend Approval

BACKGROUND INFORMATION:

This is a new chapter. The current parking and traffic rules are contained in Chapter 0240-02-03, Student Conduct and Disciplinary Procedures. Because the rules being proposed apply to the general public, and not just students, TBR seeks to create a new chapter of general applicability. These rules provide more detail and specificity than the current rules. They contemplate each campus setting its own fines and having its own appeal procedures.

The attached draft adopts recommendations from a written comment received June 1, 2021. The comment suggested being more specific about the amounts of fines, and in the interests of transparency and open government, having the Board, instead of the Chancellor, establish the levels of fines at an open meeting that provides the ability for the public to comment.

Attachment

**Department of State
Division of Publications**

312 Rosa L. Parks Ave., 8th Floor, Snodgrass/TN Tower
Nashville, TN 37243
Phone: 615-741-2650
Email: publications.information@tn.gov

For Department of State Use Only

Sequence Number: _____
Rule ID(s): _____
File Date: _____
Effective Date: _____

Rulemaking Hearing Rule(s) Filing Form

Rulemaking Hearing Rules are rules filed after and as a result of a rulemaking hearing (Tenn. Code Ann. § 4-5-205).

Pursuant to Tenn. Code Ann. § 4-5-229, any new fee or fee increase promulgated by state agency rule shall take effect on July 1, following the expiration of the ninety (90) day period as provided in § 4-5-207. This section shall not apply to rules that implement new fees or fee increases that are promulgated as emergency rules pursuant to § 4-5-208(a) and to subsequent rules that make permanent such emergency rules, as amended during the rulemaking process. In addition, this section shall not apply to state agencies that did not, during the preceding two (2) fiscal years, collect fees in an amount sufficient to pay the cost of operating the board, commission or entity in accordance with § 4-29-121(b).

Agency/Board/Commission:	Tennessee Board of Regents
Division:	
Contact Person:	Brian A. Lapps, Jr., General Counsel
Address:	1 Bridgestone Park, 3 rd Floor Nashville, Tennessee
Zip:	37214
Phone:	615-366-4438
Email:	Brian.lapps@tbr.edu

Revision Type (check all that apply):

- Amendment
 New
 Repeal

Rule(s) (ALL chapters and rules contained in filing must be listed here. If needed, copy and paste additional tables to accommodate multiple chapters. Please make sure that ALL new rule and repealed rule numbers are listed in the chart below. Please enter only ONE Rule Number/Rule Title per row.)

Chapter Number	Chapter Title
0240-01-06	Parking and Traffic Rules
Rule Number	Rule Title
0240-01-06-.01	Definitions
0240-01-06-.02	General Provisions
0240-01-06-.03	Registration
0240-01-06-.04	Parking Zones
0240-01-06-.05	Motor Vehicle Operation
0240-01-06-.06	Violations
0240-01-06-.07	Fines
0240-01-06-.08	Enforcement
0240-01-06-.09	Appeals

Place substance of rules and other info here. Please be sure to include a detailed explanation of the changes being made to the listed rule(s). Statutory authority must be given for each rule change. For information on formatting rules go to <https://sos.tn.gov/products/division-publications/rulemaking-guidelines>.

**RULES
OF
THE TENNESSEE BOARD OF REGENTS**

**CHAPTER 0240-01-06
PARKING AND TRAFFIC RULES**

New Chapter

Table of Contents is added to Chapter 0240-01-06, Parking and Traffic Rules and shall read as follows:

PARKING AND TRAFFIC RULES

0240-01-06-.01 Definitions
0240-01-06-.02 General Provisions
0240-01-06-.03 Registration
0240-01-06-.04 Parking Zones
0240-01-06-.05 Motor Vehicle Operation
0240-01-06-.06 Violations
0240-01-06-.07 Fines
0240-01-06-.08 Enforcement
0240-01-06-.09 Appeals

0240-01-06-.01 Definitions is added to Chapter 0240-01-06 and shall read as follows:

0240-01-06-.01 Definitions

- (1) The term “motor vehicle” means any self-propelled vehicle that is capable of exceeding twenty- five (25) miles per hour.

Authority: T.C.A. § 49-8-203(a)(1)(D).

0240-01-06-.02 General Provisions is added to Chapter 0240-01-06 and shall read as follows:

0240-01-06-.02 General Provisions

- (1) The purpose of these rules is to facilitate and regulate the safety and orderly operation of motor vehicles on property of institutions under the control of the Tennessee Board of Regents (the TBR) and to provide parking facilities for their operation within the limits of available space.
- (2) Institutions shall identify an administrative unit or administrator responsible for implementation and enforcement of these rules.
- (3) Any person operating a motor vehicle on the property of a TBR institution or controlled by a TBR institution is required to obey these rules as a condition of parking or operating a motor vehicle on institution property or institution-controlled property.
- (4) The issuance of an institution parking permit does not guarantee a parking space. The inability to locate a designated parking space does not diminish the responsibility to park in accordance with these rules.
- (5) The absence of “no parking” signs or painted curbs/lines does not imply that parking is allowed. Parking in

designated lots is restricted to designated spaces only. Motor vehicles parked outside of designated spaces are subject to citation and towing, and the owner/operator may be subject to disciplinary and/or administrative action.

- (6) The institution shall have no responsibility for theft or damage to any motor vehicle or its contents operated or parked on institution property or institution-controlled property.
- (7) These rules are enforceable seven (7) days a week, twenty-four (24) hours a day, including holidays and breaks.

Authority: T.C.A. § 49-8-203(a)(1)(D).

0240-01-06-.03 Registration is added to Chapter 0240-01-06 and shall read as follows:

0240-01-06-.03 Registration

- (1) Institutions may require students, employees, and visitors to register motor vehicles and/or obtain parking permits in order to park on institution property or institution-controlled property. Reasonable costs/fees may be assessed in association with the motor vehicle registration or permit process. Any fees or costs associated with registration of motor vehicles, together with appropriate information sufficient to justify the fee/cost amount, shall be submitted for review and approval by the TBR prior to implementation at any institution.
- (2) Institutions choosing to utilize parking permits shall identify locations where parking permits are available for pickup and purchase by students, visitors, and employees. Lost or stolen parking permits must be reported to the institution.
- (3) If the institution utilizes parking permits, only motor vehicles properly displaying a parking permit, visitor pass, or those motor vehicles legally parked where no permit is required may be parked on institution property or institution-controlled property.
- (4) Parking permit holders are only eligible for one (1) parking permit at a time. Permits may be moved from one (1) motor vehicle to another. Parking permits may not be transferred from one person to another.

Authority: T.C.A. § 49-8-203(a)(1)(D).

0240-01-06-.04 Parking Zones is added to Chapter 0240-01-06 and shall read as follows:

0240-01-06-.04 Parking Zones

- (1) Institutions shall clearly designate lots for which parking permits are required and the types of permits required for such lots.
- (2) Persons utilizing disabled parking spaces must have a state-issued disability license plate or disability placard. All students, faculty, and staff who have a state-issued placard or license plate should be registered with the institution to ensure access to the appropriate disabled parking spaces on institution property or institution-controlled property.
- (3) Motorcycles, motor bikes, and motor scooters must display a motorcycle permit (if issued by the institution) and are only permitted to park in parking spaces designated as "motorcycle parking" or in other regularly marked parking spaces. Operating these motor vehicles on any surface other than designated streets or parking areas is prohibited.

Authority: T.C.A. § 49-8-203(a)(1)(D).

0240-01-06-.05 Motor Vehicle Operation is added to Chapter 0240-01-06 and shall read as follows:

0240-01-06-.05 Motor Vehicle Operation

- (1) Operators of motor vehicles on institution property or institution-controlled property, which includes city streets running through campus, must obey all traffic rules, regulations, postings, and directions of law

enforcement, regardless of whether the rule, regulation, posting, or direction is included in these rules, and all applicable traffic rules, regulations, postings, or directions.

- (2) Violating posted speed limits, the reckless operation of a motor vehicle on institution property or institution-controlled property, including but not limited to, squealing tires, or sliding the motor vehicle is prohibited.
- (3) All persons operating motor vehicles on institution property or institution-controlled property are responsible for maintaining proper control of the motor vehicle, safe operation, and observance of traffic control signs, barriers, and devices.
- (4) Operating a motor vehicle in any area other than a street or a roadway intended for motor vehicles on institution property or institution-controlled property is prohibited.
- (5) Pedestrians have the right of way at established pedestrian crossings on institution property or institution-controlled property, except where regulated by traffic control lights or police officers.
- (6) Individuals riding bicycles on institution property or institution-controlled property must comply with all applicable traffic rules, regulations, postings, or directions.

Authority: T.C.A. § 49-8-203(a)(1)(D).

0240-01-06-.06 Violations is added to Chapter 0240-01-06 and shall read as follows:

0240-01-06-.06 Violations. The following are non-exclusive examples of violations of these rules.

- (1) Registration
 - (a) Unauthorized possession of a parking permit;
 - (b) Falsification of registration information; and
 - (c) Illegal use, unauthorized use, reproduction or alteration of a parking permit or temporary parking permit.
- (2) Parking
 - (a) In a no parking zone;
 - (b) No permit or visitor pass where required;
 - (c) Improper display of permit or visitor pass;
 - (d) Parked outside of lines or appropriately marked parking space;
 - (e) In such a manner as to block or obstruct traffic, street, sidewalk, driveway, fire hydrant, building entrance or exit, or another motor vehicle;
 - (f) In a fire lane;
 - (g) Overtime in a metered space;
 - (h) Illegal entry/exit in an access-controlled or gated parking facility, which includes, but is not limited to, tailgating another motor vehicle;
 - (i) Non-operative vehicle parked on institution property or institution-controlled property for longer than seven (7) days without permission from the institution;
 - (j) Breaking the gate in an access-controlled gated parking facility; and
 - (k) Disability parking violation, as defined by State law (including, but not limited to, unauthorized use

of a disabled parking space, ramp, plate, or placard; parking a motor vehicle so that a portion of the motor vehicle encroaches into a disabled space in a manner that restricts, or reasonably could restrict, a person confined to a wheelchair from exiting or entering a motor vehicle properly parked within a disabled parking space). Fines for violating the disabled parking laws cannot be suspended or waived where prohibited by T.C.A. § 55-21-108.

- (3) Institution police officers may issue citations for violations of these rules, city county ordinances, and/or state laws. Individuals who receive a citation for violations of city or county ordinances and/or state laws must appear in court on the court date listed on the citation or pay the citation fine if appearance in court is not required.

Authority: T.C.A. § 49-8-203(a)(1)(D).

0240-01-06-.07 Fines is added to Chapter 0240-01-06 and shall read as follows:

0240-01-06-.07 Fines

- (1) Fines may be set for each institution but shall not exceed the greater of fifty dollars (\$50.00) or the amount set by any state law, or any county or municipal ordinance in the institution's jurisdiction for the same offense. Provided, however, if a state statute requires that a fine be set at more than fifty dollars (\$50.00), the institution shall set the fine in compliance with the statute. Any such citation written as violation of a city or county ordinance and/or state law will be resolved by a court; any such violation issued as an institutional citation shall not exceed fifty dollars (\$50.00). Proposed fines shall be submitted to the Chancellor together with information sufficient to justify the fine. The setting of fine amounts information shall include consideration of state/county/municipal fines for the same offense, fines for the same offense at similarly situated institutions, association to enforcement costs at the institution, and/or the unique parking and traffic considerations at each institution. Following approval by the Chancellor, the public will receive notice and be allowed to comment on the proposed fines, after which all fines shall be approved by the Board of Regents. Once adopted or amended, all fines shall be affirmatively communicated to the faculty, staff, and students of the institution through its website.

Authority: T.C.A. § 49-8-203(a)(1)(D).

0240-01-06-.08 Enforcement is added to Chapter 0240-01-06 and shall read as follows:

0240-01-06-.08 Enforcement

- (1) Any student, employee, or visitor who has received an institution-issued citation may appeal the citation within fifteen (15) business days of the date of issuance. Citations issued by the institution and not appealed must be paid within fifteen (15) business days of the issuance date of the citation.
- (2) An institution, without advance notice, may tow, boot, or remove to a place of storage at the owner's expense any motor vehicle that is parked in a fire lane, designated disabled parking space, spaces reserved for designated motor vehicles, or motor vehicles parked in such a manner as to impede the flow of traffic or disrupt the orderly affairs of the institution.
- (3) An institution may tow, boot, or remove to a place of storage at the owner's expense any motor vehicle that has unpaid parking citations as long as advance notice and an opportunity to contest has been given. Windshield notices and/or other methods of notification will be used to provide the operator of the motor vehicle with advance notice of the intent to tow and the operator's right to contest the institution's action.
- (4) An institution may revoke an operator's parking privileges for repeated and/or deliberate parking or moving violations.
- (5) Any student who receives \$100.00 or more in traffic and/or parking violations on institution property or institution-controlled property during any semester may be subject to disciplinary action in accordance with applicable rules.
- (6) Parking permits, if utilized, are issued to persons, not motor vehicles, and are required to be affixed to a motor vehicle. Permit holders are responsible for citations incurred with their permit. Persons will also be held liable for a violation incurred by a motor vehicle without a permit when that motor vehicle is

reasonably shown to be associated with the person.

Authority: T.C.A. § 49-8-203(a)(1)(D).

0240-01-06-.09 Appeals is added to Chapter 0240-01-06 and shall read as follows:

0240-01-06-.09 Appeals

- (1) Any student who has received an institution-issued citation may appeal the citation to the institution's administrator or committee responsible for hearing student appeals within fifteen (15) days of the issuance date of the citation. Each institution shall provide instructions for appeals on its website. Appeals may be filed in person or online. All decisions by the administrator or committee responsible for student appeals are final.
- (2) Any employee who has received an institution-issued citation may appeal the citation to the committee responsible for hearing employee appeals within fifteen (15) days of the issuance date of the citation. Each institution shall provide instructions for appeals on its website. Appeals may be filed in person or online. All decisions by the committee responsible for employee appeals are final.
- (3) Any person not affiliated with the institution who has received an institution-issued citation may appeal the citation within fifteen (15) days of the issuance date of the citation. Each institution shall provide instructions on its website for appeals and the name of the administrator responsible for resolving appeals. Appeals may be filed in person or online. All decisions by the administrator responsible for appeals by unaffiliated individuals are final.

Authority: T.C.A. § 49-8-203(a)(1)(D).

* If a roll-call vote was necessary, the vote by the Agency on these rulemaking hearing rules was as follows:

Board Member	Aye	No	Abstain	Absent	Signature (if required)
Gov. Bill Lee					
MayLou Apple					
Miles Burdine					
Gregory Duckett					
Mark George					
Mark Gill					
Kenneth Goldsmith					
Yolanda Greene					
Joey Hatch					
Charles Hatcher					
Emily House					
William McElyea					
Nisha Powers					
Wanda Reid					
Emily Reynolds					
Penny Schwinn					
Danni Varlan					
Weston Wamp					
Tom White					

I certify that this is an accurate and complete copy of rulemaking hearing rules, lawfully promulgated and adopted by the Tennessee Board of Regents on 06/18/2021, and is in compliance with the provisions of T.C.A. § 4-5-222.

I further certify the following:

Notice of Rulemaking Hearing filed with the Department of State on: 04/21/2021

Rulemaking Hearing(s) Conducted on: (add more dates). 06/15/2021

Date: _____

Signature: _____

Name of Officer: Brian A. Lapps, Jr.

Title of Officer: General Counsel

Agency/Board/Commission: Tennessee Board of Regents

Rule Chapter Number(s): 0240-01-06

All rulemaking hearing rules provided for herein have been examined by the Attorney General and Reporter of the State of Tennessee and are approved as to legality pursuant to the provisions of the Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5.

Herbert H. Slatery III
Attorney General and Reporter

Date

Department of State Use Only

Filed with the Department of State on: _____

Effective on: _____

Tre Hargett
Secretary of State

Public Hearing Comments

One copy of a document that satisfies T.C.A. § 4-5-222 must accompany the filing.

TBR received a written comment suggesting the following modification to 0240-01-06-.07(1). Suggested additional language is in bold, and suggested deleted language has been struck through:

Fines may be set ~~for as determined~~ each institution but shall not exceed the **greater of fifty dollars (\$50.00) or the** amount set by any state law, or any county or municipal ordinance in the institution's jurisdiction for the same offense. **Provided, however, if a state statute requires that a fine be set at more than fifty dollars (\$50.00), the institution shall set the fine in compliance with the statute. Any such citation written as violation of a city or county ordinance and/or state law will be resolved by a court; any such violation issued as an institutional citation shall not exceed fifty dollars (\$50.00).** ~~Such fines must receive prior review and approval by the Chancellor.~~ Proposed fines shall be submitted to the Chancellor together with information sufficient to justify the fine. The setting of fine amounts information shall include consideration of state/county/municipal fines for the same offense, fines for the same offense at similarly situated institutions, association to enforcement costs at the institution, and/or the unique parking and traffic considerations at each institution. **Following approval by the Chancellor, the public will receive notice and be allowed to comment on the proposed fines, after which all fines shall be approved by the Board of Regents.** Once adopted or amended, all fines shall be affirmatively communicated to the faculty, staff, and students of the institution through its website.

Response:

TBR has adopted these suggested revisions because they clarify that TBR will comply with Tennessee state law when setting fine amounts. They are included in this Rulemaking Hearing Rule Filing Form.

General Counsel will respond to any additional comments following the Rulemaking Hearing on 6/15/2021 and after discussion with the Board on June 18, 2021.

Regulatory Flexibility Addendum

Pursuant to T.C.A. §§ 4-5-401 through 4-5-404, prior to initiating the rule making process, all agencies shall conduct a review of whether a proposed rule or rule affects small business.

The rule is not anticipated to have any impact on small businesses.

Impact on Local Governments

Pursuant to T.C.A. §§ 4-5-220 and 4-5-228 “any rule proposed to be promulgated shall state in a simple declarative sentence, without additional comments on the merits of the policy of the rules or regulation, whether the rule or regulation may have a projected impact on local governments.” (See Public Chapter Number 1070 (<http://publications.tnsosfiles.com/acts/106/pub/pc1070.pdf>) of the 2010 Session of the General Assembly.)

This rule is not anticipated to have any impact on local governments.

Additional Information Required by Joint Government Operations Committee

All agencies, upon filing a rule, must also submit the following pursuant to T.C.A. § 4-5-226(i)(1).

- (A) A brief summary of the rule and a description of all relevant changes in previous regulations effectuated by such rule;

This rule describes TBR's regulations relating to parking and traffic, including registration of motor vehicles, parking zones, motor vehicle operation on institutional property, violations, fines, enforcement, and appeals.

- (B) A citation to and brief description of any federal law or regulation or any state law or regulation mandating promulgation of such rule or establishing guidelines relevant thereto;

This rule is promulgated in accordance with TBR's rulemaking authority as established by T.C.A. § 49-8-203(a)(1)(D) and is promulgated in accordance with the requirements of T.C.A. § 4-5-102(12).

- (C) Identification of persons, organizations, corporations or governmental entities most directly affected by this rule, and whether those persons, organizations, corporations or governmental entities urge adoption or rejection of this rule;

Those most directly impacted by this rule are students at TBR institutions, as well as others who operate motor vehicles on property owned or controlled by TBR institutions, including faculty, staff, invitees, and members of the public. The remainder of this response will be completed by General Counsel following the Rulemaking Hearing on 06/15/2021

- (D) Identification of any opinions of the attorney general and reporter or any judicial ruling that directly relates to the rule or the necessity to promulgate the rule;

TBR is not aware of an Attorney General opinion or judicial ruling directly related to this rule.

- (E) An estimate of the probable increase or decrease in state and local government revenues and expenditures, if any, resulting from the promulgation of this rule, and assumptions and reasoning upon which the estimate is based. An agency shall not state that the fiscal impact is minimal if the fiscal impact is more than two percent (2%) of the agency's annual budget or five hundred thousand dollars (\$500,000), whichever is less;

None

- (F) Identification of the appropriate agency representative or representatives, possessing substantial knowledge and understanding of the rule;

Brian A. Lapps, Jr., General Counsel

- (G) Identification of the appropriate agency representative or representatives who will explain the rule at a scheduled meeting of the committees;

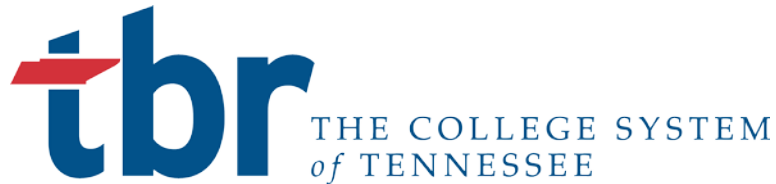
Brian A. Lapps, Jr., General Counsel

- (H) Office address, telephone number, and email address of the agency representative or representatives who will explain the rule at a scheduled meeting of the committees; and

Brian A. Lapps, Jr.
Office of General Counsel
1 Bridgestone Park, 3rd Floor
Nashville, TN 37214
615-366-4438

- (I) Any additional information relevant to the rule proposed for continuation that the committee requests.

None



BOARD TRANSMITTAL

MEETING: Quarterly Board Meeting

SUBJECT: Student Conduct and Disciplinary Sanctions,
Chapter 0240-02-03

DATE: June 18, 2021

PRESENTER: Brian Lapps, General Counsel

PRESENTATION REQUIREMENT: 5 minutes

ACTION REQUIRED: Roll Call Vote

STAFF'S
RECOMMENDATION: Recommend Approval

BACKGROUND INFORMATION:

These are revised rules. The rules explain who meets the definition of a student, in what circumstances the rules apply, offenses for which disciplinary action may be imposed, the potential sanctions, the procedures for implementing disciplinary action, and the means of appealing decisions.

The attached draft adopts recommendations from a written comment received June 1, 2021. The comment suggested that the rules be more specific about a reference to Title IX Compliance, clarify that the offense of "Observation Without Consent" can be the basis of criminal liability as well as student disciplinary sanctions, and add an offense of "Indecent Exposure."

Attachment

**Department of State
Division of Publications**

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Nashville, TN 37243
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Email: publications.information@tn.gov

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Sequence Number: _____
Rule ID(s): _____
File Date: _____
Effective Date: _____

Rulemaking Hearing Rule(s) Filing Form

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Agency/Board/Commission:	Tennessee Board of Regents
Division:	
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Revision Type (check all that apply):

- Amendment
 New
 Repeal

Rule(s) (ALL chapters and rules contained in filing must be listed here. If needed, copy and paste additional tables to accommodate multiple chapters. Please make sure that **ALL** new rule and repealed rule numbers are listed in the chart below. Please enter only **ONE** Rule Number/Rule Title per row.)

Chapter Number	Chapter Title
0240-02-03	Student Conduct and Disciplinary Sanctions
Rule Number	Rule Title
0240-02-03-.01	Institutional Restatement of Rules
0240-02-03-.02	Disciplinary Offenses
0240-02-03-.03	Classroom and academic Misconduct
0240-02-03-.04	Disciplinary Sanctions
0240-02-03-.05	Repealed
0240-02-03-.06	Disciplinary Procedures

Place substance of rules and other info here. Please be sure to include a detailed explanation of the changes being made to the listed rule(s). Statutory authority must be given for each rule change. For information on formatting rules go to <https://sos.tn.gov/products/division-publications/rulemaking-guidelines>.

**RULES
OF
THE TENNESSEE BOARD OF REGENTS
CHAPTER 0240-02-03
STUDENT CONDUCT AND DISCIPLINARY SANCTIONS**

Amend the table of contents for Chapter 0240-02-03 by amending paragraphs (.01) and (.03) to reflect revised headings, and deleting paragraph (.05), so that as amended it shall read as follows:

Table of Contents

0240-02-03-.01 Institutional Restatement of Rules
0240-02-03-.02 Disciplinary Offenses
0240-02-03-.03 Classroom and Academic Misconduct
0240-02-03-.04 Disciplinary Sanctions
0240-02-03-.05 Repealed
0240-02-03-.06 Disciplinary Procedures

Amend Rule 0240-02-03-.01 by revising the chapter heading; by revising paragraph (1) by adding and deleting language to reflect that colleges of applied technology have presidents and not directors, and by adding "consistent with these rules;" by adding and deleting language to paragraph (2), including to preclude institutions from supplementing these rules through institutional policy; by adding and deleting language to paragraph (3) to revise the definition of "student;" by adding and deleting language to paragraph (4) to clarify the locations, times, and circumstances under which these rules apply; by adding and deleting language to paragraph (5) to explain the circumstances under which these rules apply to student organizations; by adding and deleting language to paragraph (6) to clarify that TBR will comply with all confidentiality statutes and regulations; and by adding paragraph (7), so that as amended it shall read:

0240-02-03-.01 Institutional Restatement of Rules

- (1) Students enrolled in a TBR postsecondary educational institutions are citizens of their civic communities as well as the academic community. As such, they are expected to conduct themselves as law-abiding members of each community at all times. Admission to an institution of postsecondary education carries with it special privileges and imposes special responsibilities apart from those rights and duties enjoyed by non-students. In recognition of the special relationship that exists between the institution and the academic community which it seeks to serve, the Tennessee Board of Regents ("TBR" or "the Board") has authorized the presidents of the institutions under its jurisdiction to take such action, consistent with these rules and the institution's restatement of these rules, as may be necessary to maintain conditions on institution-owned and/or controlled property and to preserve the integrity of the institution and its educational environment.
- (2) Pursuant to this authorization and in fulfillment of its duties to provide a secure and stimulating atmosphere in which individual and academic pursuits may flourish, the TBR has developed the following rules to govern student conduct for the institutions under its jurisdiction. Each institution under the jurisdiction of the TBR is directed to publish an institutional restatement of these rules to students. In addition, students are subject to all federal, state, and local laws and ordinances. Institutions may enforce these rules regardless of the status or outcome of any external proceedings instituted by other civil or criminal authorities. Students are responsible for compliance with these rules.
- (3) For the purpose of these rules, a "student" shall mean any person:
 - (a) who is admitted, enrolled, and/or registered for study (including for non-credit classes) at a TBR

institution for any academic period. This shall include any period of time following admission and/or registration, but preceding the start of classes for any academic period, following the end of an academic period through the last day for registration for the succeeding academic period, and during any period while the student is under suspension from the institution;

- (b) subject to a period of suspension or removal from campus resulting from a finding of a violation of these rules;
 - (c) who engaged in academic misconduct as part of the application process; and/or
 - (d) who previously attended a TBR institution and who was found to have violated these rules during the time of enrollment.
 - (e) Unless explicitly provided otherwise in these rules, the term “student” shall also refer to a student organization.
- (4) Disciplinary action may be taken against a student for violation of these rules that occurs on institutionally owned, leased or otherwise controlled property (including all streets, alleys, sidewalks, and public ways abutting such property), while participating in international or distance learning programs, and off campus when the conduct impairs, interferes with, or obstructs any institutional activity or the mission, processes, and functions of the institution. In the case of violations that occur off institutionally owned, leased, or controlled property, the institution will take into account whether the violation impairs, interferes with, or obstructs any institutional activity, or the mission, processes, and function of the institution, including, but not limited to, conduct that:
- (a) occurs in connection with any institutional activity, including but not limited to, international, distance, online, or remote learning programs, athletics events and other extracurricular activities, clinical, internship, practicum, and similar activities;
 - (b) occurs while using institutional resources, such as computers and network systems;
 - (c) involves or affects another member of the TBR community (a student, faculty, staff member or guest of a TBR institution); or
 - (d) poses a credible, serious threat to the health and safety of the TBR community.
- (5) These rules are applicable to student organizations as well as individual students. Whether a student organization will be held responsible for a violation of these rules by one (1) or more of its members will be based on the following considerations:
- (a) the violation is endorsed by the student organization or any of its officers. “Endorsed by” includes, but is not limited to, active or passive consent or support, having prior knowledge that the conduct was likely to occur, or helping to plan, advertise, or promote the conduct;
 - (b) the violation took place during the course of an activity paid for by the student organization or by members of the student organization to support the activity in question;
 - (c) the prohibited conduct occurred on property owned, controlled, rented, leased, or used by the student organization or any of its members for an organizational event;
 - (d) the prohibited conduct was related to initiation, admission into, affiliation with, or as a condition for continued membership in the student organization; and
 - (e) one (1) or more officers of the student organization had prior knowledge or reasonably should have known the prohibited conduct would likely take place.
- (6) Confidentiality of Discipline Process. Subject to the exceptions provided pursuant to the Family Educational Rights and Privacy Act of 1974 (FERPA), 20 U.S.C. 1232g, the Tennessee Public Records Act, T.C.A. § 10-7-501 et seq., and/or other state and federal law, a student’s disciplinary records and files are considered “education records” and are confidential in accordance with those acts.

- (7) Matters involving sexual harassment, sexual assault, stalking, domestic violence, and dating violence occurring within an education program or activity of TBR or a TBR institution, if within the scope of TBR Rule 0240-02-10, Title IX Compliance, which implements 34 C.F.R. Part 106 related to Title IX of the Education Amendments of 1972, shall proceed in accordance with TBR Rule 0240-02-10, Title IX Compliance, and not these rules.

Authority: T.C.A. §§ 4-5-101 et seq. and 49-8-203.

Amend Rule 0240-02-03-.02 by adding and deleting language to paragraph (1), including to specify that the evidentiary standard shall be the same as contained in the rules for the Uniform Administrative Procedures Act (preponderance of the evidence), by clarifying that these rules shall not be used to violate rights guaranteed under the state or federal constitution, and deleting language relating to the locations and circumstances under which these rules apply; by adding and deleting language to paragraph (2) to preclude institutions from supplementing these rules through institutional policy, deleting former subparagraph (r) and re-lettering accordingly; by adding subparagraphs (b) Disruptive Conduct, (x) Discrimination, and (hh) Maintenance of Ethical and Professional Standards and re-lettering accordingly; by adding and/or deleting language to subparagraphs (a) Threatening Conduct, (d) Disorderly Conduct, (e) Obstruction of or Interference with Institutional Activities or Facilities, (f) Misuse of or Damage to Property, (i) Weapons, (j) Explosives, Fireworks, Flammable and Hazardous Materials, (k) Alcoholic Beverages and Alcohol-Related Conduct, (l) Drugs, (m) Drug Paraphernalia, (n) Public Intoxication, (q) Unacceptable Conduct Related to Disciplinary Proceedings, (r) Failure to Cooperate with Institutional Officials, (s) Attempts, Aiding, and Abetting, (t) Violation of State or Federal Law, (u) Violation of Imposed Disciplinary Sanctions, (v) Sexual Misconduct, (w) Harassment, Stalking, or Retaliation, (y) Academic Misconduct, (cc) Abuse of Computer Resources and Facilities, (ff) Observation Without Consent, and (gg) Smoking Violations; by deleting former paragraph (3) and replacing it with a new paragraph (3); and adding paragraph (4), so that as amended it shall read:

0240-02-03-.02 Disciplinary Offenses

- (1) Disciplinary measures shall be imposed according to these rules and the institution's restatement of these rules, procedures, and processes implementing these rules. Institutions shall use the standard of evidence contained in the Tennessee Uniform Administrative Procedures Act, T.C.A. § 4-5-101 et seq. ("UAPA") and Department of State Rule 1360-04-01. These rules shall not be used to violate rights guaranteed under the constitution of the State of Tennessee or the constitution of the United States.
- (2) Both students and student organizations may be subject to disciplinary action for the following disciplinary offenses identified in these rules:
- (a) Threatening Conduct. Any conduct, threatened conduct, or attempted conduct that poses a threat to a person's safety, health, or personal well-being, including, but not limited to, endangering the health, safety, or welfare of any person; engaging in conduct that causes a reasonable person to fear harm to his or her health, safety or welfare; or making an oral or written statement that an objectively reasonable person hearing or reading the statement would interpret as a serious expression of an intent to commit an act of unlawful violence to a particular individual or group of individuals;
 - (b) Disruptive Conduct. Any conduct, threatened conduct, or attempted conduct that is disruptive to the institution's learning environment, including, but not limited to, engaging in any action that interferes with the ability of the instructor to teach or other students to learn. Disruptive conduct in the classroom includes, but is not limited to, behavior that obstructs or disrupts the learning environment (e.g., offensive language, harassment of students and instructors, repeated outbursts from a student that disrupt the flow of instruction or prevent concentration, failure to cooperate in maintaining classroom decorum, etc.), text messaging, and the continued use of any electronic or other noise or light emitting device which disturbs others;
 - (c) Hazing. Hazing, as defined in T.C.A. § 49-7-123(a)(1), means any intentional or reckless act on or off the property of any higher education institution by an individual acting alone, or with others, which is directed against any other person(s) that endangers the mental or physical health or safety of that person(s), or which induces or coerces a person(s) to endanger such person's mental or physical health or safety. Hazing does not include customary athletic events or similar

contests or competitions, and is limited to those actions taken and situations created in connection with initiation into or affiliation with any organization;

- (d) Disorderly Conduct. Any individual or group behavior which is abusive, obscene, lewd, indecent, (including, without limitation, public exposure of one's sex organs, public urinating, and public sexual acts), violent, excessively noisy, disorderly, or which unreasonably disturbs institutional functions, operations, classrooms, other groups or individuals;
- (e) Obstruction of or Interference with Institutional Activities or Facilities. Any intentional interference with or obstruction of any institutional program, event, or facility including but not limited to the following:
 - 1. Any unauthorized occupancy of facilities owned or controlled by an institution or blockage of access to or from such facilities;
 - 2. Interference with the right of any institution member or other authorized person to gain access to any activity, program, event or facilities sponsored or controlled by an institution;
 - 3. Any obstruction or delay of a security officer, public safety officer, police officer, firefighter, EMT, or any official of an institution, or failure to comply with any emergency directive issued by such person in the performance of his or her duty;
 - 4. Participation in a demonstration that substantially impedes institutional operations; or
 - 5. Obstruction of the free flow of pedestrian or vehicular traffic on property owned, leased or controlled by an institution or at an institutional activity.
- (f) Misuse of or Damage to Property. Any act of misuse, vandalism, malicious or unwarranted damage or destruction, defacing, disfiguring or unauthorized use of property belonging to the institution or a member of the TBR community including, but not limited to, any personal property, fire alarms, fire equipment, elevators, telephones, institution keys, library materials and/or safety devices;
- (g) Theft, Misappropriation, or Unauthorized Sale of Property;
- (h) Misuse of Documents or Identification Cards. Any forgery, alteration of or unauthorized use of institutional documents, forms, records or identification cards, including the giving of any false information, or withholding of necessary information, in connection with a student's admission, enrollment or status in the institution;
- (i) Weapons. Possessing, carrying, using, storing, or manufacturing any weapon on institution controlled property or in connection with an institution affiliated activity, unless federal or state law provides a student with an affirmative right to possess or carry a weapon on institution controlled property or in connection with an institution-affiliated activity;
- (j) Explosives, Fireworks, Flammable and Hazardous Materials. The unauthorized possession, ignition, or detonation of any object or article that represents a potential danger to the TBR community, including, but not limited to, explosives, fireworks, flammable materials, ammunition, hazardous liquids, chemicals, or hazardous materials;
- (k) Alcoholic Beverages and Alcohol-Related Conduct. The use, possession, distribution, or sale of alcoholic beverages on institution owned or controlled property or in connection with any institutional activity unless expressly permitted by the institution;
- (l) Drugs. The unlawful possession, use, distribution, sale, or manufacture of any drug or controlled substance (including, but not limited to, any stimulant, depressant, narcotic or hallucinogenic drug, or marijuana). This offense includes using or possessing a prescription drug if the prescription was not issued to the student, as well as the violation of any local ordinance, state, or federal law concerning the unlawful possession or use of drugs;

- (m) Drug Paraphernalia. The use, possession, distribution, sale, or manufacture of equipment, products or materials that are used or intended for use in manufacturing, growing, using or distributing any drug or controlled substance. This offense includes the violation of any local ordinance, state, or federal law concerning the unlawful possession of drug paraphernalia;
- (n) Public Intoxication. Appearing on institution owned or controlled property or at an institutional sponsored event while under the influence of alcohol, a controlled substance or of any other intoxicating substance;
- (o) Gambling. Unlawful gambling in any form;
- (p) Financial Irresponsibility. Failure to meet financial responsibilities to the institution promptly including, but not limited to, knowingly passing a worthless check or money order in payment to the institution;
- (q) Unacceptable Conduct Related to Disciplinary Proceedings. Any conduct at any stage of an institutional disciplinary proceeding or investigation that is contemptuous, threatening, retaliatory, or disorderly, including false complaints, false testimony or other falsification of evidence, and attempts to influence the impartiality of a member of an adjudicatory body, verbal or physical harassment or intimidation of an institutional official, hearing panel member, complainant, respondent, or witness;
- (r) Failure to Cooperate with Institutional Officials. Failure to comply with reasonable directions of institutional officials acting in the performance of their duties. This includes, but is not limited to, failing to respond to a request to report to an institutional administrative office, failing to cooperate in an institutional investigation, failing to appear at an institutional hearing, including, without limitation, a disciplinary hearing;
- (s) Attempts, Aiding, and Abetting. Any attempt to commit any of the offenses listed under this section or the aiding or abetting of the commission of any of the offenses listed under this section. (An attempt to commit an offense is defined as the intention to commit the offense coupled with the taking of some action toward its commission.) Being present during the planning or commission of any, offense listed under this section without having made an immediate report to the institution prior to the commission of the planned offense will be considered as aiding and abetting. Students who anticipate or observe an offense must remove themselves from the situation and are required to report the offense to the institution;
- (t) Violation of State or Federal Laws. Any violation of state or federal laws, rules, or regulations prohibiting conduct or establishing offenses;
- (u) Violation of Imposed Disciplinary Sanctions. Intentional or unintentional violation of a disciplinary sanction imposed through an institutional disciplinary proceeding;
- (v) Sexual Misconduct. Committing any act of sexual assault, rape, sexual battery, domestic violence, or dating violence as defined by state or federal law;
- (w) Harassment, Stalking, or Retaliation. Any conduct that falls within T.C.A. § 39-17-308 (Harassment) or T.C.A. § 39-17-315 (Stalking) or "student-on-student harassment," which means unwelcome conduct directed toward a person that is discriminatory on a basis prohibited by federal, state, or local law, and that is so severe, pervasive, and objectively offensive that it effectively bars the victim's access to educational opportunity or benefit. Engaging in "retaliation," which is an act or omission committed by a student because of another person's participation in a protected activity that would discourage a reasonable person from engaging in protected activity. Retaliation violates these standards regardless of whether the underlying allegation of a violation of a rule is ultimately found to have merit. Retaliation can include, without limitation: an act or omission committed against a person's family, friends, advisors, and or other persons reasonably expected to provide information in connection with an institutional investigation or hearing, and an act or omission committed by a student through a third party;

- (x) Discrimination. Any conduct prohibited by any federal or state law, rule, or regulation related to discrimination, harassment, or retaliation;
- (y) Academic Misconduct. Any action or attempted action designed to provide an unfair academic advantage or disadvantage for oneself or others. Academic misconduct includes a wide variety of behaviors such as plagiarism, cheating, fabrication, and other academic dishonesty. For purposes of these rules the following definitions apply:
 - 1. Plagiarism. The adoption or reproduction of ideas, words, statements, images, or works of another person as one's own without proper attribution. Examples include but are not limited to copying of passages from works of others into one's own work without acknowledgment; summarizing or paraphrasing ideas from another source without proper attribution, unless such information is recognized as common knowledge; and using facts, statistics, graphs, representations, or phrases without proper attribution;
 - 2. Cheating. Using or attempting to use unauthorized materials, information, or aids in any academic exercise or test/examination. Examples include but are not limited to copying another's work; obtaining or giving unauthorized assistance; unauthorized collaboration or collusion with another person; having another person take a test for a student; and the use of unauthorized materials or devices. The term academic exercise includes all forms of work submitted for credit or hours; and
 - 3. Fabrication. Falsifying, fabricating, or misrepresenting data, research results, citations or other information in connection with an academic assignment. Unauthorized falsification or invention of any information or citation in an academic exercise.
- (z) Unauthorized Duplication or Possession of Keys. Making, causing to be made or the possession of, with the intent to use or make available for use by others, any key for an institutional facility without proper authorization;
- (aa) Litter. Dispersing litter in any form onto the grounds or facilities of the institution;
- (bb) Pornography. Public display of literature, films, pictures or other materials which an average person applying contemporary community standards would find, (1) taken as a whole, appeals to the prurient interest, (2) depicts or describes sexual conduct in a patently offensive way, and/or (3) taken as a whole, lacks serious literary, artistic, political or scientific value;
- (cc) Abuse of Computer Resources and Facilities. Misusing and/or abusing institutional computer resources including, but not limited to the following:
 - 1. Use of another person's identification to gain access to institutional computer resources;
 - 2. Use of institutional computer resources and facilities to violate copyright laws, including, but not limited to, the act of unauthorized distribution of copyrighted materials using institutional information technology systems;
 - 3. Unauthorized access to a computer or network file, including but not limited to, altering, using, reading, copying, or deleting the file;
 - 4. Unauthorized transfer of a computer or network file;
 - 5. Use of computing resources and facilities to send abusive or obscene correspondence;
 - 6. Use of computing resources and facilities in a manner that interferes with normal operation of the institutional computing system;
 - 7. Use of computing resources and facilities to interfere with the work of another student, faculty member, or institutional official; or
 - 8. Unauthorized peer-to-peer file sharing.

- (dd) Unauthorized Access to Institutional Facilities and/or Grounds. Any unauthorized access and/or occupancy of institutional facilities and/or grounds is prohibited, including, but not limited to, gaining access to facilities and grounds that are closed to the public, being present in areas of campus that are open to limited guests only, being present in academic buildings after hours without permission, and being present in buildings when the student has no legitimate reason to be present;
- (ee) Providing False Information. Giving any false information to, or withholding necessary information from, any institutional official acting in the performance of his or her duties in connection with a student's admission, enrollment, or status in the institution;
- (ff) Observation Without Consent. Observation Without Consent, which is prohibited by T.C.A. § 39-13-607 (a criminal statute) for purposes of these rules, means knowingly spying upon, observing, or otherwise viewing an individual, regardless of whether a photo, video, or recording is made, when the individual is in a place where there is reasonable expectation of privacy, without the prior effective consent of the individual, if the viewing would offend or embarrass an ordinary person if the person knew the person was being viewed. This includes, but is not limited to, taking video or photographic images in shower/locker rooms, living quarters, and restrooms, and storing, sharing, and/or distributing of such unauthorized images by any means;
- (gg) Smoking Violations. Smoking or tobacco use in any institution building or facility, in any state-owned vehicle, or on any institution grounds or property, unless in a designated smoking or tobacco use area. For the purposes of these rules, "tobacco use" includes, but is not limited to, the personal use of any tobacco product, whether intended to be lit or not, which includes smoking tobacco or other substances that are lit and smoked, as well as the use of an electronic cigarette or any other device intended to simulate smoking, and the use of smokeless tobacco, including snuff; chewing tobacco; smokeless pouches; any form of loose-leaf, smokeless tobacco; and the use of unlit cigarettes, cigars, and pipe tobacco;
- (hh) Maintenance of Ethical and Professional Standards. Failure to maintain the high ethical and professional standards of the various disciplines of the health professions may subject a student to suspension from a program, dismissal from a program, or other appropriate remedial action.
 - 1. A student enrolled in a program leading to a degree or certificate in a health profession is subject to disciplinary action up to and including suspension and dismissal from a program for engaging in the following acts of misconduct, regardless of location:
 - (i) Commission of an offense classified as a felony by Tennessee or federal criminal statutes;
 - (ii) Unlawful use, possession, or sale of drugs or narcotics, whether or not felonious;
 - (iii) Other unprofessional or unethical conduct that would bring disrepute and disgrace upon both the student and profession and that would tend to substantially reduce or eliminate the student's ability to effectively practice the profession in which discipline he or she is enrolled; or
 - (iv) Conduct that is in violation of either a relevant Tennessee statute establishing professional standards or a rule or regulation of a Tennessee regulatory board or other body responsible for the establishment and enforcement of professional standards.
 - 2. A person applying for admission to a health profession program may be denied admission to the program on the basis of his or her violation of the aforementioned ethical and/or professional standards;
- (ii) Traffic and Parking Fines. Receiving \$100.00 or more in traffic and/or parking violations on institution property or institution-controlled property during any semester.

- (jj) Indecent Exposure. Indecent exposure, which is prohibited by T.C.A. § 39-13-511 (a criminal statute), for purposes of these rules means in a public place intentionally exposing one's genitals or buttocks to another or engaging in sexual contact or sexual penetration where the person reasonably expects that the acts will be viewed by another, and the acts will offend an ordinary viewer or are for the purpose of sexual arousal and/or gratification.
- (3) Disciplinary holds
- (a) An institution may place a hold on a student record when the student has:
 - 1. Withdrawn from the institution while a disciplinary meeting and/or proceeding is pending;
 - 2. Not responded to an institutional official's request for a meeting or hearing; or
 - 3. Been suspended or expelled.
 - (b) A disciplinary hold may remain on a student's record until final resolution of a disciplinary meeting and/or disciplinary hearing.
 - (c) An institution will not confer a degree when a student record has been placed on hold, or when a student has a pending disciplinary meeting and/or disciplinary proceeding.
- (4) Except for cases involving Academic Misconduct, an institution will not revoke a degree or credential based on conduct occurring while a person was a student, but not discovered until after the awarding of a degree or credential.

Authority: T.C.A. §§ 4-5-101 et seq., 49-7-123(a) (1) and 49-8-203.

Amend Rule 0240-02-03-.03 by revising the chapter heading; by adding and deleting language to paragraph (1) to clarify behavior that qualifies as Classroom Misconduct; by adding and deleting language to paragraph (2) to clarify behavior that qualifies as Academic Misconduct, including by adding and deleting language to subparagraph (a) and by adding subparagraphs (b) – (l); and by deleting paragraphs (3) and (4), so that as amended it shall read:

0240-02-03-.03 Classroom and Academic Misconduct

(1) Classroom Misconduct

- (a) The instructor has the primary responsibility for controlling class (which for these rules includes any remote class and/or offsite class such as a clinic site or other non-traditional class environment) behavior and responding to disruptive conduct.
- (b) The instructor may order the temporary removal or exclusion from the classroom of any student engaged in disruptive conduct or other conduct that violates these rules for each class session during which the conduct occurs. Extended or permanent exclusion from the classroom beyond the session in which the conduct occurred or further disciplinary action can be effected only through appropriate procedures set forth in these rules.

(2) Academic Misconduct

- (a) Academic misconduct is prohibited. Students guilty of academic misconduct, either directly or indirectly, through participation or assistance, are immediately responsible to the instructor of the class. In addition to other possible disciplinary sanctions that may be imposed in accordance with these rules and institutional restatement of these rules, the instructor has the authority to take academic discipline consistent with these rules and institutional restatement of these rules, procedures, and processes.
- (b) An instructor who determines that a student has engaged in academic misconduct may choose to exercise academic discipline by lowering to any extent, including to a grade of "F" or "zero," a student's grade in the course, assignment, or examination affected by the alleged academic

misconduct.

- (c) An instructor who initiates academic discipline shall inform the appropriate Chair and Dean (or other individual(s) identified by the institution) in writing of the finding of academic misconduct, the basis therefor, the academic discipline imposed, and the appeals process within five (5) days of the imposition of academic discipline.
- (d) A student may not withdraw from a course pending final resolution of an allegation of academic misconduct. Students are permitted and encouraged to continue attending class until the academic disciplinary decision, including all appeals, is final.
- (e) A student charged with academic misconduct has the option of either accepting the academic discipline imposed by the instructor or initiating the appeals process to challenge the allegation of academic misconduct or the severity of the academic discipline. If the student does not respond in writing within five (5) days by either accepting or appealing the academic discipline to the institutional academic misconduct appeals committee, the student waives the right to contest the academic discipline, at which time it becomes final.
- (f) An institutional academic misconduct appeals committee shall consist of at least three (3) individuals and include at least one (1) student. The chief academic officer or other administrator identified by the institution will assemble the committee and coordinate the hearing but will not participate on the committee. Any individual who has an interest in the incident, a conflict of interest, or a bias is not permitted to serve on the committee. An institution may maintain standing pools from which individuals may be appointed and/or appoint ad hoc academic misconduct appeals committees. At a technical college, the president has the authority to appoint a single administrator to perform the functions of the academic misconduct appeals committee and to effectuate the processes identified in this rule.
- (g) The academic misconduct appeals committee will set a hearing date that is within fifteen (15) business days of receipt of date of the student's appeal. The student must receive at least seven (7) calendar days' notice of the date, time, and location of the hearing. A student will be notified of the due process protections provided for in TBR Rule 0240-02-03-.06.
- (h) The academic misconduct appeals committee will conduct the appeal hearing, consider the evidence presented, and make a decision based on a simple majority vote using a preponderance of the evidence standard. The committee can either uphold, overturn, or lessen the academic discipline. The results of the committee's decision will be conveyed to the student in writing, through the chief academic officer or other individual identified by the institution, within ten (10) business days of the hearing.
- (i) If the academic misconduct appeals committee upholds or lessens the academic discipline, the student may appeal in writing to the president within five (5) business days following receipt of the decision of the committee. The president will make a decision within ten (10) business days. The president's decision is final.
- (j) The institution's chief academic officer, president, or other administrator identified by the institution has the ability to extend any deadline in this section for good cause and upon written notice to the student.
- (k) In addition to academic discipline, a student who is found responsible for academic misconduct, either one (1) or more times, may be subject to disciplinary sanctions in accordance with these rules.
- (l) The institution shall maintain permanently all submissions by the student and all decisions of institutional officials and committees relating to academic misconduct.

Authority: T.C.A. §§ 4-5-101 et seq. and 49-8-203.

Amend Rule 0240-02-03-.04 by adding and deleting language to paragraph (1), including to clarify when and how disciplinary sanctions may be imposed and to preclude institutions from supplementing these rules through SS-7039 (March 2020)

institutional policy; by amending paragraph (2) by changing the heading of the paragraph, by deleting subparagraphs (f) Apology, (g) Fines, (n) Housing Probation, and (o) Housing Suspension and Forfeiture and re-lettering accordingly; and by adding and/or deleting language to subparagraphs (a) Restitution, (b) Reprimand, (g) Probation, (i) Expulsion, (j) Revocation and Withholding of Admission, Degree or Credential, and (k) Interim Involuntary Withdrawal or Suspension, so that as amended it shall read:

0240-02-03-.04 Disciplinary Sanctions

- (1) Institutions shall publish these rules and provide notice of potential disciplinary sanctions applicable to both students and student organizations. Disciplinary sanctions may be imposed only after a violation of these rules has been established. Disciplinary sanctions may be imposed, either singly or in combination.
- (2) Types of Sanctions:
 - (a) Restitution. Restitution may be required in situations, which involve theft, destruction, damage, or loss of property, or unreimbursed medical expenses resulting from physical injury. When restitution is required, the student or student organization is obligated by the appropriate institutional authority to compensate a party or parties for a loss suffered as a result of disciplinary violation(s). This action may take the form of appropriate service, monetary compensation, or material replacement. Any monetary payment in restitution shall be limited to actual cost of repair, replacement or financial loss;
 - (b) Warning. The appropriate institutional official may notify orally or in writing the student or student organization that continuation or repetition of specified conduct may be cause for other disciplinary action;
 - (c) Reprimand. A written or verbal reprimand or censure may be given to any student or student organization whose conduct violates any part of these rules and provides notice that any further violation(s) may result in more serious penalties;
 - (d) Service to the Institution or Community. A student or student organization may be required to donate a specified number of service hours to the institution performing reasonable tasks for an appropriate institution office, official(s), or the local community. The service required shall be commensurate to the offense (including but not limited to, service for maintenance staff for defacing institutional property);
 - (e) Specified Educational/Counseling Program. A student or student organization may be required to participate in specified educational or counseling program(s) relevant to the offense, or to prepare a project or report concerning a relevant topic;
 - (f) Restriction. A restriction upon a student's or student organization's privileges for a period of time may be imposed. This restriction may include, but not be limited to, denial of the ability to represent the institution at any event, ability to participate in institution or TBR sponsored travel, use of facilities, parking privileges, participation in extracurricular activities or restriction of organizational privileges;
 - (g) Probation. Continued enrollment of a student or recognition of a student organization on probation may be conditioned upon adherence to these rules. Any student or organization placed on probation will be notified in writing of the terms and length of the probation. Probation may include but not be limited to restrictions upon extracurricular activities, or any other appropriate special condition(s). Any conduct in further violation of these rules while on probationary status or the failure to comply with the terms of the probationary period may result in the imposition of further disciplinary action;
 - (h) Suspension. Suspension is the separation of a student or student organization from the institution for a specified period of time. Suspension may be accompanied by special conditions for readmission or recognition;
 - (i) Expulsion. Expulsion entails a permanent separation from the institution. The imposition of this

sanction is a permanent bar to the student's admission, or a student organization's recognition by the institution. A student or organization that has been expelled may not enter institution property or facilities or institution-controlled property or facilities without obtaining prior approval from an appropriate institution official with knowledge of the expulsion directive;

- (j) Revocation and Withholding of Admission, Degree, or Credential; and
 - (k) Interim Involuntary Withdrawal or Suspension. As a general rule, the status of a student or student organization accused of violation of these rules should not be altered until a final determination has been made in regard to the charges. However, interim or involuntary withdrawal or suspension, pending the completion of disciplinary procedures, may be imposed upon a finding that the conduct, or attempted conduct of the student poses a direct threat to the safety of any other member of the institution, its guests, property, or the student's behavior is materially and substantially disruptive of the institution's learning environment, or other campus activities. In any case of interim or involuntary withdrawal or suspension, the student, or student organization, shall be given an opportunity at the time of the decision, or as soon thereafter as reasonably possible, to contest the suspension in accordance with these rules.
- (3) The president is authorized, either personally or through a designee, to negotiate a mutually acceptable resolution to any disciplinary proceeding or to rescind or convert any sanction imposed to a lesser sanction.

Authority: T.C.A. §§ 4-5-101 et seq. and 49-8-203.

Amend Rule 0240-02-03-.05 by repealing chapter (.05) (and by creating a separate chapter related to traffic and parking).

0240-02-03-.05 Repealed

Authority: T.C.A. §§ 4-5-101 et seq. and 49-8-203.

Amend Rule 0240-02-03-.06 by amending paragraph (1) by adding and deleting language to subparagraph (a) and adding subparagraphs (b) - (f); by deleting former paragraphs (2) and (3) and replacing them with new paragraphs (2) and (3); by adding and deleting language to paragraph (4) to explain options for students to contest discipline, including by adding and deleting language to subparagraph (a) and adding subparagraphs (b) - (d); and by adding and deleting language to paragraphs (5) and (6), so that as amended it shall read:

0240-02-03-.06 Disciplinary Procedures

(1) General

- (a) Institutions shall provide students with a system of constitutionally and legally sound procedures that provide the protection of due process of law in accordance with these rules, institutional restatement of these rules, and applicable state and federal law. The institution's restatement of rules, processes, and procedures shall be published on the institution's website and communicated to students.
- (b) At community colleges, the Vice President of Student Affairs or other administrator designated by the institution is responsible for matters within the scope of these rules, except that the Chief Academic Officer is responsible for matters related to academic misconduct. In situations where the conduct could fall within both areas of responsibility, the two (2) offices will confer and decide which rules will apply and advise the student or student organization in writing of the decision. At colleges of applied technology, the president or designee has responsibility.
- (c) Complaints related to discrimination, harassment, and retaliation that are not subject to another rule will be investigated and resolved in accordance with these rules and the institution's restatement of these rules, procedures, and processes.
 - 1. In determining whether the evidence establishes a violation of these rules, the institution shall use the standard of evidence for contested cases under the UAPA and Department of State Rule 1360-04-01. At all times the burden of obtaining evidence and establishing a violation shall be on the institution.

2. In the event of bias or conflict of interest by an institutional official, the institution may appoint a substitute, who may or may not be employed by the institution.
3. The investigator shall conduct an appropriate investigation, which may include interviews of the parties and witnesses, as well as review of documents and other information. The purpose of the investigation is to determine whether the evidence establishes a violation of these rules. The parties are encouraged, but not required, to provide information that they want the investigator to consider.
4. The investigator shall provide written notice of receipt of a written complaint or the decision to initiate an investigation.
5. The investigator shall notify students that the institution will comply with FERPA and only disclose information in accordance with FERPA and other applicable law.
6. The investigator shall prepare a report summarizing the investigation. The report shall include, but not be limited to, the dates of the alleged occurrences, the response of the respondent, the findings of the investigator, and recommendations regarding disposition of the complaint.
7. The report shall be submitted to the institution's president within sixty (60) calendar days following receipt of the complaint, absent cause for extending the investigation timeline. In situations where more time is needed to complete the investigation, written notice shall be provided to the parties explaining the reasons.
8. The president shall review the investigator's report and shall make a written determination as to whether these rules have been violated and the appropriate disciplinary sanction, if any. The president's determination and the investigator's report shall be provided to the parties, unless prohibited by law.
9. Either party may send a written request to reconsider to the president within ten (10) working days, absent good cause, of receipt of the president's determination.
 - (i) The request to reconsider process shall consist of an opportunity for the parties to provide information to the president's attention that would change the determination and/or disciplinary sanction. A party must explain why the factual information was incomplete, the analysis of the facts was incorrect, the determination was affected by bias or a conflict of interest, procedural irregularity, and/or the appropriate standard was not applied, and how this would affect the determination. Failure to do so may result in denial of the request to reconsider.
 - (ii) The parties will not be allowed to present their request to reconsider in person unless the president determines, in his or her sole discretion, to allow an in-person appearance.
 - (iii) The president shall issue a written response to the request to reconsider as promptly as possible. The decision will constitute the institution's final decision.
 - (iv) The institution shall provide written notice of the ability to contest the determination and/or disciplinary sanctions, including where applicable, the ability to request a contested case hearing pursuant to the UAPA, to the parties at the time the parties are advised of the determination and upon the resolution of any request to reconsider or appeal.
- (d) Students and student organizations subject to any disciplinary sanction are entitled to a due process hearing in accordance with these rules and standards established by the constitutions of the State of Tennessee and the United States unless that right is waived after receiving written notice of the available procedures.
- (e) All proceedings under these rules will be held in closed session and not open to the public.

Formal rules of evidence shall not be applicable. The administrator or committee chair may exclude evidence, which in their judgment is immaterial, irrelevant, or unduly repetitious. Evidence in contested case hearings will be considered in accordance with TBR Rule 0240-01-05 and Department of State Rule 1360-04-01.

- (f) Written notice to a student or student organization is accomplished either by handing a copy to the student; sending documents via email to the student's or student organization's institutional email account; email account of record on file with the institution; or by sending a copy via certified mail, registered mail, return receipt requested mail, or a nationally recognized delivery service that tracks delivery to the student's residence of record or the student organization's address of record.
- (2) Initiation of Charges
- (a) An institution may initiate the disciplinary process on the basis of written allegations received from any source, including any member of the college community. Complaints should be directed to the Vice President of Student Affairs or other administrator identified by the institution, except that complaints relating to discrimination, harassment, and retaliation should be referred to the administrator identified by the institution so that such complaints can be handled in accordance with these rules. The institution may also initiate disciplinary procedures without written allegations if it becomes aware of potential violations of these rules through other means.
 - (b) When the allegations, if proven, may warrant the imposition of a disciplinary sanction, the institution shall inform the student of the allegations and proceed to gather information concerning the matter, including, but not limited to, interviewing relevant witnesses and reviewing relevant documents and evidence. Students who may be the subject of disciplinary sanctions will be provided the minimum due process protections identified in these rules.
 - (c) After reviewing the evidence, the administrator with responsibility for the matter shall decide whether sufficient evidence exists to charge the student, and if so, the appropriate disciplinary sanction(s). Notice of the charges and disciplinary sanction(s), if any, shall be provided in writing to the student. If there is insufficient evidence to continue the disciplinary process, the matter will be closed, and written notice will be provided to the student.
- (3) Minimum Due Process Protections. Institutions shall provide the following minimum procedural due process protection components in disciplinary matters:
- (a) The student shall be advised, in writing, of the breach of the rule(s) of which he or she is charged;
 - (b) The student shall be advised of the time, date, and place of the hearing allowing reasonable time for preparation; and
 - (c) The student shall be advised of the following rights applicable at the hearing:
 - 1. The right to present his or her case;
 - 2. The right to be accompanied by an advisor of his or her choice. The advisor's participation shall be limited to advising the student, and not include advocating on behalf of the student, speaking on behalf of the student, or otherwise actively representing the student. An advisor is not permitted to interfere with the hearing;
 - 3. The right to call witnesses on his or her behalf;
 - 4. The right to confront witnesses against him or her; and
 - 5. The method and time limitations for appeal, if any is applicable.
- (4) Options for Students. Four (4) potential processes exist for adjudication of disciplinary matters. The student will be informed in writing of each available option and the due process rights associated with each option. A student will have five (5) business days following written notification to select an option. If a student fails to return the election of a procedure in a timely manner, the student will be deemed to have

waived the right to contest the disciplinary sanction. Selection of one (1) option constitutes waiver of all other options.

- (a) Contested Case Hearing. All cases which may result in either suspension or expulsion of a student from the institution for disciplinary reasons, or revocation of registration of a student organization, are subject to the contested case provisions of the Uniform Administrative Procedures Act, T.C.A. §§ 4-5-301 et seq., and TBR Rule 0240-01-05, unless the student or student organization, after receiving written notice, waives those procedures.
- (b) A student at a community college may elect an institutional panel hearing. A student at a college of applied technology may elect a formal hearing in front of a single administrator appointed by the president.

1. Institutional Panel Hearing (Community Colleges)

- (i) An institutional panel hearing committee at a community college shall consist of at least three (3) individuals and include at least one (1) student. The dean of students or other administrator identified by the institution will assemble the committee and coordinate the hearing but will not vote as to the committee's decision. An individual who has an interest in the incident, a conflict of interest, or a bias is not permitted to serve on the committee. The institution may appoint individuals from standing pools and/or appoint ad hoc committees.
- (ii) The committee will set a hearing date that is within fifteen (15) business days of receipt of the student's request for a panel hearing. The student must be notified of the date, time, and location of the hearing as soon as possible, but given at least seven (7) calendar days' notice. A student will be notified of the due process protections provided for in these rules.
- (iii) The committee will conduct the hearing, consider the relevant evidence presented, and make a decision based on a simple majority vote. The committee can either uphold, overturn, or lessen the disciplinary finding and/or sanction. The results of the decision will be conveyed to the student in writing, through the dean of students or other administrator identified by the institution, within ten (10) business days of the hearing.
- (iv) If the committee upholds or lessens the disciplinary finding and/or sanction, the student may appeal in writing to the president within five (5) business days following receipt of the decision of the committee. The president will make a decision within ten (10) business days. The president's decision is final.
- (v) The president, dean of students or other administrator identified by the institution has the ability to extend deadlines for good cause and upon written notice to the student.
- (vi) The institution shall maintain all submissions by the student and all decisions of institutional officials and committees permanently.

2. Formal Administrative Hearing (Colleges of Applied Technology)

- (i) The president of a college of applied technology shall appoint an administrator who will set a hearing date that is within fifteen (15) business days of receipt of the student's request for a hearing. The student must be given at least seven (7) calendar days' notice of the hearing. A student will be notified of the due process protections provided for in these rules.
- (ii) The administrator will conduct a hearing, consider the relevant evidence presented, and make a decision either upholding, overturning, or lessening the disciplinary finding and/or sanction. The results of the decision will be conveyed to the student within ten (10) business days of the hearing.

- (iii) If the administrator upholds or lessens the disciplinary finding and/or sanction, the student may appeal in writing to the president within five (5) business days following receipt of the decision of the committee. The president will make a decision within ten (10) business days. The president's decision is final.
 - (iv) The president has the ability to extend deadlines for good cause and upon written notice to the student.
 - (c) Administrative Resolution. An administrative resolution involves the student meeting with a single administrator appointed by (i) for community college students, the dean of students or other administrator identified by the institution or (ii) for college of applied technology students, the president. There is no appeal. The decision of the administrator is final.
 - (d) A student may elect not to contest the disciplinary action, either affirmatively or by failing to return the election of a procedure in a timely manner, which serves as a waiver of the right to contest the disciplinary action.
- (5) Procedures Related to Interim Involuntary Withdrawal or Suspension Hearings
 - (a) When the Vice President for Student Affairs or other administrator identified by the institution determines that an interim suspension or other interim measure is required for the health and safety of the institutional community and/or property, or to prevent an ongoing imminent threat of disruption to or interference with the normal operations of the institution, the student will receive an opportunity for an informal hearing with the Vice President of Student Affairs or other administrator identified by the institution to contest the interim measure.
 - (b) The informal hearing will be held within five (5) calendar days, absent good cause.
 - (c) The evidence presented at the hearing shall be limited to that which is relevant to the basis asserted for imposition of the interim suspension or other interim measure.
 - (d) The student will be entitled to a formal hearing in accordance with the due process protections described in these rules before a permanent disciplinary sanction is imposed.
- (6) Alternative Resolution Procedures: An institution, with the consent of all relevant parties, may use an alternative resolution method including, but not limited to, an apology, mediation or a negotiated resolution.

Authority: T.C.A. §§ 4-5-101 et seq. and 49-8-203.

* If a roll-call vote was necessary, the vote by the Agency on these rulemaking hearing rules was as follows:

Board Member	Aye	No	Abstain	Absent	Signature (if required)
Gov. Bill Lee					
MaryLou Apple					
Miles Burdine					
Gregory Duckett					
Mark George					
Mark Gill					
Kenneth Goldsmith					
Yolanda Greene					
Joey Hatch					
Charles Hatcher					
Emily House					
William McElyea					
Nisha Powers					
Wanda Reid					
Emily Reynolds					
Penny Schwinn					
Danni Varlan					
Weston Wamp					
Tom White					

I certify that this is an accurate and complete copy of rulemaking hearing rules, lawfully promulgated and adopted by the Tennessee Board of Regents on 06/18/2021, and is in compliance with the provisions of T.C.A. § 4-5-222.

I further certify the following:

Notice of Rulemaking Hearing filed with the Department of State on: 04/21/2021

Rulemaking Hearing(s) Conducted on: (add more dates). 06/15/2021

Date: _____

Signature: _____

Name of Officer: Brian A. Lapps, Jr

Title of Officer: General Counsel

Agency/Board/Commission: Tennessee Board of Regents

Rule Chapter Number(s): 0240-02-03

All rulemaking hearing rules provided for herein have been examined by the Attorney General and Reporter of the State of Tennessee and are approved as to legality pursuant to the provisions of the Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5.

Herbert H. Slatery III
Attorney General and Reporter

Date

Department of State Use Only

Filed with the Department of State on: _____

Effective on: _____

Tre Hargett
Secretary of State

Public Hearing Comments

One copy of a document that satisfies T.C.A. § 4-5-222 must accompany the filing.

TBR received a written comment suggesting the following modifications and additions. Suggested additional language is in bold, and suggested deleted language has been struck through:

Modify 0240-02-03-.01(7) as follows:

Matters **involving sexual harassment, sexual assault, stalking, domestic violence, and dating violence occurring within an education program or activity of TBR or a TBR institution, if** within the scope of TBR Rule 0240-02-10, **Title IX Compliance**, which implements 34 C.F.R. Part 106 related to Title IX of the Education Amendments of 1972, shall proceed in accordance with TBR Rule 0240-02-10, **Title IX Compliance**, and not these rules.

Modify 0240-02-03-.02(2)(ff) as follows:

Observation Without Consent. **Observation Without Consent, which is prohibited by T.C.A. § 39-13-607 (a criminal statute) for purposes of these rules, means** knowingly spying upon, observing, or otherwise viewing an individual, regardless of whether a photo, video, or recording is made, when the individual is in a place where there is reasonable expectation of privacy, without the prior effective consent of the individual, if the viewing would offend or embarrass an ordinary person if the person knew the person was being viewed. This includes, but is not limited to, taking video or photographic images in shower/locker rooms, living quarters, and restrooms, and storing, sharing, and/or distributing of such unauthorized images by any means;

Add the following language as 0240-02-03-.02(2)(jj):

Indecent Exposure. Indecent exposure, which is prohibited by T.C.A. § 39-13-511 (a criminal statute), for purposes of these rules means in a public place intentionally exposing one's genitals or buttocks to another or engaging in sexual contact or sexual penetration where the person reasonably expects that the acts will be viewed by another, and the acts will offend an ordinary viewer or are for the purpose of sexual arousal and/or gratification.

Response:

TBR has adopted these suggested revisions. The first suggestion brings more description and clarity to the rule. The second and third suggestions clarify that students are prohibited from engaging in these actions, which also violate state criminal statutes. The changes are included in this Rulemaking Hearing Rule Filing Form.

General Counsel will respond to any additional comments following the Rulemaking Hearing on 6/15/2021 and after discussion with the Board on June 18, 2021.

Regulatory Flexibility Addendum

Pursuant to T.C.A. §§ 4-5-401 through 4-5-404, prior to initiating the rule making process, all agencies shall conduct a review of whether a proposed rule or rule affects small business.

The rule is not anticipated to have any impact on small businesses.

Impact on Local Governments

Pursuant to T.C.A. §§ 4-5-220 and 4-5-228 “any rule proposed to be promulgated shall state in a simple declarative sentence, without additional comments on the merits of the policy of the rules or regulation, whether the rule or regulation may have a projected impact on local governments.” (See Public Chapter Number 1070 (<http://publications.tnsosfiles.com/acts/106/pub/pc1070.pdf>) of the 2010 Session of the General Assembly.)

This rule is not anticipated to have any impact on local governments.

Additional Information Required by Joint Government Operations Committee

All agencies, upon filing a rule, must also submit the following pursuant to T.C.A. § 4-5-226(i)(1).

- (A) A brief summary of the rule and a description of all relevant changes in previous regulations effectuated by such rule;

The revisions in this rule introduce more detail and specificity, both substantively and procedurally, into the rule. The revisions also remove the ability for institutions to make substantive alterations or additions. The tracked changes version of this rule identifies the changes.

- (B) A citation to and brief description of any federal law or regulation or any state law or regulation mandating promulgation of such rule or establishing guidelines relevant thereto;

This rule is promulgated in accordance with TBR's rulemaking authority as established by T.C.A. § 49-8-203(a)(1)(D) and is promulgated in accordance with the requirements of T.C.A. § 4-5-102(12).

- (C) Identification of persons, organizations, corporations or governmental entities most directly affected by this rule, and whether those persons, organizations, corporations or governmental entities urge adoption or rejection of this rule;

Those most directly impacted by this rule are students at TBR institutions. The remainder of this response will be completed by General Counsel following the Rulemaking Hearing on 06/15/2021

- (D) Identification of any opinions of the attorney general and reporter or any judicial ruling that directly relates to the rule or the necessity to promulgate the rule;

TBR is not aware of an Attorney General Opinion or judicial ruling directly related to this rule

- (E) An estimate of the probable increase or decrease in state and local government revenues and expenditures, if any, resulting from the promulgation of this rule, and assumptions and reasoning upon which the estimate is based. An agency shall not state that the fiscal impact is minimal if the fiscal impact is more than two percent (2%) of the agency's annual budget or five hundred thousand dollars (\$500,000), whichever is less;

None

- (F) Identification of the appropriate agency representative or representatives, possessing substantial knowledge and understanding of the rule;

Brian A. Lapps, Jr., General Counsel

- (G) Identification of the appropriate agency representative or representatives who will explain the rule at a scheduled meeting of the committees;

Brian A. Lapps, Jr., General Counsel

- (H) Office address, telephone number, and email address of the agency representative or representatives who will explain the rule at a scheduled meeting of the committees; and

Brian A. Lapps, Jr.
Office of General Counsel
1 Bridgestone Park, 3rd Floor
Nashville, TN 30214
615-366-4438

- (I) Any additional information relevant to the rule proposed for continuation that the committee requests.

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

SYSTEMWIDE STUDENT RULES

CHAPTER 0240-02-03

STUDENT CONDUCT AND DISCIPLINARY SANCTIONS ~~TABLE OF CONTENTS~~

0240-02-03-.01	Institution Policy Statement	0240-02-03-.04	Disciplinary Sanctions
0240-02-03-.02	Disciplinary Offenses	0240-02-03-.05	Traffic and Parking
0240-02-03-.03	Academic and Classroom Misconduct	0240-02-03-.06	Disciplinary Procedures

Amend the table of contents for Chapter 0240-02-03 by amending paragraphs (.01) and (.03) to reflect revised headings, and deleting paragraph (.05), so that as amended it shall read as follows:

Table of Contents

~~0240-02-03-.01 **INSTITUTION POLICY STATEMENT**~~ Institutional Restatement of Rules
0240-02-03-.02 Disciplinary Offenses
0240-02-03-.03 Classroom and Academic Misconduct
0240-02-03-.04 Disciplinary Sanctions
0240-02-03-.05 Repealed
0240-02-03-.06 Disciplinary Procedures

Amend Rule 0240-02-03-.01 by revising the chapter heading; by revising paragraph (1) by adding and deleting language to reflect that colleges of applied technology have presidents and not directors, and by adding "consistent with these rules;" by adding and deleting language to paragraph (2), including to preclude institutions from supplementing these rules through institutional policy; by adding and deleting language to paragraph (3) to revise the definition of "student;" by adding and deleting language to paragraph (4) to clarify the locations, times, and circumstances under which these rules apply; by adding and deleting language to paragraph (5) to explain the circumstances under which these rules apply to student organizations; by adding and deleting language to paragraph (6) to clarify that TBR will comply with all confidentiality statutes and regulations; and by adding paragraph (7), so that as amended it shall read:

0240-02-03-.01 Institutional Restatement of Rules

- (1) Students enrolled in a TBR postsecondary educational institutions are citizens of their civic communities as well as the academic community. As such they are expected to conduct themselves as law-abiding members of each community at all times. Admission to an institution of postsecondary education carries with it special privileges and imposes special responsibilities apart from those rights and duties enjoyed by non-students. In recognition of the special relationship that exists between the institution and the academic community –which it seeks to serve, the Tennessee Board of Regents (“TBR” or “the Board”) has authorized the presidents of the institutions ~~and directors of the colleges of applied technology~~ under its jurisdiction to take such action, consistent with these rules and the institution’s restatement of these rules, as may be necessary to ~~-maintain campus-~~conditions on institution-owned and controlled property and to preserve the integrity of the institution and its educational environment.

(2) Pursuant to this authorization and in fulfillment of its duties to provide a secure and stimulating atmosphere in which individual and academic pursuits may flourish, the TBR has developed the following ~~regulations, which are intended~~rules to govern student conduct ~~on~~for the ~~several campuses/institutions~~ under its jurisdiction. Each institution under the jurisdiction of the TBR is directed to ~~implement policies subject to, and consistent with,~~publish an institutional restatement of these ~~regulations.~~ ~~In student discipline policies, each institution may supplement these regulations, subject to prior review and approval by the TBR Offices of General Counsel and Academic Affairs,~~rules to students. In addition, students are subject to all federal, state, and local laws and ordinances. ~~If a student's violation of such laws or ordinances also adversely affects the institution's pursuit of its educational objectives, the institutions~~ Institutions may enforce ~~their own policies~~these rules regardless of the status or outcome of any external proceedings instituted by other civil or criminal authorities. Students are responsible for compliance with these rules.

(3) For the purpose of these ~~regulations~~rules, a "student" shall mean any person:

~~(3)~~(a) _____ who is admitted, enrolled, and/or registered for study (including for non-credit classes) at a TBR institution for any academic period. This shall include ~~any period of time following admission and/or registration, but preceding the start of classes for any academic period.~~ ~~It will also include any period which follows,~~ following the end of an academic period through the last day for registration for the succeeding academic period, and during any period while the student is under suspension from the institution. ~~"Student" shall also include any person subject to a period of suspension or removal from campus as a sanction which results from a finding of a violation of the policies and regulations governing student conduct. Students are responsible for compliance with the Rules of Student Conduct and with similar institutional policies at all times.~~

(b) "Student" shall also include any person subject to a period of suspension or removal from campus resulting from a finding of a violation of these rules;

(c) who engaged in academic misconduct as part of the application process; and/or

(d) who previously attended a TBR institution and who was found to have violated these rules during the time of enrollment.

(e) Unless explicitly provided otherwise in these rules, the term "student" shall also refer to a student organization.

(4) Disciplinary action may be taken against a student for violation of the policies and regulations which occur ~~these rules that occurs~~ on institutionally owned, leased or otherwise controlled property, (including all streets, alleys, sidewalks, and public ways abutting such property), while participating in international or distance learning programs, and off campus, ~~when~~ the ~~conduct~~ impairs, interferes with, or obstructs any institutional activity or the mission, processes, and functions of the institution. In the case of violations that occur off institutionally owned, leased, or controlled property, the institution will take into account whether the violation impairs, interferes with, or obstructs any institutional activity, or the mission, processes, and function of the institution, including, but not limited to, conduct that:

(a) occurs in connection with any institutional activity, including but not limited to, international, distance,

online, or remote learning programs, athletics events and other extracurricular activities, clinical, internship, practicum, and similar activities;

(b) occurs while using institutional resources, such as computers and network systems;

(c) involves or affects another member of the TBR community (a student, faculty, staff member, or guest of a TBR institution); or

(d) poses a credible, serious threat to the health and safety of the TBR community.

(5) These regulations, and related material incorporated herein by reference, rules are applicable to student organizations as well as individual students. Student organizations are subject to discipline Whether a student organization will be held responsible for a violation of these rules by one (1) or more of its members will be based on the following considerations:

(a) the violation is endorsed by the student organization or any of its officers. "Endorsed by" includes, but is not limited to, active or passive consent or support, having prior knowledge that the conduct and actions of individual members of was likely to occur, or helping to plan, advertise, or promote the conduct;

(b) the violation took place during the course of an activity paid for by the student organization while acting in their capacity as or by members of, or while attending or participating in any activity of, the student organization to support the activity in question;

(c) the prohibited conduct occurred on property owned, controlled, rented, leased, or used by the student organization or any of its members for an organizational event;

(d) the prohibited conduct was related to initiation, admission into, affiliation with, or as a condition for continued membership in the student organization; and

(4)(e) one or more officers of the student organization had prior knowledge or reasonably should have known the prohibited conduct would likely take place.

(5)(6) Confidentiality of Discipline Process. Subject to the exceptions provided pursuant to the Family Educational Rights and Privacy Act of 1974 (FERPA), 20 U.S.C. 1232g and/or, the Tennessee Open Public Records Act, T.C.A. § 10-7-504(a)(4), 501 et seq., and/or other state and federal law, a student's disciplinary records and files are considered "educational records" and are confidential within the meaning of in accordance with those Acts.

(4)(7) Matters involving sexual harassment, sexual assault, stalking, domestic violence, and dating violence occurring within an education program or activity of TBR or a TBR institution, if within the scope of TBR Rule 0240-02-10, Title IX Compliance, which implements 34 C.F.R. Part 106 related to Title IX of the Education Amendments of 1972, shall proceed in accordance with TBR Rule 0240-02-10, Title IX Compliance, and not these rules.

T.C.A. §§ 4-5-101 et seq. and 49-8-203.

Administrative History: Repeal of all rules by Public Chapter 261; effective July 1, 1983. New rule filed April 28, 1983; effective July 13, 1983. Procedures Act (preponderance of the evidence), by clarifying that these rules shall not be used to violate rights guaranteed under the state or federal constitution, and deleting language relating to the locations and circumstances under which these rules apply; by adding and deleting language to paragraph (2) to preclude institutions from supplementing these rules through institutional policy, deleting former subparagraph (r) and re-lettering accordingly; by adding subparagraphs (b) Disruptive Conduct, (x) Discrimination, and (hh) Maintenance of Ethical and Professional Standards and re-lettering accordingly; by adding and/or deleting language to subparagraphs (a) Threatening Conduct, (d) Disorderly Conduct, (e) Obstruction of or Interference with Institutional Activities or Facilities, (f) Misuse of or Damage to Property, (i) Weapons, (j) Explosives, Fireworks, Flammable and Hazardous Materials, (k) Alcoholic Beverages and Alcohol-Related Conduct, (l) Drugs, (m) Drug Paraphernalia, (n) Public Intoxication, (q) Unacceptable Conduct Related to Disciplinary Proceedings, (r) Failure to Cooperate with Institutional Officials, (s) Attempts, Aiding, and Abetting, (t) Violation of State or Federal Law, (u) Violation of Imposed Disciplinary Sanctions, (v) Sexual Misconduct, (w) Harassment, Stalking, or Retaliation, (y) Academic Misconduct, (cc) Abuse of Computer Resources and Facilities, (ff) Observation Without Consent, and (gg) Smoking Violations; by deleting former paragraph (3) and replacing it with a new paragraph (3); and adding paragraph (4), so that as amended it shall read:

Amend Rule 0240-02-03-.02 by adding and deleting language to paragraph (1), including to specify that the evidentiary standard shall be the same as contained in the rules for the Uniform Amendment filed August 28, 1984; effective November 13, 1984. Amendment filed November 12, 2008; effective March 30, 2009. Repeal and new rule filed August 10, 2011; effective January 29, 2012. Amendment filed August 18, 2015; effective November 15, 2015.

0240-02-03-.02 DISCIPLINARY OFFENSES: Disciplinary Offenses

~~(6) Institutional disciplinary measures shall be imposed, through appropriate due process procedures, for conduct which adversely affects the institution's pursuit of its educational objectives, which violates or shows a disregard for the rights of other members of the academic community, or which endangers property or persons on property owned or controlled by an institution.~~

~~(7) Institutions shall adopt and publish a non-exclusive list, providing notice of offenses for which both individuals and organizations may be subject to disciplinary action. The list may include any appropriate offense given the specific needs of the individual institution, subject to prior review and approval by the TBR Offices of General Counsel and Academic Affairs. Institutions are pre-authorized to implement any or all of the disciplinary offenses, in the form set forth immediately below, without need for prior review or approval by the TBR Offices of General Counsel and Academic Affairs:~~

(1) Disciplinary measures shall be imposed according to these rules and the institution's restatement of these rules, procedures, and processes implementing these rules. Institutions shall use the standard of evidence contained in the Tennessee Uniform Administrative Procedures Act, T.C.A. § 4-5-101 et seq. ("UAPA") and Department of State Rule 1360-04-01. These rules shall not be used to violate rights guaranteed under the constitution of the State of Tennessee or the constitution of the United States.

(2) Both students and student organizations may be subject to disciplinary action for the following disciplinary offenses identified in these rules:

(a) Threatening or Disruptive Conduct. Any conduct, threatened conduct, or attempted conduct, which that poses a threat to thea person's safety, health, or personal well-being, including, but not limited to, endangering the health, safety, or welfare of any person; engaging in conduct that causes a reasonable person to fear harm to his or her health, safety or welfare; or making an oral or written statement that an

objectively reasonable person hearing or reading the statement would interpret as a serious expression of an intent to commit an act of ~~others or where the student's behavior~~ unlawful violence to a particular individual or group of individuals;

•(b) Disruptive Conduct. Any conduct, threatened conduct, or attempted conduct that is disruptive of the ~~institution's~~institution's learning environment, including, but not limited to, engaging in any action that interferes with the ability of the instructor to teach or other students to learn. Disruptive conduct in the classroom includes, but is not limited to, behavior that obstructs or disrupts the learning environment (e.g., offensive language, harassment of students and instructors, repeated outbursts from a student that disrupt the flow of instruction or prevent concentration, failure to cooperate in maintaining classroom decorum, etc.), text messaging, and the continued use of any electronic or other noise or light emitting device which disturbs others;

•(c) Hazing. Hazing, as defined in T.C.A. § 49-7-123(a)(1), means any intentional or reckless act, on or off the property, of any higher education institution by an individual acting alone, or with others, which is directed against any other person(s) that endangers the mental or physical health or safety of that person(s), or which induces or coerces a person(s) to endanger such ~~person(s)~~person's mental or physical health or safety. Hazing does not include customary athletic events or similar contests or competitions, and is limited to those actions taken and situations created in connection with initiation into or affiliation with any organization;

•(d) Disorderly Conduct. Any individual or group behavior which is abusive, obscene, lewd, indecent, (including, without limitation, public exposure of one's sex organs, public urinating, and public sexual acts), violent, excessively noisy, disorderly, or which unreasonably disturbs institutional functions, operations, classrooms, other groups or individuals;

•(e) Obstruction of or Interference with Institutional Activities or Facilities. Any intentional interference with or obstruction of any institutional program, event, or facility including but not limited to the following:

(Rule 0240-02-03-06,

- 1. Any unauthorized occupancy of facilities owned or controlled by an institution or blockage of access to or from such facilities;;
 - 2. Interference with the right of any institution member or other authorized person to gain access to any activity, program, event or facilities sponsored or controlled ~~by an institution;~~;
 - 3. Any obstruction or delay of a ~~campus~~ security officer, public safety officer, police officer, firefighter, EMT, or any official of an institution, or failure to comply with any emergency directive issued by such person in the performance of his or her duty;
4. Participation in a demonstration that substantially impedes institutional operations; or
5. Obstruction of the free flow of pedestrian or vehicular traffic on property owned, leased or controlled by an institution or at an institutional activity.
- (f) Misuse of or Damage to Property. Any act of misuse, vandalism, malicious or unwarranted damage or destruction, defacing, disfiguring or unauthorized use of property belonging to ~~another~~the institution or a member of the TBR community including, but not limited to, any personal property, fire alarms, fire equipment, elevators, telephones, institution keys, library materials and/or safety devices;
- (g) Theft, Misappropriation, or Unauthorized Sale of Property;
- (h) Misuse of Documents or Identification Cards. Any forgery, alteration of or unauthorized use of institutional documents, forms, records or identification cards, including the giving of any false information, or withholding of necessary information, in connection with a student's admission, enrollment or status in the institution;
- ~~(a) Firearms and Other Dangerous Weapons. Any possession of or use of firearms, dangerous weapons of any kind, or replica/toy guns, e.g. BB guns, pellet guns, paintball guns, water guns, cap guns, toy knives or other items that simulate firearms or dangerous weapons;~~
- (i) Weapons. Possessing, carrying, using, storing, or manufacturing any weapon on institution controlled property or in connection with an institution affiliated activity, unless federal or state law provides a student with an affirmative right to possess or carry a weapon on institution controlled property or in connection with an institution-affiliated activity;
- (j) Explosives, Fireworks, and Flammable and Hazardous Materials. The unauthorized possession, ignition, or detonation of any object or article ~~which would cause damage by fire or other means to persons or property or possession of any substance which could be considered~~that represents a potential danger to be and used asthe TBR community, including, but not limited to, explosives, fireworks, flammable materials, ammunition, hazardous liquids, chemicals, or hazardous materials;

(Rule 0240-02-03-06,

- (k) Alcoholic Beverages and Alcohol-Related Conduct. The use ~~and/or~~, possession, distribution, or sale of alcoholic beverages on institution owned or controlled property. ~~This offense includes the violation of any local ordinance, state, or federal law concerning alcoholic beverages, on or off institution owned or controlled property, where an affiliated group or organization has alcoholic beverages present and available for consumption or in connection with any institutional activity unless expressly permitted by the institution;~~

- (l) DrugsDrugs. The unlawful possession ~~or use~~, use, distribution, sale, or manufacture of any drug or controlled substance (including, but not limited to, any stimulant, depressant, narcotic or hallucinogenic drug, or marijuana), ~~sale or distribution of any such drug or controlled substance.~~ This offense includes using or possessing a prescription drug if the prescription was not issued to the student, as well as the violation of any local ordinance, state, or federal law concerning the unlawful possession or use of drugs, ~~on or off institution owned or controlled property;~~

- (m) Drug Paraphernalia. The use ~~or~~, possession, distribution, sale, or manufacture of equipment, products or materials that are used or intended for use in manufacturing, growing, using or distributing any drug ~~or controlled substance.~~ This offense includes the violation of any local ordinance, state, or federal law concerning the unlawful possession of drug paraphernalia, ~~on or off institution owned or controlled property;~~

- (n) Public Intoxication. Appearing on institution owned or controlled property or at an institutional sponsored event while under the influence of alcohol, a controlled substance or of any other intoxicating substance;

- (o) Gambling. Unlawful gambling in any form;

- (p) Financial Irresponsibility. Failure to meet financial responsibilities to the institution promptly including, but not limited to, knowingly passing a worthless check or money order in payment to the institution;

- (q) Unacceptable Conduct ~~in~~Related to Disciplinary Proceedings. Any conduct at any stage of an institutional disciplinary proceeding or investigation that is contemptuous, ~~disrespectful~~, threatening, retaliatory, or disorderly, including false complaints, false testimony or other falsification of evidence, and attempts to influence the impartiality of a member of ~~a judicial~~ an adjudicatory body, verbal or physical harassment or intimidation of ~~a judicial board~~ an institutional official, hearing panel member, complainant, respondent, or witness;

- (b) Failure to Cooperate with Institutional Officials. Failure to comply with reasonable directions of institutional officials acting in the performance of their duties;

- (r) Violation of General Policies. Any violation of the general policies of the institution as published in an official . This includes, but is not limited to, failing to respond to a request to report to an institutional publication administrative office, failing to cooperate in an institutional investigation, failing to appear at an institutional hearing, including the intentional failure to perform any required action or the intentional performance of any prohibited action, without limitation, a disciplinary hearing;

(Rule 0240-02-03-06,

- (s) Attempts, Aiding, and Abetting. Any attempt to commit any of the offenses listed under this section or the aiding or abetting of the commission of any of the offenses listed under this section ~~(an. (An attempt to commit an offense is defined as the intention to commit the offense coupled with the taking of some action toward its commission).)~~ Being present during the planning or commission of any offense listed under this section without having made an immediate report to the institution prior to the commission of the planned offense will be considered as aiding and abetting. Students who anticipate or observe an offense must remove themselves from the situation and are required to report the offense to the institution;

- (t) ~~Violations~~Violation of State or Federal Laws. Any violation of state or federal laws, rules, or regulations ~~prescribing~~prohibiting conduct or establishing offenses, ~~if a student's violation of such laws or regulations also adversely affects the institution's pursuit of its educational objectives;~~

- (u) Violation of Imposed Disciplinary Sanctions. Intentional or unintentional violation of a disciplinary sanction ~~officially imposed by~~through an ~~institution official or a constituted body of the institution~~institutional disciplinary proceeding;

- (v) Sexual Misconduct. Committing any act of sexual ~~misconduct~~assault, rape, sexual battery, domestic violence, or dating violence as defined by ~~TBR Policy 6-03-00-00~~state or federal law;

- ~~(c) Harassment or Retaliation. Any act by an individual or group against another person or group in violation of TBR policies, as well as federal and/or state laws prohibiting discrimination, including, but not limited to, TBR policies 5-01-02-00, (F), 6-01-00-00, 6-02-00-00, and TBR Guideline P-080;~~

- (w) Harassment, Stalking, or Retaliation. Any conduct that falls within T.C.A. § 39-17-308 (Harassment) or T.C.A. § 39-17-315 (Stalking) or "student-on-student harassment," which means unwelcome conduct directed toward a person that is discriminatory on a basis prohibited by federal, state, or local law, and that is so severe, pervasive, and objectively offensive that it effectively bars the victim's access to educational opportunity or benefit. Engaging in "retaliation," which is an act or omission committed by a student because of another person's participation in a protected activity that would discourage a reasonable person from engaging in protected activity. Retaliation violates these standards regardless of whether the underlying allegation of a violation of a rule is ultimately found to have merit. Retaliation can include, without limitation: an act or omission committed against a person's family, friends, advisors, and or other persons reasonably expected to provide information in connection with an institutional investigation or hearing, and an act or omission committed by a student through a third party;

- (x) Discrimination. Any conduct prohibited by any federal or state law, rule, or regulation related to discrimination, harassment, or retaliation;

- (y) Academic Misconduct. ~~Plagiarism~~Any action or attempted action designed to provide an unfair academic advantage or disadvantage for oneself or others. Academic misconduct includes a wide variety of behaviors such as plagiarism, cheating, fabrication, and other academic dishonesty. For purposes of ~~this section~~these rules the following definitions apply:
 - 1. Plagiarism. The adoption or reproduction of ideas, words, statements, images, or works of another person as one's own without proper attribution. Examples include but are not limited to copying of passages from works of others into one's own work without acknowledgment;

(Rule 0240-02-03-.06,

summarizing or paraphrasing ideas from another source without proper attribution, unless such information is recognized as common knowledge; and using facts, statistics graphs, representations, or phrases without proper attribution;

- 2. Cheating. Using or attempting to use unauthorized materials, information, or aids in any academic exercise or test/examination. Examples include but are not limited to copying another's work; obtaining or giving unauthorized assistance; unauthorized collaboration or collusion with another person; having another person take a test for a student; and the use of unauthorized materials or devices. The term academic exercise includes all forms of work submitted for credit or hours; and

- 3. Fabrication. Falsifying, fabricating, or misrepresenting data, research results, citations or other information in connection with an academic assignment. Unauthorized falsification or invention of any information or citation -in an academic exercise.

- (z) Unauthorized Duplication or Possession of Keys. Making, causing to be made or the possession of, with the intent to use or make available for use by others, any key for an institutional facility without proper authorization;

- (aa) _____ Litter. Dispersing litter in any form onto the grounds or facilities of the ~~campus;~~institution;

- (bb) _____ ~~(aa)~~ Pornography. Public display of literature, films, pictures or other materials which an average person applying contemporary community standards would find, (1) taken as a whole, appeals to the prurient interest, (2) depicts or describes sexual conduct in a patently offensive way, and or (3) taken as a whole, lacks serious literary, artistic, political or scientific value;

- (cc) ~~(bb)~~ Abuse of Computer Resources and Facilities. Misusing and/or abusing ~~campus-~~institutional computer resources including, but not limited to the following:
 - 1. Use of another person's identification to gain access to institutional computer resources;i

 - 2. Use of institutional computer resources and facilities to violate copyright laws, including, but not limited to, the act of unauthorized distribution of copyrighted materials using institutional information technology systems;i

 - 3. Unauthorized access to a computer or network file, including but not limited to, altering, using, reading, copying, or deleting the file;i

 - 4. Unauthorized transfer of a computer or network file;i

 - 5. Use of computing resources and facilities to send abusive or obscene correspondence;i

 - 6. Use of computing resources and facilities in a manner that interferes with normal operation of the institutional computing system;i

(Rule 0240-02-03-06,

•7. Use of computing resources and facilities to interfere with the work of another student, faculty member, or institutional official; or

~~1. Violation of any published information technology resources policy,~~

•8. Unauthorized peer-to-peer file sharing; z

~~(eedd)~~ Unauthorized Access to Institutional Facilities and/or Grounds. Any unauthorized access and/or occupancy of institutional facilities and or grounds is prohibited, including, but not limited to, gaining access to facilities and grounds that are closed to the public, being present in areas of campus that are open to limited guests only, being present in academic buildings after hours without permission, and being present in buildings ~~when the student has no legitimate reason to be present;~~

(dd)

(ee) Providing False Information. Giving any false information to, or withholding necessary information from, any institutional official acting in the performance of his / or her duties in connection with a student's admission, enrollment, or status in the institution;

~~(ff)~~ Observation Without Consent. ~~Observation Without Consent, which is prohibited by T.C.A. § 39-13-607 (a criminal statute) for purposes of these rules, means~~ knowingly spying upon, observing, or otherwise viewing an individual, regardless of whether a photo, video, or recording is made, when the individual is in a place where there is reasonable expectation of privacy, without the prior effective consent of the individual, if the viewing would offend or embarrass an ordinary person if the person knew the person was being viewed. This includes, but is not limited to, taking video or photographic images in shower/locker rooms, living quarters, and restrooms, and storing, sharing, and/or distributing of such unauthorized images by any means;

~~(ff) Smoking Violations. Violation of any TBR and/or institutional smoking or other tobacco use rules or policies.~~

~~(8) Disciplinary action may be taken against a student for violations of the foregoing regulations or institutional policies which occur at or in association with enrollment at an institution governed by the TBR for any academic period. Each student shall be responsible for his/her conduct from the time of application for admission through the actual awarding of a degree including periods prior to or between semesters. Conduct occurring while a student is registered or enrolled at the institution, but not discovered until after the student leaves the institution, including after the awarding of a degree is actionable under these provisions and may result in the retroactive application of a disciplinary sanction. Should a student withdraw from the institution with disciplinary action or academic misconduct action pending, the student's record may be encumbered by the appropriate institutional office until the proceedings have been concluded.~~

Authority(gg) Smoking Violations. Smoking or tobacco use in any institution building or facility, in any state-owned vehicle, or on any institution grounds or property, unless in a designated smoking or tobacco use area. For the purposes of these rules, "tobacco use" includes, but is not limited to, the personal use of any tobacco product, whether intended to be lit or not, which includes smoking tobacco or other substances that are lit and smoked, as well as the use of an electronic cigarette or any other device intended to simulate smoking, and the use of smokeless tobacco, including snuff; chewing tobacco; smokeless pouches; any form of loose-leaf, smokeless tobacco; and the use of unlit cigarettes, cigars, and pipe tobacco;

(Rule 0240-02-03-06,

(hh) Maintenance of Ethical and Professional Standards. Failure to maintain the high ethical and professional standards of the various disciplines of the health professions may subject a student to suspension from a program, dismissal from a program, or other appropriate remedial action.

9. A student enrolled in a program leading to a degree or certificate in a health profession is subject to disciplinary action up to and including suspension and dismissal from a program for engaging in the following acts of misconduct, regardless of location:

(i) Commission of an offense classified as a felony by Tennessee or federal criminal statutes;

(ii) Unlawful use, possession, or sale of drugs or narcotics, whether or not felonious;

(iii) Other unprofessional or unethical conduct that would bring disrepute and disgrace upon both the student and profession and that would tend to substantially reduce or eliminate the student's ability to effectively practice the profession in which discipline he or she is enrolled; or

(iv) Conduct that is in violation of either a relevant Tennessee statute establishing professional standards or a rule or regulation of a Tennessee regulatory board or other body responsible for the establishment and enforcement of professional standards.

10. A person applying for admission to a health profession program may be denied admission to the program on the basis of his or her violation of the aforementioned ethical and professional standards:

(ii) Traffic and Parking Fines. Receiving \$100.00 or more in traffic and/or parking violations on institution property or institution-controlled property during any semester.

(jj) Indecent Exposure. Indecent exposure, which is prohibited by T.C.A. § 39-13-511 (a criminal statute), for purposes of these rules means in a public place intentionally exposing one's genitals or buttocks to another or engaging in sexual contact or sexual penetration where the person reasonably expects that the acts will be viewed by another, and the acts will offend an ordinary viewer or are for the purpose of sexual arousal and/or gratification.

(3) Disciplinary holds

(a) An institution may place a hold on a student record when the student has:

1. Withdrawn from the institution while a disciplinary meeting and/or proceeding is pending;

2. Not responded to an institutional official's request for a meeting or hearing; or

3. Been suspended or expelled.

(b) A disciplinary hold may remain on a student's record until final resolution of a disciplinary meeting and/or disciplinary hearing.

(Rule 0240-02-03-.06,

(c) An institution will not confer a degree when a student record has been placed on hold, or when a student has a pending disciplinary meeting and/or disciplinary proceeding.

(4) Except for cases involving Academic Misconduct, an institution will not revoke a degree or credential based on conduct occurring while a person was a student, but not discovered until after the awarding of a degree or credential.

Authority: T.C.A. §§ 4-5-101 et seq., 49-7-123(a)(1) and 49-8-203. ~~Administrative History: Repeal of all rules by the Public Chapter 261; effective July 1, 1983. New rule filed April 28, 1983; effective July 13, 1983. Amendment filed August 28, 1984; effective November 13, 1984. Amendment filed May 13, 1991; effective August 28, 1991. Amendment filed July 3, 1996; effective November 28, 1996. Amendment filed November 20, 1996; effective March 28, 1997. Amendment filed February 18, 1999; effective June 28, 1999. Amendment filed August 11, 2004; effective December 29, 2004. Amendments filed November 12, 2008; effective March 30, 2009. Repeal and new rule filed August 10, 2011; effective January 29, 2012. Emergency rule filed August 18, 2015; effective through February 14, 2016. Amendment filed August 18, 2015; effective November 15, 2015.~~

0240-02-03-.03 ACADEMIC AND CLASSROOM MISCONDUCT.

Amend Rule 0240-02-03-.03 by revising the chapter heading; by adding and deleting language to paragraph (1) to clarify behavior that qualifies as Classroom Misconduct; by adding and deleting language to paragraph (2) to clarify behavior that qualifies as Academic Misconduct, including by adding and deleting language to subparagraph (a) and by adding subparagraphs (b) – (l); and by deleting paragraphs (3) and (4), so that as amended it shall read:

0240-02-03-.03 Classroom and Academic Misconduct

(1) Classroom Misconduct

(a) The instructor has the primary responsibility for ~~maintenance of academic integrity and controlling classroom behavior, and can~~class (which for these rules includes any remote class and/or offsite class such as a clinic site or other non-traditional class environment) behavior and responding to disruptive conduct.

~~(1)~~(b) _____ The instructor may order the temporary removal or exclusion from the classroom of any student engaged in disruptive conduct or other conduct that violates these rules, ~~or policies of the institution,~~ for each class session during which the conduct occurs. Extended or permanent exclusion from the classroom, beyond the session in which the conduct occurred, or further disciplinary action can be effected only through appropriate procedures of the institution set forth in these rules.

(2) ~~Plagiarism, cheating, and other forms of academic dishonesty are~~Academic Misconduct

~~(2)~~(a) _____ Academic misconduct is prohibited. Students guilty of academic misconduct, either directly or indirectly, through participation or assistance, are immediately responsible to the instructor of the class. In addition to other possible disciplinary sanctions ~~which that~~ may be imposed ~~through the regular~~in accordance with these rules and institutional ~~disciplinary procedures, restatement of these rules,~~ the instructor has the authority to ~~assign an appropriate grade for the exercise or examination, proportional to the nature and extent of take~~ academic misconduct. ~~Disciplinary sanctions will be imposed only through the appropriatediscipline consistent with these rules and institutional student~~

(Rule 0240-02-03-.06,

disciplinary restatement of these rules, procedures, and processes.

Students

- (b) An instructor who determines that a student has engaged in academic misconduct may appeal choose to exercise academic discipline by lowering to any extent, including to a grade of "F" or "zero," a student's grade in the course, assignment associated with a, or examination affected by the alleged academic misconduct.
- (c) An instructor who initiates academic discipline shall inform the appropriate Chair and Dean (or other individual(s) identified by the institution) in writing of the finding of academic misconduct, as distinct from a student disciplinary sanction, through appropriate institutional academic misconduct or grade appeal procedures. Courses the basis therefor, the academic discipline imposed, and the appeals process within five (5) days of the imposition of academic discipline.
- (3)(d) A student may not be dropped/withdraw from a course pending the final resolution of an allegation of academic misconduct. Students are permitted and encouraged to continue attending class until the academic disciplinary decision, including all appeals, is final.
- (e) A student charged with academic misconduct has the option of either accepting the academic discipline imposed by the instructor or initiating the appeals process to challenge the allegation of academic misconduct or the severity of the academic discipline. If the student does not respond in writing within five (5) days by either accepting or appealing the academic discipline to the institutional academic misconduct appeals committee, the student waives the right to contest the academic discipline, at which time it becomes final.
- (f) An institutional academic misconduct appeals committee shall consist of at least three (3) individuals and include at least one (1) student. The chief academic officer or other administrator identified by the institution will assemble the committee and coordinate the hearing but will not participate on the committee. Any individual who has an interest in the incident, a conflict of interest, or a bias is not permitted to serve on the committee. An institution may maintain standing pools from which individuals may appointed and/or appoint ad hoc academic misconduct appeals committees. At a technical college the president has the authority to appoint a single administrator to perform the functions of the academic misconduct appeals committee and to effectuate the processes identified in this rule.
- (g) The academic misconduct appeals committee will set a hearing date that is within fifteen (15) business days of receipt of date of the student's appeal. The student must receive at least seven (7) calendar days' notice of the date, time, and location of the hearing. A student will be notified of the due process protections provided for in TBR Rule 0240-02-03-.06.
- (h) The academic misconduct appeals committee will conduct the appeal hearing, consider the evidence presented, and make a decision based on a simple majority vote using a preponderance of the evidence standard. The committee can either uphold, overturn, or lessen the academic discipline. The results of the committee's decision will be conveyed to the student in writing, through the chief academic officer or other individual identified by the institution, within ten (10) business days of the hearing.
- If Disruptive behavior in the classroom may be defined as, but not limited to, behavior that obstructs or disrupts the learning environment (e.g., offensive language, harassment of students and professors,

(Rule 0240-02-03-.06,

~~repeated outbursts from a student which disrupt the flow of instruction or prevent concentration on the subject taught, failure to cooperate in maintaining classroom decorum, etc.), text messaging, and the continued use of any electronic or other noise or light emitting device which disturbs others.~~

- (i) **Authority** If the academic misconduct appeals committee upholds or lessens the academic discipline, the student may appeal in writing to the president within five (5) business days following receipt of the decision of the committee. The president will make a decision within ten (10) business days. The president's decision is final.
- (j) The institution's chief academic officer, president, or other administrator identified by the institution has the ability to extend any deadline in this section for good cause and upon written notice to the student.
- (k) In addition to academic discipline, a student who is found responsible for academic misconduct, either one (1) or more times, may be subject to disciplinary sanctions in accordance with these rules.
- (l) The institution shall maintain permanently all submissions by the student and all decisions of institutional officials and committees relating to academic misconduct.

Authority: T.C.A. §§ 4-5-101 et seq. and 49-8-203. Administrative History: ~~Repeal of all rules by Public Chapter 261; effective July 1, 1983. New rule filed April 28, 1983; effective July 13, 1983. Amendment filed August 28, 1984; effective November 13, 1984. Amendment filed August 11, 2004; effective December 29, 2004. Repeal and new rule filed August 10, 2011; effective January 29, 2012. Amendment filed August 18, 2015; effective November 15, 2015.~~

0240-02-03-.04 DISCIPLINARY SANCTIONS.

Amend Rule 0240-02-03-.04 by adding and deleting language to paragraph (1), including to clarify when and how disciplinary sanctions may be imposed and to preclude institutions from supplementing these rules through institutional policy; by amending paragraph (2) by changing the heading of the paragraph, by deleting subparagraphs (f) Apology, (g) Fines, (n) Housing Probation, and (o) Housing Suspension and Forfeiture and re-lettering accordingly; and by adding and/or deleting language to subparagraphs (a) Restitution, (b) Reprimand, (g) Probation, (i) Expulsion, (j) Revocation and Withholding of Admission, Degree or Credential, and (k) Interim Involuntary Withdrawal or Suspension, so that as amended it shall read:

0240-02-03-.04 Disciplinary Sanctions

- (1) Institutions shall adopt and publish a policy, providing these rules and provide notice of potential disciplinary sanctions applicable to both individuals students and student organizations. The policy may include any appropriate sanction, given the specific needs of the individual institution, subject to prior review and approval by the TBR Offices of General Counsel and Academic Affairs. Institutions are pre-authorized to implement any or all of the sanctions, in the form set forth in sub-section (2) below, without need for prior review or approval. Upon a determination that a student or student organization has violated any of the disciplinary offenses set forth in these regulations, institutional disciplinary policies, or the general policies of an institution, disciplinary Disciplinary sanctions may be imposed only after a violation of these rules has been established. Disciplinary sanctions may be imposed, either singly or in combination, by the

~~(Rule 0240-02-03-06,
appropriate institution or school officials.~~

(2) ~~Definition~~Types of Sanctions:

- (a) Restitution. Restitution may be required in situations which involve theft, destruction, damage, or loss of property, or unreimbursed medical expenses resulting from physical injury. When restitution is required, the student or student organization is obligated by the appropriate ~~judicial~~institutional authority to compensate a party or parties for a loss suffered as a result of disciplinary violation(s). ~~Any such~~This action may take the form of appropriate service, monetary compensation, or material replacement. Any monetary payment in restitution shall be limited to actual cost of repair, replacement or financial loss;
- (b) Warning. The appropriate institutional official may notify orally or in writing the student or student organization that continuation or repetition of specified conduct may be cause for other disciplinary action;
- (c) Reprimand. A written or verbal reprimand or censure may be given to any student or student organization whose conduct violates any part of these regulations~~rules~~ and provides notice that any further violation(s) may result in more serious penalties;
- (d) Service to the Institution or Community. A student, or student organization, may be required to donate a specified number of service hours to the institution performing reasonable tasks for an appropriate institution office, official(s), or the local community. The service required shall be commensurate to the offense (~~e.g., including but not limited to~~, service for maintenance staff for defacing institutional property);
- (e) Specified Educational/Counseling Program. A student or student organization may be required to participate in specified educational or counseling program(s) relevant to the offense, or to prepare a project or report concerning a relevant topic;
- ~~(a) Apology. A student or student organization may be required to apologize to an affected party, either verbally or in writing, for the behavior related to a disciplinary offense;~~
- ~~(b) Fines. Penalties in the form of fines may be imposed against a student or student organization whenever the appropriate institutional authority deems appropriate. The sanction of fines may be imposed in addition to other forms of disciplinary sanctions. Failure to pay fines may result in further disciplinary action;~~
- (f) Restriction. A restriction upon a student's or student organization's privileges for a period of time may be imposed. This restriction may include, ~~for example~~but are not limited to, denial of the ability to represent the institution at any event, ability to participate in institution or TBR sponsored travel, use of facilities, parking privileges, participation in extracurricular activities or restriction of organizational privileges;
- (g) Probation. Continued enrollment of a student or recognition of a student organization ~~on probation~~ may be conditioned upon adherence to these regulations~~rules~~. Any student or organization placed on probation will be notified in writing of the terms and length of the probation. Probation may

(Rule 0240-02-03-.06,

include but not be limited to restrictions upon extracurricular activities, or any ~~other~~ appropriate special condition(s). Any conduct in further violation of these ~~regulations~~rules while on probationary status or the failure to comply with the terms of the probationary period may result in the imposition of further disciplinary action;

•(h) Suspension. Suspension is the separation of a student or student organization from the institution for a specified period of time. Suspension may be accompanied by special conditions for readmission or recognition;

•(i) Expulsion. Expulsion entails a permanent separation from the institution. The ~~imposition~~ of this sanction is a permanent bar to the student's admission, or a student organization's recognition ~~te~~by the institution. A student or organization that has been expelled may not enter institution property or facilities or institution-controlled property or facilities without obtaining prior approval from an appropriate ~~campus~~institution official with knowledge of the expulsion directive;

•(j) Revocation and Withholding of Admission, Degree, or Credential; and

•(k) Interim Involuntary Withdrawal or Suspension. As a general rule, the status of ~~a~~ student or student organization accused of violation of these ~~regulations or institutional policies~~rules should not be altered until a final determination has been made in regard to the charges. However, interim or involuntary withdrawal or suspension, pending the completion of disciplinary procedures, may be imposed upon a finding ~~by the appropriate institutional official~~ that the conduct, or attempted conduct of the student poses a direct threat to the safety of any other member of the institution, its guests, property, or the student's behavior is materially and substantially disruptive of the institution's learning environment, or other campus activities. In any case of interim or involuntary withdrawal or suspension, the student, or student organization, shall be given an opportunity at the time of the decision, or as soon thereafter as reasonably possible, to contest the suspension; in accordance with these rules.

(3) The president is authorized, either personally or through a designee, to negotiate a mutually acceptable resolution to any disciplinary proceeding or to rescind or convert any sanction imposed to a lesser sanction.

~~(4) Authority: T.C.A. §§ 4-5-101 et seq. and 49-8-203. Housing Probation. Continued residence in campus or student housing may be conditioned upon adherence to these regulations as well as institutional housing policies. Any resident placed on housing probation will be notified in writing of the terms and length of the probation. Probation may include restrictions upon the activities of the resident, including any other appropriate special condition(s);~~

~~(5) Housing Suspension and Forfeiture. A resident suspended from housing may not reside, visit, or make any use whatsoever of a housing facility or participate in any housing activity during the period for which the sanction is in effect. A suspended resident shall be required to forfeit housing fees (including any unused portion thereof and the Housing Deposit). A suspended resident must vacate the housing unit. Housing suspension shall remain a part of the student resident's disciplinary record.~~

~~(Rule 0240-02-03-.06,
and parking).
0240-02-03-.05 Repealed~~

Authority: T.C.A. §§ 4-5-101 et seq. and 49-8-203. ~~**Administrative History:** Repeal of all rules by Public Chapter 261; effective July 1, 1983. — New rule filed April 28, 1983; effective July 13, 1983. Amendment filed August 28, 1984; effective November 13, 1984. — Amendment filed August 11, 2004; effective December 29, 2004. Amendments filed November 12, 2008; effective March 30, 2009. — Repeal and new rule filed August 10, 2011; effective January 29, 2012. — Emergency rule filed August 18, 2015; effective through February 14, 2016. Amendment filed August 18, 2015; effective November 15, 2015.~~

~~0240-02-03-.05 TRAFFIC AND PARKING.~~

- ~~(3) — General: Institutions governed by the TBR shall adopt institutional policies governing traffic and parking on their respective campuses. The purpose of these policies shall be to facilitate the orderly and efficient flow of traffic on those campuses, to provide a safe atmosphere for both pedestrians and motor vehicle operators, and to provide order with regard to parking within limited space. Institutional policies enacted in compliance with this rule shall be subject to prior review and approval of the TBR. Once adopted, such policies shall be published, at least annually, and, as appropriate, through signage, traffic/parking handbooks, student/faculty handbooks and institutional websites.~~

- ~~(4) — Registration of Automobiles/Permits/Decals: TBR institutions shall adopt policies regarding the registration of vehicles and/or the issuance of decals and/or permits on campus, and/or the alternate use of campus access fees in lieu of registration of individual vehicles for the purpose of effective enforcement of campus traffic and/or parking regulations. Reasonable fees/costs may be assessed in association with the vehicle registration, permit, or decal issuance process. Any fees/costs associated with registration of vehicles or the issuance of permits/decals, together with appropriate information sufficient to justify the fee/cost amount, shall be submitted for review and approval by the TBR prior to implementation at any institution, pursuant to the requirement set forth in TBR policy.~~

- ~~(5) — Parking: TBR institutions shall adopt policies with regard to parking on institution owned, operated, or controlled sites. Those policies shall reflect the physical availability and limitations of parking facilities at institution owned, operated, or controlled sites. TBR institutions are further authorized to adopt appropriate parking zones or designated parking systems for faculty, staff, students, residents of campus housing, visitors, and other appropriate groups. Institutions may also establish a schedule of hours for enforcement for parking regulations at their various campus sites. Reasonable fees/costs may be assessed in association with the issuance of parking decals or passes as set forth in section (2) above. Any fees/costs associated with parking permits/decals, together with appropriate information sufficient to justify the fee/cost amount, shall be submitted for review and approval by the TBR prior to implementation at any institution, pursuant to the requirement set forth in TBR policy.~~

- ~~(6) — Traffic: TBR institutions shall adopt policies with regard to motor and other vehicular traffic on institution owned, operated, or controlled sites. Those policies shall reflect the nature of traffic patterns, roads, and physical limitations of the particular institution owned or controlled site. TBR institutions are further directed to adopt and publish a traffic code reflecting the traffic rules and offenses for that institution's sites. Such violations may include, but are not limited to, all traffic offenses provided under state, county, or municipal ordinance applicable to the locality of each institutional site. Adoption of such policies shall be subject to prior review and approval by the TBR. Once adopted or amended all traffic and parking regulations shall be affirmatively~~

(Rule 0240-02-03-.06,

~~communicated to the faculty, staff, and students of the institution as well as published in appropriate websites, handbooks, or manuals.~~

~~(7) Fines/Penalties: TBR institutions shall have the authority to adopt appropriate fines and/or disciplinary sanctions for violations of the traffic and parking regulations established pursuant to sections (3) & (4) above. Fines may be set as determined necessary at each institution, but shall not exceed the amounts provided for by the higher of state law, county, or municipal ordinance for the same offense. Such fines are subject to the prior review and approval of the TBR, pursuant to the requirement set forth in TBR policy. Proposed fines shall be submitted to the TBR together with information sufficient to justify the fine. Such information shall include consideration of state/county/municipal fines for the same offense, fines for the same offense at similarly situated institutions, association to enforcement costs at the institution, and/or the unique traffic/parking considerations at each institution. Once adopted or amended, all fines shall be affirmatively communicated to the faculty, staff, and students of the institution as well as published in appropriate websites, handbooks, or manuals.~~

~~(8) Appeals: Institutions shall establish an appropriate system of due process associated with any traffic/parking codes or fines, consistent with the due process requirements set forth in TBR Systemwide Rule 0240-02-03-.06 below, wherein persons cited for violation of institutional traffic/parking regulations may contest their citations. Institutions are authorized to establish alternative or multiple methods/bodies for hearings and/or for the resolution of such matters.~~

Authority: T.C.A. §§ 4-5-101 et seq. Amend Rule 0240-02-03-.06 by amending paragraph (1) by adding and deleting language to subparagraph (a) and adding subparagraphs (b) - (f); by deleting former paragraphs (2) and (3) and replacing them with new paragraphs (2) and (3); by adding and deleting language to paragraph (4) to explain options for students to contest discipline, including by adding and deleting language to subparagraph (a) and adding subparagraphs (b) - (d); and by adding and deleting language to paragraphs (5) and (6), so that as amended it shall read:

and 49-8-203. Administrative History: Original rule filed August 10, 2011; effective January 29, 2012. Amendment filed August 18, 2015; effective November 15, 2015.

0240-02-03-.06 DISCIPLINARY PROCEDURES:Disciplinary Procedures

(1) GeneralGeneral: Institutions governed by the TBR, in the implementation of TBR policies pertaining to discipline and conduct of students, shall insure the constitutional rights of students by affording

~~(1) Institutions shall provide students with a system of constitutionally and legally sound procedures which that provide the protection of due process of law. In furtherance of this mandate, all TBR institutions shall enact policies setting forth the disciplinary procedures for the institution. All such policies shall be enacted in compliance with this rule, TBR Policy 3:02:01:00, in accordance with these rules, institutional restatement of these rules, and applicable state and federal law. All policies adopted pursuant to this rule shall be subject to prior review and approval. Once adopted or amended, all disciplinary procedures shall be affirmatively communicated to the faculty, staff, and students of the institution as well as published in appropriate websites, handbooks, or manuals.~~

~~(a)(1) Contested Case Procedure: All cases which may result in: (a) suspension or expulsion of a student from the institution for disciplinary reasons, or (b) revocation of registration of a student organization, is subject to the contested case provisions of the Uniform Administrative Procedures Act (UAPA), T.C.A. §§ 4-5-301 et seq., and shall be processed in accord with the Uniform Contested Case procedures adopted by the Board of Regents,~~

(Rule 0240-02-03-06,

~~unless the student or organization, after receiving written notice, waives those procedures and elects to have the case disposed of in accord with institutional procedures or waives all right to contest the case under any procedure. These procedures shall be described in the institution's policy.~~

~~For cases which may result in Interim Involuntary Withdrawal or Suspension, the institution must incorporate the guidelines set forth herein at (6) in its decision-making. The institution's restatement of rules, processes, and procedures shall be published on the institution's website and communicated to students.~~

~~(a) Institutional Procedures: For matters not subject to the requirements of TUAPA, each institution shall include in its policies a description of the procedures applicable at each level~~

~~of a student/organizational misconduct, student housing violation or traffic/parking violation proceeding, including procedures for the initiation, investigation, resolution and/or prosecution of a violation applicable at each level, including appeal(s). This policy shall also set forth minimum requirements for advance notice of charges/violations as well as the time, date, and place for any procedure or hearing.~~

~~(b) Institutional Hearings: For matters not subject to the requirements of TUAPA, institutions shall establish a body or bodies, with authority to hear student/organizational misconduct, student housing violations, or traffic/parking violations. Such body may be constituted as determined by the institution and may consist of one (1) individual or a committee. Authority may be vested in a single entity or in separate bodies.~~

~~(c) Minimum Requirements of Due Process for Institutional Hearings: Institutional hearing bodies and procedures governing discipline in cases of student/organizational misconduct, student housing violations and/or traffic/parking violations may be structured in any manner deemed appropriate given the organizational structure of the individual institution, but shall include the following minimal procedural components:~~

~~(a) At community colleges, the Vice President of Student Affairs or other administrator designated by the institution is responsible for matters within the scope of these rules, except that the Chief Academic Officer is responsible for matters related to academic misconduct. In situations where the conduct could fall within both areas of responsibility, the two offices will confer and decide which rules will apply and advise the student or student organization in writing of the decision. At colleges of applied technology, the president or designee has responsibility.~~

~~(b) Complaints related to discrimination, harassment, and retaliation that are not subject to another rule will be investigated and resolved in accordance with these rules and the institution's restatement of these rules, procedures, and processes.~~

~~1. In determining whether the evidence establishes a violation of these rules, the institution shall use the standard of evidence for contested cases under the UAPA and Department of State Rule 1360-04-01. At all times the burden of obtaining evidence and establishing a violation shall be on the institution.~~

~~2. In the event of bias or conflict of interest by an institutional official, the institution may appoint a substitute, who may or may not be employed by the institution.~~

(Rule 0240-02-03-.06,

3. The investigator shall conduct an appropriate investigation, which may include interviews of the parties and witnesses, as well as review of documents and other information. The purpose of the investigation is to determine whether the evidence establishes a violation of these rules. The parties are encouraged, but not required, to provide information that they want the investigator to consider.
4. The investigator shall provide written notice of receipt of a written complaint or the decision to initiate an investigation.
5. The investigator shall notify students that the institution will comply with FERPA and only disclose information in accordance with FERPA and other applicable law.
6. The investigator shall prepare a report summarizing the investigation. The report shall include, but not be limited to, the dates of the alleged occurrences, the response of the respondent, the findings of the investigator, and recommendations regarding disposition of the complaint.
7. The report shall be submitted to the institution's president within sixty (60) calendar days following receipt of the complaint, absent cause for extending the investigation timeline. In situations where more time is needed to complete the investigation, written notice shall be provided to the parties explaining the reasons.
8. The president shall review the investigator's report and shall make a written determination as to whether these rules have been violated and the appropriate disciplinary sanction, if any. The president's determination and the investigator's report shall be provided to the parties, unless prohibited by law.
9. Either party may send a written request to reconsider to the president within ten (10) working days, absent good cause, of receipt of the president's determination.
 - (i) The request to reconsider process shall consist of an opportunity for the parties to provide information to the president's attention that would change the determination and/or disciplinary sanction. A party must explain why the factual information was incomplete, the analysis of the facts was incorrect, the determination was affected by bias or a conflict of interest, procedural irregularity, and/or the appropriate standard was not applied, and how this would affect the determination. Failure to do so may result in denial of the request to reconsider.
 - (ii) The parties will not be allowed to present their request to reconsider in person unless the president determines, in his or her sole discretion, to allow an in-person appearance.
 - (iii) The president shall issue a written response to the request to reconsider as promptly as possible. The decision will constitute the institution's final decision.
 - (iv) The institution shall provide written notice of the ability to contest the determination and/or disciplinary sanctions, including where applicable, the ability to request a contested case hearing pursuant to the UAPA, to the parties at the time the parties are advised of the

(Rule 0240-02-03-06,

determination and upon the resolution of any request to reconsider or appeal.

- (c) Students and student organizations subject to any disciplinary sanction are entitled to a due process hearing in accordance with these rules and standards established by the constitutions of the State of Tennessee and the United States unless that right is waived after receiving written notice of the available procedures.
- (d) All proceedings under these rules will be held in closed session and not open to the public. Formal rules of evidence shall not be applicable. The administrator or committee chair may exclude evidence which in their judgment is immaterial, irrelevant, or unduly repetitious. Evidence in contested case hearings will be considered in accordance with TBR Rule 0240-01-05 and Department of State Rule 1360-04-01.
- (e) Written notice to a student or student organization is accomplished either by handing a copy to the student; sending documents via to email to the student's or student organization's institutional email account; email account of record on file with the institution; or by sending a copy via certified mail, registered mail, return receipt requested mail, or a nationally recognized delivery service that tracks delivery to the student's residence of record or the student organization's address of record.

(2) Initiation of Charges

- (a) An institution may initiate the disciplinary process on the basis of written allegations received from any source, including any member of the college community. Complaints should be directed to the Vice President of Student Affairs or other administrator identified by the institution, except that complaints relating to discrimination, harassment, and retaliation should be referred to the administrator identified by the institution so that such complaints can be handled in accordance with these rules. The institution may also initiate disciplinary procedures without written allegations if it becomes aware of potential violations of these rules through other means.
- (b) When the allegations, if proven, may warrant the imposition of a disciplinary sanction, the institution shall inform the student of the allegations and proceed to gather information concerning the matter, including, but not limited to, interviewing relevant witnesses and reviewing relevant documents and evidence. Students who may be the subject of disciplinary sanctions will be provided the minimum due process protections identified in these rules.
- (c) After reviewing the evidence, the administrator with responsibility for the matter shall decide whether sufficient evidence exists to charge the student, and if so, the appropriate disciplinary sanction(s). Notice of the charges and disciplinary sanction(s), if any, shall be provided in writing to the student. If there is insufficient evidence to continue the disciplinary process, the matter will be closed, and written notice will be provided to the student.

(3) Minimum Due Process Protections. Institutions shall provide the following minimum procedural due process protection components in disciplinary matters:

- (b)(a) _____ The student shall be advised, in writing, of the breach of ~~regulation~~the rule(s) of which he or she/he is charged;
- (e)(b) _____ The student shall be advised of the time, date, and place of the hearing allowing reasonable

(Rule 0240-02-03-06,
time for preparation; and

(4)(c) _____ The student shall be advised of the following rights applicable at the hearing:

1. The right to present his or her case;_i

~~(1) The right to be accompanied by an advisor;~~

2. The right to be accompanied by an advisor of his or her choice. The advisor's participation shall be limited to advising the student, and not include advocating on behalf of the student, speaking on behalf of the student, or otherwise actively representing the student. An advisor is not permitted to interfere with the hearing;

~~2.3. The right to call witnesses ~~in~~ on his or her behalf;_i~~

~~3.4. The right to confront witnesses against him or her;_i and~~

~~4.5. The student shall be advised of the~~The method and time limitations for appeal, if any is applicable.

(4) Options for Students-subject to any. Four potential processes exist for adjudication of disciplinary matters. The student will be informed in writing of each available option and the due process rights associated with each option. A student will have five (5) business days following written notification to select an option. If a student fails to return the election of a procedure in a timely manner, the student will be deemed to have waived the right to contest the disciplinary sanction. Selection of one option constitutes waiver of all other options.

(a) Contested Case Hearing. All cases which may result in either suspension or expulsion of a student from the institution for disciplinary reasons, or revocation of registration of a student organization, are entitled to a due process hearingsubject to the contested case provisions of the Uniform Administrative Procedures Act , T.C.A. §§ 4-5-301 et seq., and TBR Rule 0240-01-05, unless that right is waived by the student or student organization, after receiving written notice of the available, waives those procedures.

(b) A student at a community college may elect an institutional panel hearing. A student at a college of applied technology may elect a formal hearing in front of a single administrator appointed by the president.

1. Institutional Panel Hearing (Community Colleges)

(i) An institutional panel hearing committee at a community college shall consist of at least three (3) individuals and include at least one (1) student. The dean of students or other administrator identified by the institution will assemble the committee and coordinate the hearing but will not vote as to the committee's decision. An individual who has an interest in the incident, a conflict of interest, or a bias is not permitted to serve on the committee. The institution may appoint individuals from standing pools and/or appoint ad hoc committees.

(Rule 0240-02-03-.06,

- (ii) The committee will set a hearing date that is within fifteen (15) business days of receipt of the student's request for a panel hearing. The student must be notified of the date, time, and location of the hearing as soon as possible, but given at least seven (7) calendar days' notice. A student will be notified of the due process protections provided for in these rules.
- (iii) The committee will conduct the hearing, consider the relevant evidence presented, and make a decision based on a simple majority vote. The committee can either uphold, overturn, or lessen the disciplinary finding and/or sanction. The results of the decision will be conveyed to the student in writing, through the dean of students or other administrator identified by the institution, within ten (10) business days of the hearing.
- (iv) If the committee upholds or lessens the disciplinary finding and/or sanction, the student may appeal in writing to the president within five (5) business days following receipt of the decision of the committee. The president will make a decision within ten (10) business days. The president's decision is final.
- (v) The president, dean of students or other administrator identified by the institution has the ability to extend deadlines for good cause and upon written notice to the student.
- (vi) The institution shall maintain all submissions by the student and all decisions of institutional officials and committees permanently.

2. Formal Administrative Hearing (Colleges of Applied Technology)

- (i) The president of a college of applied technology shall appoint an administrator who will set a hearing date that is within fifteen (15) business days of receipt of the student's request for a hearing. The student must be given at least seven (7) calendar days' notice of the hearing. A student will be notified of the due process protections provided for in these rules.
 - (ii) The administrator will conduct a hearing, consider the relevant evidence presented, and make a decision either upholding, overturning, or lessening the disciplinary finding and/or sanction. The results of the decision will be conveyed to the student within ten (10) business days of the hearing.
 - (iii) If the administrator upholds or lessens the disciplinary finding and/or sanction, the student may appeal in writing to the president within five (5) business days following receipt of the decision of the committee. The president will make a decision within ten (10) business days. The president's decision is final.
 - (iv) The president has the ability to extend deadlines for good cause and upon written notice to the student.
- (c) Administrative Resolution. An administrative resolution involves the student meeting with a single administrator appointed by (i) for community college students, the dean of students or other administrator identified by the institution or (ii) for college of applied technology students, the president. There is no appeal. The decision of the administrator is final.

(Rule 0240-02-03-06,

(d) A student may elect not to contest the disciplinary action, either affirmatively or by failing to return the election of a procedure in a timely manner, which serves as a waiver of the right to contest the disciplinary action.

(5) (Procedures Related to Interim Involuntary Withdrawal or Suspension Hearings: Hearings conducted with regard to

(a) When the Vice President for Student Affairs or other administrator identified by the institution determines that an interim involuntary withdrawal/suspension or suspensions, imposed prior to or pending other interim measure is required for the outcome/health and safety of a disciplinary investigation or proceeding shall be conducted consistent with the minimum requirements of due process applicable to the institutional community and/or property, or to prevent an ongoing imminent threat of disruption to or interference with the normal operations of the institution, the student will receive an opportunity for an informal hearing, taking into account the need for a timely with the Vice President of Student Affairs or other administrator identified by the institution to contest the interim measure.

5. (b)The informal hearing will be held within five (5) calendar days, absent good cause

(c) The evidence presented at the hearing shall be limited to that which is relevant to the basis asserted for imposition of the interim involuntary withdrawal or suspension or other interim measure.

(d) In determining whether a student should be involuntarily withdrawn or suspended for threatening or disruptive conduct, the institution shall consider the nature, duration, severity, and probability of the threat posed and/or the disruption caused by a student, relying on the best available objective evidence and, if applicable and obtainable, the most current medical evidence.

(e) The institution shall also determine whether reasonable modifications of its policies, practices, or procedures could sufficiently mitigate the risk.

STUDENT CONDUCT AND DISCIPLINARY

CHAPTER 0240-02-

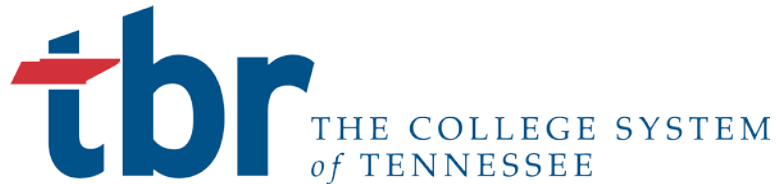
~~(f) Absent exigent circumstances creating an imminent risk of harm, the assessment will be made prior to a decision to involuntarily withdraw or suspend based on the threat he or she poses to others.~~
(~~Rule 0240.02-03-06.~~)

(d) The student will be entitled to a formal hearing in accordance with the due process protections described in these rules before a permanent disciplinary sanction is imposed.

~~6.(a) If exigent circumstances warrant the immediate removal of a student from the institution, the student will receive, at a minimum, notice and an initial opportunity to present evidence immediately after being placed on involuntary withdrawal and the opportunity to initiate full due process within thirty (30) days of the removal.~~

(6) Alternative Resolution Procedures: Institutions are authorized to establish alternative or multiple methods/bodies for hearings and/or for the resolution of disciplinary matters. An institution, with the consent of all relevant parties, may use an alternative resolution method including, but are not limited to, an apology, mediation, diversion programs, and/or a negotiated resolutions resolution.

Authority: T.C.A. §§ 4-5-101 et seq. and 49-8-203. **Administrative History:** ~~Original rule filed August 10, 2011; effective January 29, 2012. Emergency rules filed August 18, 2015; effective through February 14, 2016. Amendment filed August 18, 2015; effective November 15, 2015.~~



BOARD TRANSMITTAL

MEETING: Quarterly Board Meeting

SUBJECT: Title IX Compliance, Chapter 0240-02-010

DATE: June 18, 2021

PRESENTER: Brian Lapps, General Counsel

PRESENTATION REQUIREMENT: 5 minutes

ACTION REQUIRED: Roll Call Vote

STAFF'S
RECOMMENDATION: Recommend Approval

BACKGROUND INFORMATION:

This is a new chapter. These rules are based on the TBR Sexual Misconduct policy and designed to require as few changes as possible to that policy. The rules, like the Sexual Misconduct policy, are based on federal Title IX regulations and implement the requirements of those regulations.

Attachment

**Department of State
Division of Publications**

312 Rosa L. Parks Ave., 8th Floor, Snodgrass/TN Tower
Nashville, TN 37243
Phone: 615-741-2650
Email: publications.information@tn.gov

For Department of State Use Only

Sequence Number: _____
Rule ID(s): _____
File Date: _____
Effective Date: _____

Rulemaking Hearing Rule(s) Filing Form

Rulemaking Hearing Rules are rules filed after and as a result of a rulemaking hearing (Tenn. Code Ann. § 4-5-205).

Pursuant to Tenn. Code Ann. § 4-5-229, any new fee or fee increase promulgated by state agency rule shall take effect on July 1, following the expiration of the ninety (90) day period as provided in § 4-5-207. This section shall not apply to rules that implement new fees or fee increases that are promulgated as emergency rules pursuant to § 4-5-208(a) and to subsequent rules that make permanent such emergency rules, as amended during the rulemaking process. In addition, this section shall not apply to state agencies that did not, during the preceding two (2) fiscal years, collect fees in an amount sufficient to pay the cost of operating the board, commission or entity in accordance with § 4-29-121(b).

Agency/Board/Commission:	Tennessee Board of Regents
Division:	
Contact Person:	Brian A. Lapps, Jr., General Counsel
Address:	1 Bridgestone Park, 3 rd Floor Nashville, TN
Zip:	37214
Phone:	615-366-4438
Email:	Brian.lapps@tbr.edu

Revision Type (check all that apply):

- Amendment
 New
 Repeal

Rule(s) (ALL chapters and rules contained in filing must be listed here. If needed, copy and paste additional tables to accommodate multiple chapters. Please make sure that **ALL** new rule and repealed rule numbers are listed in the chart below. Please enter only **ONE** Rule Number/Rule Title per row.)

Chapter Number	Chapter Title
0240-02-10	Title IX Compliance
Rule Number	Rule Title
0240-02-10-.01	Statement of Nondiscrimination on the Basis of Sex
0240-02-10-.02	Definitions
0240-02-10-.03	Equitable Treatment
0240-02-10-.04	Reporting Sexual Harassment
0240-02-10-.05	Investigations and Outcome
0240-02-10-.06	Severability

Place substance of rules and other info here. Please be sure to include a detailed explanation of the changes being made to the listed rule(s). Statutory authority must be given for each rule change. For information on formatting rules go to <https://sos.tn.gov/products/division-publications/rulemaking-guidelines>.

**RULES
OF
THE TENNESSEE BOARD OF REGENTS**

**CHAPTER 0240-02-10
TITLE IX COMPLIANCE**

New Chapter

Table of Contents is added to Chapter 0240-02-10 and shall read as follows:

Table of Contents

0240-02-10-.01 Statement of Nondiscrimination on the Basis of Sex
0240-02-10-.02 Definitions
0240-02-10-.03 Equitable Treatment
0240-02-10-.04 Reporting Sexual Harassment
0240-02-10-.05 Investigations and Outcome
0240-02-10-.06 Severability

0240-02-10.01 Statement of Nondiscrimination on the Basis of Sex is added to Chapter 0240-02-10 and shall read as follows:

0240-02-10-.01 Statement of Nondiscrimination on the Basis of Sex. The Tennessee Board of Regents (the TBR) and institutions under its jurisdiction, as explained in institutional restatements of these rules, will comply with Title IX of the Education Amendments of 1972, § 485(f) of the Higher Education Act, as amended by § 304 of the Violence Against Women Reauthorization Act of 2013, the regulations implementing these Acts found at 34 CFR § 668.41, § 668.46, and Appendix A to Subpart D of Part 668. Unless explicitly provided otherwise, the terms “institution” and “TBR institution” include the TBR for any complaints, investigations, adjudications, and other proceedings under this rule that involve the TBR System Office.

Authority: T.C.A. §§ 4-5-101 et seq. and 49-8-203.

0240-02-10-.02 Definitions is added to Chapter 0240-02-10 and shall read as follows:

0240-02-10-.02 Definitions

- (1) Complainant – a person who is alleged to be the victim of conduct that could constitute Sexual Harassment. A complainant may also be referred to as a Party.
- (2) Consent - an active agreement to participate in a sexual act. An active agreement is words and/or actions that indicate a willingness to participate in a sexual act. Consent cannot be given by an individual who is asleep; unconscious; or mentally or physically incapacitated, either through the effect of drugs or alcohol or for any other reason; or is under duress, threat, coercion, or force. Past consent does not imply future consent. Silence or an absence of resistance does not imply consent. Consent can be withdrawn at any time.
- (3) Education program or activity - education programs and/or activities include locations, events, or circumstances over which the TBR or a TBR institution exercises substantial control over both the respondent and the context in which the alleged sexual harassment occurred. Relevant factors include whether the alleged conduct took place (i) on or off premises owned or controlled by TBR or a TBR institution, (ii) during school or work hours, (iii) as part of an institution-sponsored social activity, and (iv) as part of an activity that advances an educational purpose. Education programs or activities also include any building owned or controlled by an officially-recognized student organization. Whether the

respondent is TBR or TBR institutional employee, and if so, the nature of the respondent's employment may be relevant. No single factor is determinative, including whether the alleged harassment took place on premises owned or controlled by the TBR or a TBR institution. The Title IX Coordinator will make a fact-specific decision whether, if proven, the allegations arise out of an education program or activity.

- (4) Force/Forced - words and/or conduct that, viewed from the perspective of a reasonable person, substantially impair(s) a person's ability to voluntarily choose whether to take an action or participate in an activity. Examples of force include, without limitation: physical force (e.g., hitting, punching, slapping, kicking, restraining, choking, kidnapping, using a weapon, blocking access to an exit);
 - (a) Words and/or conduct that would cause a reasonable person to fear:
 1. Physical force or other harm to the person's health, safety, or property, or a third person's health, safety, or property;
 2. Loss or impairment of an academic benefit, employment benefit, or money;
 3. Disclosure of sensitive personal information or information that would harm a person's reputation;
 4. Disclosure of video, audio, or an image that depicts the person's nudity or depicts the person engaging in a sexual act(s); or
 5. Other immediate or future physical, emotional, reputational, financial, or other harm to the person or a third person.
- (5) Formal Complaint - a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the TBR or the TBR institution investigate the allegation. At the time of filing a formal complaint, a complainant either must be participating in or attempting to participate in the TBR or TBR institution's education program or activity implicated by the formal complaint.
- (6) "Incapacitation" means that a person lacks the ability to actively agree to a sexual act because the person is asleep, unconscious, under the influence of an anesthetizing or intoxicating substance such that the person does not have control over their body, is otherwise unaware that a sexual act is occurring, or their mental, physical, or developmental abilities renders them incapable of making a rational informed judgment. Incapacitation is not the same as legal intoxication.
- (7) Respondent - a person who has been alleged to be a perpetrator of conduct that could constitute sexual harassment. A respondent may also be referred to as a party.
- (8) "Retaliation" for purposes of these rules means to intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by these rules or by Title IX, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing. Intimidation, threats, coercion, or discrimination, including charges against an individual that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by these rules constitutes retaliation. Retaliation is a violation of these rules regardless of whether the underlying allegation is ultimately found to have merit.
 - (a) The exercise of rights protected under the First Amendment and other provisions of the United States Constitution does not constitute retaliation.
 - (b) Charging an individual with a violation of these rules or other rules for making a materially false statement in bad faith in the course of a grievance proceeding under these rules does not constitute retaliation.
- (9) Sexual Harassment - conduct on the basis of sex that satisfies one (1) or more of the following:
 - (a) An employee of TBR or a TBR institution conditioning provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct (quid pro quo);
 - (b) Unwelcome conduct of a sexual nature determined by a reasonable person to be so severe,

pervasive and objectively offensive that it effectively denies a person equal access to the institution's education program or activity. "Reasonable person" means a reasonable person under similar circumstances as and with similar identities to the Complainant. A TBR institution will consider the totality of the circumstances, including without limitation, the context in which the conduct and/or words occurred, and the frequency, nature, and severity of the words and/or conduct. In no event shall sexual harassment be construed to prohibit speech protected by the First Amendment to the United States Constitution (e.g., merely offensive or insulting speech); or

- (c) Sexual assault as defined by federal law, dating violence as defined by federal law, domestic violence as defined by state or federal law, or stalking as defined by federal law.

Authority: T.C.A. §§ 4-5-101 et seq. and 49-8-203.

0240-02-10-.03 Equitable Treatment is added to Chapter 0240-02-10 and shall read as follows:

0240-02-10-.03 Equitable Treatment

- (1) No Title IX Coordinator, investigator, decision-maker, person designated to facilitate an informal resolution process, or anyone deciding an appeal shall have a conflict of interest or bias for or against complainants or respondents generally, or against an individual complainant or respondent.
- (2) The Title IX Coordinator is responsible for appointing investigators, decision-makers, and appellate reviewers, and may appoint someone from another TBR institution or someone not employed by a TBR institution in order to avoid potential bias, a potential conflict of interest, or for other reasons. In the event of a conflict of interest or potential bias of the Title IX Coordinator, or if the Title IX Coordinator believes that another person should serve in that role for other reasons, the TBR Central Office shall be responsible for appointing someone to serve the functions of the Title IX Coordinator. A deputy Title IX Coordinator has the same authority as the Title IX Coordinator.
- (3) Each institution will provide a prompt, fair, and impartial investigation, adjudication, and, if applicable, disciplinary process. Institutions will treat complainants and respondents equitably, which includes an objective evaluation of all relevant evidence, including both evidence that tends to prove or disprove the allegations.
- (4) Credibility determinations will not be based on a person's status as a Complainant, Respondent, or witness.
- (5) The investigation shall proceed with a presumption that a respondent is not responsible for the alleged conduct unless and until a determination of responsibility for a violation is made at the conclusion of the decision-making process. The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility for sexual harassment rests with the institution. The parties do not carry the burden of proof.
- (6) The institution or TBR shall provide simultaneous written notification to the parties of:
 - (a) Any initial, interim, or final decision by an official authorized to resolve disciplinary matters;
 - (b) Any available appeal procedures for that decision;
 - (c) Any change to that decision; and
 - (d) When that decision becomes final.
- (7) The parties will receive timely and equal access to information.
- (8) Neither TBR nor a TBR institution will restrict any rights protected by the First Amendment to the U.S. Constitution, deprive a person of any rights that would otherwise be protected under the Due Process Clauses of the Fifth and Fourteenth Amendments to the U.S. Constitution, or restrict any other rights guaranteed by the U.S. Constitution or State of Tennessee Constitution.

Authority: T.C.A. §§ 4-5-101 et seq. and 49-8-203.

0240-02-10-.04 Reporting Sexual Harassment is added to Chapter 0240-02-10 and shall read as follows:

0240-02-10-.04 Reporting Sexual Harassment

- (1) Applicability
 - (a) Allegations of sexual discrimination or harassment that do not meet the definition of sexual harassment in these rules or otherwise do not meet the criteria for filing a formal complaint will be handled in accordance with TBR's Rules for Student Conduct and Disciplinary Sanctions, Chapter 0240-02-03.
 - (b) Upon receiving and assessing a report of sexual harassment and/or other sexual discrimination or harassment, the Title IX Coordinator will decide whether the criteria for proceeding under these rules, procedures, and processes are met and whether additional rules, procedures and processes may apply.
 - (c) These rules apply not only to conduct by students, faculty, and staff, but also to conduct by third parties, such as vendors with whom the institution contracts to provide services, and campus visitors.
- (2) Reporting to Title IX Coordinator
 - (a) Any person may report sexual harassment to the Title IX Coordinator at any time, including but not limited to, during non-business hours, by using the telephone number or electronic mail address, or office mail address listed for the Title IX Coordinator.
 - (b) Although reports and complaints of sexual harassment may be made at any time, reports should be made as soon as possible so that the institution is best able to address the allegation.
 - (c) An institution shall publish its Title IX Coordinator's name and contact information (mailing address, phone number, email address, etc.) in institutional materials and on its website.
- (3) Supportive and Interim Measures
 - (a) After receiving a report of potential sexual harassment, whether or not the report is a formal complaint, the Title IX Coordinator will contact the complainant to discuss the availability of interim/supportive measures, inform the complainant of their availability, and consider the complainant's wishes with respect to potential interim/supportive measures. The Title IX Coordinator will also explain the process for filing a formal complaint.
 - (b) The Title IX Coordinator, in conjunction with the appropriate department, may implement interim, supportive, or protective measures while assessing, investigating, and resolving the report. These interim/supportive measures are non-disciplinary, non-punitive, individualized services and are offered without fee or charge to the complainant and/or respondent before or after the filing of a formal complaint or where no formal complaint has been filed.
 - (c) Interim/supportive measures are designed to restore or preserve equal access to the institution's programs or activities without unreasonably burdening the other party and may include measures designed to protect the safety of all parties or the institution's educational environment or deter sexual harassment.
 - (d) These measures may include, but are not limited to: mutual no-contact directives; access to counseling services and assistance in setting up an initial appointment; changing schedules, assignments, or job/study locations to lessen or minimize contact; extensions of deadlines and course-related adjustments; limiting or barring an individual's or organization's access to certain institutional facilities or activities; providing an escort to ensure safe movement on campus; providing academic support services, such as tutoring; arranging for a party to re-take a course or withdraw from a class without penalty; administrative leave; leave of absence; institution-imposed leave or physical separation from individuals or locations.
 - (e) The institution will attempt to maintain the confidentiality of such interim/supportive measures, to the extent that it can do so without impairing its ability to effectuate the interim/supportive

measures or to investigate and adjudicate the complaint.

(4) Formal Complaint

- (a) Any person alleging to be a victim of sexual harassment that took place within an education program or activity of TBR or a TBR institution in the United States may file a formal complaint.
- (b) A complainant who wants TBR or a TBR institution to conduct an investigation and take action in accordance with these rules must file a formal complaint alleging sexual harassment. The Title IX Coordinator may also file a formal complaint.
- (c) A complainant must submit a written formal complaint in person, by mail, or via electronic mail to the Title IX Coordinator. The document must contain the complainant's physical signature or a "digital signature." (A digital signature is information transmitted electronically that enables the Title IX Coordinator to determine that the complainant is the person submitting the complaint, including, but not limited to, an email from a TBR institutional account or a typed version of the complainant's name. A digital signature need not reproduce a written signature.) A formal complaint cannot be submitted anonymously. Only the Title IX Coordinator can submit a formal complaint on behalf of another person.
- (d) Although TBR institutions will attempt to consider the wishes of complainants, including that no investigation be conducted, TBR institutions will also consider their obligations under TBR rules and applicable law. Thus, when the Title IX Coordinator receives a report of sexual harassment, the Title IX Coordinator may decide to investigate the matter, even if the complainant does not want the report investigated. If the Title IX Coordinator decides to file a formal complaint, the Title IX Coordinator is not a "party" to any investigation, determination or hearing process.
- (e) Complainants should provide as much of the following information as possible: what happened, where, and when; names of all people involved, including witnesses (if any); supporting documentation (if any); and contact information. TBR encourages reporting of sexual harassment even if some or all information is unavailable or cannot be provided. The Title IX Coordinator will explain their role, the options for reporting an incident, potential available interim/supportive measures, and the available resources for assistance.

(5) Confidential Resources (who will not share information with Title IX Coordinator)

- (a) TBR encourages students who have experienced sexual harassment to talk to someone about what happened, whether they want their report to be investigated or not. Institutions should offer complainants someone to talk to confidentially so that they can get the support they need. Institutions shall explain that some resources are confidential and should be considered if the complainant does not want the institution to investigate the matter.
- (b) If the institution employs or contracts with such individuals, confidential resources include licensed professional counselors/mental health providers when acting in that role; pastoral counselors acting in that capacity; and medical professionals when acting in a clinical role. These resources do not report any information about an incident to the Title IX Coordinator without a complainant's permission. Institutions shall identify and provide contact information for any confidential reporting options within the institution.
- (c) Counselors and health care providers not affiliated with the institution will generally maintain confidentiality and not share information with the institution unless the complainant requests the disclosure and signs a consent or waiver form. However, these resources may have reporting obligations under state or federal law. For example, healthcare providers and certain other individuals are required to notify law enforcement when a person seeks treatment for injuries related to a violent crime, including injuries resulting from sexual harassment or abuse of a minor.

(6) No Retaliation

- (a) Retaliating against a person who makes a report or files a complaint, participates or assists in an investigation, encourages another to file a complaint, or opposes sexual harassment (or any other form of unlawful discrimination or harassment) is prohibited. Neither students nor anyone acting on a student's behalf is permitted to interfere with an investigation. Retaliation or

interference will result in disciplinary sanctions consistent with these rules and other rules.

- (b) In order to help prevent retaliation, institutions should keep confidential the identity of anyone who has made a report or complaint of sex discrimination, including anyone who has filed a formal complaint of sexual harassment, any complainant, any respondent, and any witness except as is required to carry out an institution's responsibilities under these rules and other rules, as required or permitted by state or federal law.

(7) Complainant Services

- (a) Each institution shall provide notice of available assistance and services to complainants. The statement shall include, at a minimum, the following:
 1. The identity and contact information for trained on- and off-campus advocates and counselors who can provide an immediate confidential response in a crisis situation;
 2. Emergency number for on- and off-campus safety, law enforcement, and other first responders, including the Title IX Coordinator;
 3. A list of health care options, both on- and off-campus, including options to seek treatment for injuries, preventative treatment for sexually transmitted diseases, and where and how to get a rape kit or find a Sexual Assault Nurse Examiner (SANE);
 4. A statement that it is very important for the complainant to be screened for sexually transmitted diseases/pregnancy/drugs that may have been used to incapacitate, obtain emergency contraception, and receive treatment for any injuries. Valuable physical evidence can be obtained from the complainant and the complainant's clothing. Even those who are unsure whether to make a police report or take action may wish to have a forensic examination, which will facilitate the identification and preservation and of physical evidence;
 5. A statement that to help preserve evidence in the event of a sexual assault, it is important for the complainant not to change clothes or bedding and not take a shower, douche, use the toilet, brush their teeth or clean up until police have had a chance to gather evidence. However, if a complainant has already changed clothes or cleaned up/showered, evidence may still be collected. The complainant should leave any clothes or bedding unfolded and undisturbed, if possible. If clothing or bedding must be moved, items should be kept separate to prevent transfer of body fluids or other trace evidence. Parties should not delete or destroy any text messages, social media, emails, voicemails, written notes, or any other documents that may be relevant;
 6. A list of locations, including contact information, for any available advocate (e.g. a local rape crisis center, on-campus advocacy program) who can accompany a person to the hospital or health provider; and
 7. A statement that these services are available whether or not a complainant chooses to make an official report, file a formal complaint, or participate in the institutional disciplinary or applicable criminal process.

(8) Reporting Pursuant to Nottingham Act

- (a) Unless the victim of a rape does not consent to the reporting of an offense, the chief security officer or chief law enforcement officer of the institution (if applicable), shall immediately notify the local law enforcement agency with territorial jurisdiction over the institution if the officer is in receipt of a report from victim alleging that any degree of rape has occurred on the property of the institution. The chief security officer or chief law enforcement officer shall designate one (1) or more persons who shall have the authority and duty to notify the appropriate law enforcement officer. In the case of an alleged rape, the institution's law enforcement agency shall lead the investigation. After notifying the local law enforcement agency, the institution shall cooperate in every respect with the investigation conducted by the law enforcement agency.

- (b) If the victim does not consent to the reporting, the chief security officer or chief law enforcement officer of each institution shall not report the offense to the local law enforcement agency.

Authority: T.C.A. §§ 4-5-101 et seq.; 49-8-203; 49-7-2207; and 49-7-129.

0240-02-10-.05 Investigations and Outcomes is added to Chapter 0240-02-10 and shall read as follows:

0240-02-10-.05 Investigations and Outcomes

(1) Intake and Assessment of Formal Complaints

- (a) The Title IX Coordinator will assess the nature of reports and formal complaints, including whether one (1) or more allegations meet the criteria for the filing of a formal complaint. Formal complaints that include some allegations that, if proved, constitute sexual harassment and some that do not meet that definition will be investigated pursuant to these and other applicable rules, procedures, and processes and adjudicated in accordance with these and other applicable rules, procedures, and processes. As appropriate, the Title IX Coordinator may initiate proceedings under these rules, refer the matter to another department, and/or inform the complainant about the availability of other methods to address the allegations.
- (b) As part of the assessment, the Title IX Coordinator or designee may contact the complainant and ask for information about the allegations. Supporting documents, such as emails, photos, text messages, and any other evidence should be preserved. If witnesses were present or have relevant knowledge, it is important to identify them, state what they may know, and inform the investigator how they can be contacted.
- (c) Where formal complaints involving more than one (1) complainant and/or more than one (1) respondent arise out of the same facts and circumstances, the Title IX Coordinator may consolidate formal complaints.
- (d) If it appears, based on an allegation of sexual harassment, that a student may constitute an immediate and direct threat to the physical health or safety of another individual, the institution will conduct an individualized inquiry and risk analysis and may place the student on interim suspension on an emergency basis. If the institution implements an interim suspension, the student shall be given the opportunity at the time of the decision, or as soon thereafter as reasonably possible, to contest the interim suspension. Institutions shall follow the procedures set forth in TBR's Rules for Student Conduct and Disciplinary Sanctions, Chapter 0240-02-03, related to interim suspensions.
- (e) Participation in the formal complaint process by a complainant, respondent, institution, or other person does not waive applicable privileges, including attorney-client privilege, doctor-patient privilege, the peer review/quality improvement privilege, etc. The holder of a privilege may waive it in certain circumstances.
- (f) There shall be no separate procedure for investigating and resolving complaints of sexual harassment involving student-athletes or any other subgroup of students.

(2) Notice of Allegations

- (a) Upon receipt of a formal complaint, the Title IX Coordinator will provide written notice to known parties. A notice of allegations will be provided even if the formal complaint is dismissed at the same time or shortly after the notice of allegations issues (e.g., the allegations if proven do not meet the definition of sexual harassment). The notice of allegations will enable both parties to appeal the dismissal or to proceed under another rule. The notice of allegations shall contain:
 - 1. An explanation of the investigation and grievance process;
 - 2. The availability of an informal resolution process;
 - 3. Explanation of the allegations potentially constituting sexual harassment in sufficient detail and with sufficient time to prepare a response before any initial interview. A

respondent will have at least three (3) business days after issuance of a notice of allegations prior to an initial interview, but depending on the nature of the allegations, additional time may be offered or requested;

4. The identity of the parties involved in the incident, if known, and the date and location of the alleged incident;
 5. A statement that the respondent is presumed not responsible for the alleged conduct unless and until a determination of responsibility has been issued;
 6. A statement that the parties may have an advisor of their choice at meetings they are permitted to attend. The advisor may be, but is not required to be, an attorney. (Parties may hire their own attorneys. At a live hearing only, TBR institutions will provide advisors to parties who do not have their own advisor);
 7. Any prohibitions against knowingly making false statements or knowingly submitting false information; and
 8. A statement that retaliation against a person who makes a report or files a complaint, participates or assists in an investigation, encourages another to file a complaint, or opposes sexual harassment is prohibited and will result in disciplinary sanctions, up to and including dismissal.
- (b) If, during the course of an investigation, the institution decides to investigate allegations about the complainant or respondent that are not included in the notice of allegations, the institution will provide additional written notice of allegations to known parties.

(3) Dismissal of Formal Complaints

- (a) If the Title IX Coordinator concludes that the Complainant was not participating in or attempting to participate in an institutional education program or activity at the time of the formal complaint or that the conduct alleged in a formal complaint would not constitute sexual harassment even if proved, did not occur in an institution's education program or activity, or did not occur against a person while in the United States, the Title IX Coordinator shall dismiss the formal complaint.
- (b) The Title IX Coordinator has discretion to dismiss a formal complaint or any allegations in it, if at any time during the investigation or hearing a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations in it; the respondent is no longer enrolled by, employed by, or associated with a TBR institution; or specific circumstances prevent the TBR institution from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.
- (c) The Title IX Coordinator may decide to dismiss a formal complaint of sexual harassment and refer the matter for disposition pursuant to a different rule when an allegation of sexual harassment is dismissed or when a formal complaint ceases to include an allegation of sexual harassment.
- (d) Upon dismissal of a formal complaint for any reason, the Title IX Coordinator will promptly send written notice explaining the reasons for dismissal to the parties. The dismissal notice will also explain whether the TBR institution will investigate or respond to the allegations under another rule.

(4) Informal Resolutions

- (a) Because a full investigation and adjudication process may not be in the best interests of all concerned, the Title IX Coordinator may decide to offer an informal resolution process. The informal resolution process is designed to provide flexibility in creating a resolution to a formal complaint that meets the needs of the parties and the institution. Informal resolutions may include meetings facilitated by the TBR institution or third parties, resolutions facilitated by the Title IX Coordinator without formal meetings, mediations, and/or restorative justice concepts. Disciplinary action may or may not be part of any informal resolution. The parties must agree in writing to participate in any informal resolution process that the Title IX Coordinator may offer.
- (b) An informal resolution process is only available after the filing of a formal complaint and prior to a determination regarding responsibility. If the Title IX Coordinator believes an informal resolution may be appropriate, the Title IX Coordinator will propose an informal resolution

process in either the initial notice of allegations or a subsequent written document. The Title IX Coordinator may discuss with the parties the details of how the process will work. The written notice will contain the allegations or refer to the notice of allegations, set out the informal resolution process, explain that at any time prior to agreeing to a resolution, the complainant, respondent, or the institution may withdraw from the informal resolution process and resume the investigation and adjudication process, and identify any records that will be maintained or shared related to the process.

- (c) The Title IX Coordinator shall not offer or facilitate an informal resolution process to resolve allegations that an institution employee engaged in sexual harassment against a student.

(5) Investigation of Formal Complaints

- (a) The TBR institution will investigate all formal complaints, unless dismissed or resolved.

1. The institution will not access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional acting in the professional's capacity and made or maintained in connection with the treatment to the party, unless the party voluntarily consents in writing.
2. The investigator will conduct an investigation that is appropriate under the circumstances. The investigation will include a review of documents and physical evidence, as well as interviews with the parties and other witnesses, unless they decline to be interviewed. The investigator may request access to premises, records, and documents deemed relevant. As the investigation progresses, the investigator may seek clarification, including during a subsequent interview, from any person participating in the investigation regarding the incident or their statement. A party who learns or remembers any additional information should notify the investigator immediately. The parties will have an equal opportunity to provide evidence and to identify witnesses, including fact and expert witnesses. Parties are encouraged to provide, as soon as possible, any evidence that the party believes to be relevant and wants the investigator to consider. If at all possible, a party should provide evidence in time for the investigator to make that evidence available for inspection and review in accordance with these rules.
3. Although the parties are encouraged to provide the institution with information and evidence related to the allegations, the institution is ultimately responsible for gathering evidence sufficient to reach a determination regarding responsibility.
4. Neither TBR nor the institution will restrict the parties from discussing the allegations under investigation or from gathering and presenting relevant evidence. Any restrictions on the ability of the parties to discuss matters related to the proceeding but which are not under investigation will be explained in the notice of allegations.
5. Each party will have the opportunity to obtain and to be accompanied to a meeting or proceeding by an advisor of their choice, who may, but is not required to be, an attorney.
6. When a party is invited or expected to participate in a meeting, the institution will provide written notice of the date, time, location, participants, and purpose of the meeting, interview, or hearing, with sufficient time for the party to prepare to participate.
7. Both parties will have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including evidence that is directly related to the allegations but upon which the institution does not intend to rely in reaching a determination regarding responsibility. The institution will include both evidence that tends to prove and disprove the allegations, whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation.
8. Prior to the completion of an investigation report, the institution will send to each party the evidence subject to inspection and review. Unless a party requests that the

institution not do so, the institution will also send the evidence to each party's advisor who has been identified. An institution may decide to provide access to evidence through electronic means that is not available for download. In such case, the parties and their advisors are prohibited from, directly or indirectly, photographing or reproducing such evidence (unless the party has access to the evidence independent of the portal, e.g., documents submitted by the party or publicly available information).

9. The institution will provide at least ten (10) calendar days for the parties to respond to the evidence provided for inspection and review. The investigator will share any written response with the other party and will consider any written response prior to completing the investigative report.

(6) Written Report

- (a) At the conclusion of the investigation, the investigator will prepare a written report. The report shall:
 1. Identify the allegations;
 2. Identify relevant rules;
 3. Explain the procedural steps taken between receipt of the formal complaint and the conclusion of the investigation, including all notifications to the parties, interviews with the parties, interviews with other witnesses, dates of all interviews, any site visits, and the methods used to gather evidence; and
 4. Fairly summarize the relevant evidence.
- (b) The written report shall not make findings of fact or conclusions regarding the application of facts to these rules.
- (c) At least ten (10) calendar days prior to a hearing, the investigator will send to each party the investigation report for review and written response. Unless a party requests that the institution not do so, the institution will also send the investigation report to an advisor whom the party has been identified.
- (d) The parties should provide any written response as soon as possible. The investigator may issue an amended investigation report if the investigator deems appropriate and if a party provides comments in sufficient time for the investigator to do so. The parties' written responses and any amended investigation report will be sent to the decision-maker.

(7) Advisors

- (a) Both the complainant and the respondent will be permitted to have an advisor of their choosing present during meetings where their attendance is permitted or expected. Nothing in these rules shall be read to require that an institution allow a party to attend an interview of the other party or of a witness.
- (b) The advisor may accompany and confer privately with a party, but the advisor may not interrupt, speak on behalf of a party, or otherwise actively participate in any meeting, except for conducting cross-examination at a live hearing.
- (c) An advisor's failure to comply may result in the termination of the meeting or the advisor no longer being permitted to be present.
- (d) TBR and institutional personnel employed in the offices responsible for the disciplinary proceedings described in these rules, along with those in the chain of command, personnel employed by the Office of General Counsel, and others whose participation could create a conflict of interest with their duties are not eligible to serve as advisors. The institution shall not otherwise limit the choice of an advisor.
- (e) If there is a question or concern about a possible advisor, the Title IX Coordinator should be consulted. A party choosing to have an attorney present as an advisor must provide advance notice.

- (8) Recordings
- (a) Parties are not permitted to record any meeting conducted pursuant to these rules.
 - (b) When a live hearing is conducted, the institution will create an audio recording, audiovisual recording, or transcript and make it available to the parties for inspection and review.
- (9) Past Relationships and Conduct
- (a) Previous sexual relationships of the complainant and respondent with third parties generally are irrelevant.
 - (b) A past sexual relationship between the complainant and respondent may or may not be relevant. For example, past sexual encounters may provide insight on communication patterns for purposes of determining whether consent was present.
 - (c) Questions and evidence about a complainant's sexual predisposition or prior sexual behavior are not relevant unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to respondent and are offered to prove consent.
- (10) Standard of Evidence
- (a) In evaluating whether sexual harassment occurred, institutions shall use the preponderance of the evidence standard. A "preponderance of the evidence" means the greater weight of the evidence or that, according to the evidence, the conclusion sought by the party with the burden of proof is the more probable conclusion.
 - (b) The burden of proof will remain with the institution through the determination.
- (11) Timeline
- (a) Formal complaints typically will be resolved (exclusive of any appeals) within ninety (90) calendar days of filing.
 - (b) Appeals will be resolved within fifteen (15) calendar days of the filing of an appeal.
 - (c) Given the many variables and factors that may arise in such cases, additional time may be needed in some cases. Any departure from these time frames will be for good cause and communicated in writing or by email to both the complainant and the respondent simultaneously, along with a new timeline and explanation of the reasons. Good cause to extend the deadlines includes, but is not limited to, the absence of a party, a party's advisor, or witness; concurrent law enforcement activity; or the need for language assistance or the accommodation of disabilities.
 - (d) Incompletion of the process within such time frames is not cause for dismissal of a formal complaint.
- (12) Parallel Investigations with Law Enforcement
- (a) The filing of a police report or the pendency of civil or criminal proceedings does not preclude the institution from proceeding with its investigation and determination.
 - (b) The investigation and determination may be delayed until law enforcement has finished gathering evidence and indicated that the institution may proceed with an investigation, but the institution generally will not wait for the conclusion of any criminal proceeding.
 - (c) Civil or criminal proceedings are separate and distinct from internal institutional proceedings, and they may or may not run parallel to each other. However, the institution may be required by law to provide information in civil or criminal proceedings.
- (13) Live Hearings
- (a) The institution will conduct a live hearing of formal complaints not dismissed in order to make a

determination whether these rules have been violated. The decision-maker appointed by the Title IX Coordinator has the authority to maintain order at the hearing and make all decisions necessary for the fair, orderly, and expeditious conduct of the hearing. The decision-maker shall be the final decider concerning all aspects of the hearing, including prehearing matters and at the hearing, how evidence is examined and the order of witnesses.

- (b) At the request of either party, the institution will provide for the live hearing to be conducted with the parties located in separate rooms with technology enabling the decision-maker and parties to simultaneously see and hear the party or the witness answering questions.
- (c) In cases involving more than one (1) respondent, any party may request separate hearings by submitting a request at least five (5) business days before the hearing. The Title IX Coordinator will decide whether to grant the request.
- (d) Live hearings may be conducted with all parties physically present in the same geographic location or, at the institution's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other.
- (e) At least ten (10) business days prior to a live hearing, the institution will provide both parties with written notice of the following:
 - 1. The time, place, date of the hearing, and electronic access information, if applicable;
 - 2. The name of each witness the institution expects to present or be present at the hearing and those the institution may present if the need arises;
 - 3. The right to request a copy of the investigative file (other than portions that are protected by law or privilege), which includes all of the evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint;
 - 4. The right to request copies of all documents, copies of electronically stored information, and access to tangible evidence that the institution has in its possession, custody, or control and may use to support claims or defenses;
 - 5. The right to have an advisor of the party's choice, who may be, but is not required to be an attorney, and that if the party does not have an advisor present at the hearing, the institution will provide an advisor of the institution's choice, without fee or charge, to ask the other party and any witnesses all relevant questions and follow-up questions on behalf of that party;
 - 6. Any party in need of an institution-provided advisor must inform the Title IX Coordinator at least five (5) business days before the hearing;
 - 7. Any cross-examination of any other party or witness must be conducted by the advisor; and
 - 8. Additional information may be included in the notice of hearing.
- (f) When notice is sent by U.S. mail or courier service, the notice is effective on the date the notice is mailed or delivered to the courier service. When notice is hand delivered by the institution, notice is effective on the date that the notice is delivered to a party. When notice is sent by email, the notice is effective on the date that the email is sent to the parties' institution-provided email account.
- (g) The decision-maker may conduct a pre-hearing meeting or conference with the parties and their advisors to discuss pre-hearing issues, including any technology to be used at the hearing and the general rules governing the hearing.
- (h) The decision-maker may allow a temporary delay of the process or the limited extension of time frames for good cause with written notice to the parties of the delay or extension and the reasons for the action. Good cause may include, but is not limited to, considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.
- (i) If a party fails to attend a hearing, the decision-maker may proceed without that party's

participation.

- (j) During the hearing, the decision-maker will make evidence subject to review and inspection during the investigation phase available to give each party equal opportunity to refer to that evidence, including for purposes of cross-examination.
 - (k) Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.
 - (l) Only relevant cross-examination and other questions may be asked of a party or witness. Before a complainant, respondent, or witness answers a cross-examination question or a question from someone other than the decision-maker, the decision-maker will first determine whether the question is relevant and explain any decision to exclude a question as not relevant.
 - (m) The decision-maker will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding the privilege has waived the privilege.
 - (n) The decision-maker will permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross-examination at the live hearing will be conducted directly, orally, and in real time by the party's advisor and never by a party personally. Conducting cross-examination will be the advisor's only opportunity to speak. Advisors will not engage in other presentation of arguments or evidence, including opening statements, closing arguments, or direct examinations.
 - (o) If a party does not have an advisor at the live hearing, the institution will provide without fee or charge to that party an advisor. The institution will choose the advisor.
 - (p) If a party or witness does not submit to cross-examination at the live hearing, the decision-maker will not rely on any statement of that party or witness in reaching a determination regarding responsibility; provided however, that the decision-maker cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross examination or other questions.
 - (q) For good cause shown, a decision-maker may permit the participation of witnesses who were not identified by the party to the investigator, or the inclusion of evidence not provided by the party to the investigator.
 - (r) The institution will create an audio or audiovisual recording, or transcript, of a live hearing and make it available to the parties for inspection and review.
 - (s) The decision-maker may dismiss the formal complaint or any allegations therein, if at any time during the hearing a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw a formal complaint or any allegations therein, the respondent is no longer enrolled or employed by the institution, or specific circumstances prevent the institution from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.
 - (t) If the decision maker dismisses the formal complaint during the grievance process, the decision-maker will promptly notify the Title IX Coordinator, who will promptly send written notice of the dismissal and reasons therefor simultaneously to the parties.
- (14) Written Determination
- (a) Within fifteen (15) business days of the hearing, the decision-maker will issue a written determination that will be provided to the parties simultaneously.
 - (b) The determination becomes final either on the date that the institution provides the parties with a written result of an appeal, or if an appeal is available but not filed, the day after the deadline to appeal.
 - (c) The determination will include:

1. Identification of the allegations potentially constituting sexual harassment, as well as identification of any additional allegations that are being resolved but which do not constitute sexual harassment;
2. A description of the procedural steps taken between receipt of the formal complaint and the determination, including all notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and any hearings held;
3. Findings of fact supporting the determination;
4. Conclusions regarding the application of these rules, as well as any other relevant rules, procedures, or processes to the facts;
5. A statement of, and rationale for, the result as to each allegation before the decision-maker, including a determination regarding responsibility;
6. Any disciplinary action that the decision-maker imposes on the respondent, including referral to another process;
7. Any remedies that the institution will provide designed to restore or preserve equal access to education programs and/or activities to the complainant; and
8. The permissible bases and procedures, including timelines, for appeals by the parties.

(15) Remedies and Disciplinary Action Following Determination of Violation

- (a) The institution will provide remedies where a determination of responsibility for sexual harassment has been made. The institution will follow these and other applicable rules before the imposition of any disciplinary sanctions for sexual harassment that are not supportive/interim measures.
- (b) Remedies will be designed to restore or preserve equal access to education programs and activities and will include one (1) or more sanctions identified in TBR's Rules for Student Conduct and Disciplinary Sanctions, Chapter 0240-02-03.
- (c) Remedies may also consider improvements to the campus-wide environment. Institutions should consider the impact of an incident of sexual harassment on the campus as a whole or specific groups or areas of campus. For example, specific training may be needed for a student group.
- (d) The Title IX Coordinator is responsible for ensuring effective implementation of the remedies.

(16) Appeals/Post-Determination Procedures

- (a) Parties are permitted to appeal to the institution's President (or other person appointed by the Title IX Coordinator) from a determination regarding responsibility (or no responsibility) and from a dismissal of a formal complaint or of any allegations in a formal complaint on the basis of:
 1. Procedural irregularity that affected the outcome of the matter;
 2. New evidence that was not reasonably available at the time the determination or dismissal was made, but only if that new evidence could affect the outcome of the matter; or
 3. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome.
- (b) A party wishing to appeal a determination regarding responsibility or the dismissal of a formal complaint or any allegations therein must file a written appeal with the Title IX Coordinator within seven (7) business days of the date of the determination or the dismissal. The written appeal must identify the reasons for the appeal.
- (c) As to all appeals, the Title IX Coordinator will:
 1. Notify the other party in writing when an appeal is filed;

2. Implement appeal procedures equally for both parties;
 3. Ensure that the decision-maker(s) for the appeal is not the same person as the investigator, the decision-maker, or Title IX Coordinator; and
 4. Provide each party five (5) business days from the date of notice from the Title IX Coordinator to provide a written statement in support of, or challenging, the determination.
- (d) The decider of the appeal will issue a written decision describing the result of the appeal and the rationale for the result, and will provide the written decision simultaneously to the parties.

Authority: T.C.A. §§ 4-5-101 et seq. and 49-8-203.

0240-02-10-.06 Severability is added to Chapter 0240-02-10 and shall read as follows:

0240-02-10-.06 Severability

- (1) If any provision of the Title IX regulations on which these rules are based is enjoined or held invalid as it applies to the TBR institution or the Title IX regulations' application to any person, act, or practice is enjoined or held invalid as it applies to the TBR institution, the remainder of these rules or the application of its provisions to any person, act, or practice shall not be affected thereby.
- (2) For conduct that occurs across revisions of these rules or other standards, complaints of sexual harassment will be addressed utilizing the procedures outlined in the rules in effect as of the date of the notice of allegations. The "Definitions" in effect as of the date of the alleged incident will be used. Complaints and reports of conduct spanning revisions of rules will be addressed using the "Definitions" in the rules in effect at the time of the most recent alleged incident.

Authority: T.C.A. §§ 4-5-101 et seq. and 49-8-203.

* If a roll-call vote was necessary, the vote by the Agency on these rulemaking hearing rules was as follows:

Board Member	Aye	No	Abstain	Absent	Signature (if required)
Gov Bill Lee					
MaryLou Apple					
Miles Burdine					
Gregory Duckett					
Mark George					
Mark Gill					
Kenneth Goldsmith					
Yolanda Greene					
Joey Hatch					
Charles Hatcher					
Emily House					
William McElyea					
Nisha Powers					
Wanda Reid					
Emily Reynolds					
Penny Schwinn					
Danni Varlan					
Weston Wamp					
Tom White					

I certify that this is an accurate and complete copy of rulemaking hearing rules, lawfully promulgated and adopted by the Tennessee Board of Regents on 06/18/2021, and is in compliance with the provisions of T.C.A. § 4-5-222.

I further certify the following:

Notice of Rulemaking Hearing filed with the Department of State on: 04/21/2021

Rulemaking Hearing(s) Conducted on: (add more dates). 06/15/2021

Date: _____

Signature: _____

Name of Officer: Brian A. Lapps, Jr

Title of Officer: General Counsel

Agency/Board/Commission: Tennessee Board of Regents

Rule Chapter Number(s): 0240-02-10

All rulemaking hearing rules provided for herein have been examined by the Attorney General and Reporter of the State of Tennessee and are approved as to legality pursuant to the provisions of the Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5.

Herbert H. Slatery III
Attorney General and Reporter

Date

Department of State Use Only

Filed with the Department of State on: _____

Effective on: _____

Tre Hargett
Secretary of State

Public Hearing Comments

One copy of a document that satisfies T.C.A. § 4-5-222 must accompany the filing.

General Counsel will include a response to any comments following the Rulemaking Hearing on 6/15/2021 and discussion with the Board on June 18, 2021.

Regulatory Flexibility Addendum

Pursuant to T.C.A. §§ 4-5-401 through 4-5-404, prior to initiating the rule making process, all agencies shall conduct a review of whether a proposed rule or rule affects small business.

The rule is not anticipated to have any impact on small businesses.

Impact on Local Governments

Pursuant to T.C.A. §§ 4-5-220 and 4-5-228 “any rule proposed to be promulgated shall state in a simple declarative sentence, without additional comments on the merits of the policy of the rules or regulation, whether the rule or regulation may have a projected impact on local governments.” (See Public Chapter Number 1070 (<http://publications.tnsosfiles.com/acts/106/pub/pc1070.pdf>) of the 2010 Session of the General Assembly.)

This rule is not anticipated to have any impact on local governments.

Additional Information Required by Joint Government Operations Committee

All agencies, upon filing a rule, must also submit the following pursuant to T.C.A. § 4-5-226(i)(1).

- (A) A brief summary of the rule and a description of all relevant changes in previous regulations effectuated by such rule;

This rule describes TBR's obligations in responding to allegations of sexual harassment consistent with Title IX's prohibition against sex discrimination by persons who apply for or are engaged in a TBR education activity or program and provides specific details considering the grievance process required for formal complaints of sexual harassment.

- (B) A citation to and brief description of any federal law or regulation or any state law or regulation mandating promulgation of such rule or establishing guidelines relevant thereto;

34 C.F.R. § 106. Pursuant to the Title IX Final Rule, "to the extent of a conflict between State ... law and Title IX as implemented" with respect to sections related to definitions and specified procedures, "the obligation to comply with [those sections] is not obviated or alleviated by any State ... law." 34 C.F.R. § 106.6(h).

- (C) Identification of persons, organizations, corporations or governmental entities most directly affected by this rule, and whether those persons, organizations, corporations or governmental entities urge adoption or rejection of this rule;

Those most directly impacted by this rule are students at TBR institutions. The remainder of this response will be completed by General Counsel following the Rulemaking Hearing on 06/15/2021.

- (D) Identification of any opinions of the attorney general and reporter or any judicial ruling that directly relates to the rule or the necessity to promulgate the rule;

TBR is not aware of an Attorney General opinion or judicial ruling directly related to this rule.

- (E) An estimate of the probable increase or decrease in state and local government revenues and expenditures, if any, resulting from the promulgation of this rule, and assumptions and reasoning upon which the estimate is based. An agency shall not state that the fiscal impact is minimal if the fiscal impact is more than two percent (2%) of the agency's annual budget or five hundred thousand dollars (\$500,000), whichever is less;

None

- (F) Identification of the appropriate agency representative or representatives, possessing substantial knowledge and understanding of the rule;

Brian A. Lapps, Jr., General Counsel

- (G) Identification of the appropriate agency representative or representatives who will explain the rule at a scheduled meeting of the committees;

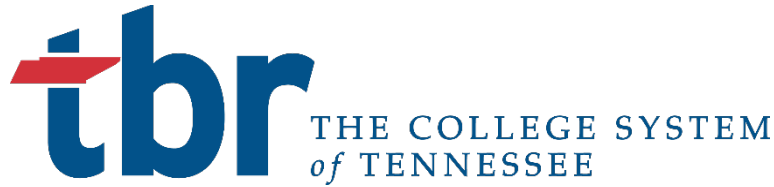
Brian A. Lapps, Jr., General Counsel

- (H) Office address, telephone number, and email address of the agency representative or representatives who will explain the rule at a scheduled meeting of the committees; and

Brian A. Lapps, Jr.
Office of General Counsel
1 Bridgestone Park, 3rd Floor
Nashville, TN 37214
615-366-4438

- (I) Any additional information relevant to the rule proposed for continuation that the committee requests.

None



BOARD TRANSMITTAL

MEETING:	Quarterly Board Meeting
SUBJECT:	Notice of Proposed Changes to the Bylaws
DATE:	June 18, 2021
PRESENTER:	General Counsel Brian Lapps
PRESENTATION REQUIREMENTS:	5 minutes
ACTION REQUIRED:	Informational Purposes Only
STAFF'S RECOMMENDATION:	N/A

In accordance with Article VII of the Board's Bylaws, notice of a proposed change to the Bylaws is being provided so that the Board may consider and vote on the proposed changes at its quarterly meeting in September 2021.

The proposed change is to delete Section V.1.F. of the Bylaws, which is part of the "Duties of the President" section and currently provides: "The president shall make an annual report to the Board, through the Chancellor, of the work and condition of the institution under his or her control."

The proposed removal of Section V.1.F. is not intended to alter the current means of providing information to the Board or to limit the Board's ability to request information. Rather, removal of the language is proposed because annual reporting is outdated in light of the current, more regular means by which the Chancellor and TBR staff provide the Board with information about institutions, including through periodic reports at Committee and Board meetings; dashboards related to student enrollment, retention, and graduation; and information accessible on TBR and institutional websites.

At the September 2021 meeting, conforming changes to the applicable TBR policy regarding Annual Reports by the Presidents will also be proposed.

TBR Bylaws : 2

Policy/Guideline Area

Resource Documents

Applicable Divisions

TCATs, Community Colleges, System Office, Board Members

Policy/Guideline

Article I: Purpose

The purpose of the Tennessee Board of Regents is to govern, manage and control the state community colleges and state colleges of applied technology established by the General Assembly of the State of Tennessee in T. C. A. § 49-8-101(a), exercising the powers and fulfilling the duties vested in it by the General Assembly.

Article II: The Board

Section 1. Powers

A. The Board of Regents is vested by law with all the powers and authority to govern effectively and set policy for the state community colleges and colleges of applied technology in accordance with the laws of Tennessee and the policies of the Tennessee Higher Education Commission.

B. With respect to the locally governed universities in the System, the Board of Regents has the authority to review and give final approval to the operating budget of each university for the purpose of ensuring the ability to satisfy obligations to the Tennessee State School Bond Authority and its bondholders.

Section 2. Members

The composition of the membership of the Board, the terms of office, and the conditions of membership are as provided in T.C.A. § 49-8-201, including all future amendments thereto.

Section 3. Rights of Members

A. Except as provided otherwise by law, individual members of the Board enjoy these rights equally with all other members:

1. the right to vote,
2. the right to participate fully in all considerations before the Board,
3. the right to enter motions and to submit recommendations, and
4. all rights and privileges afforded the Board by law and regulation when sitting in deliberative session.

B. When not participating in meetings of the Board or any of its duly constituted committees, members, as individuals, enjoy the same rights and privileges of any citizen of the State of Tennessee as pertains to the governance, control, and management of institutions under the Board.

C. As individuals, members shall not speak for the Board unless specifically authorized to do so by the Board.

Section 4. Responsibilities of Members

A. When participating in meetings of the Board or its duly constituted committees, members are responsible for the entire System, without regard for any congressional district or area of the State or for any individual institution within the State.

B. Members are enjoined from espousing the cause of any one institution over the interests of others or the System.

Section 5. Expenses of Members

Board business-related and travel expenses, including lodging and meals encountered about meetings of the Board or duly constituted committees thereof shall be reimbursable at rates established by Board policy in accordance with Tennessee State Regulations for Travel.

Section 6. Minority Views

Upon announcement of any vote of a meeting of the Board or one of its duly constituted committees, a member holding a minority view may request his or her view be made a matter of record. Such minority view shall be submitted in writing to the Secretary.

Section 7. Meetings of the Board

A. Regular Meetings

The Board shall hold at least one (1) stated meeting annually on a day or days determined by the board from year to year and at called meetings that may be necessary, to be called by the secretary, giving at least five (5) days' notice to the board members, but the board may adjourn the stated or called meetings to any date that it may set for adjournment.

B. Special Meetings

1. Special meetings of the Board of Regents may be called for any purpose by the Chair by request in writing to the Secretary, or by the Secretary upon written request from four other members of the Board.
2. The requests shall state the purpose of the proposed meeting.
3. Business transacted at all special meetings shall be confined to the subjects stated in the call.

C. Location

Each year, following the Fall quarterly meeting, the Secretary shall issue a calendar of the regular meetings for the upcoming calendar year including their locations. The board shall strive to meet on the campus of a system institution at least twice a year, rotating those meetings throughout the system, as practicable.

D. Notice of Meetings

1. The Secretary shall give each member of the Board at least five days' written notice of a regular or of special meetings of the Board. Emergency meetings may be called by telephone or electronic notification with the understanding that similar notices are provided all members.
2. The Secretary, upon advice from the Chancellor and Board, shall prepare an annotated agenda to accompany each notice of a regular or special meeting of the Board.
3. Public notice of all meetings shall be issued in accordance with T.C.A. § 8-44-103.

E. Quorum

1. At all meetings of the Board of Regents, nine voting members shall constitute a quorum for the transaction of business. In the absence of a quorum, the Board may convene for the purpose of receiving information. If the Board convenes in the absence of a quorum and a quorum is later established, the Board may then transact business.

2. The action of a simple majority of the voting members of the Board present at any meeting shall be the action of the Board, except as may be otherwise provided by these Bylaws.

3. Members shall be allowed to participate in a meeting by electronic or other means in accordance with T.C.A. § 8-44-108.

F. Order of Business

The order of business at each regular meeting of the Board shall be determined by the Vice-Chair.

G. Procedures

1. Any ex-officio member of the Board may be represented at a meeting of the Board, but cannot under any conditions register a vote by proxy.

2. When a member identifies a conflict of interest about a vote on a matter before the Board, the member shall withhold his or her vote.

3. A record vote of the Board shall be required on all motions providing for approval of a budget; approval of an increase in fees or tuition; approval of capital expenditures or the extension of the credit of the system or any of its institutions; any revision of the Bylaws, the adoption of a new Bylaw or the repeal of an existing Bylaw; and the documentation of any transaction as may be required by law or deemed desirable in the judgment of the Chair; upon demand of any member present a record vote may be called for on any matter before announcement of a vote previously taken.

4. A motion to reconsider may only be made by a member who voted on the prevailing side and must be made at the same meeting.

H. Adjourned Meetings

1. The Board may adjourn any regular or special meeting to any date it may set.

2. If a quorum is not present, any regular or special meeting may be adjourned by the members attending until a quorum shall be present.

I. Joint Meetings

1. From time to time, the Board may find it appropriate to meet jointly with some other board or body.

2. In such meetings, the Board shall retain its constituted integrity as established under law and in accordance with these Bylaws.

J. Executive Sessions

1. In accordance with T.C.A. § 4-35-108, the board may hold confidential executive sessions to discuss:

- a. Items deemed not subject to public inspection under T.C.A. §§ 10-7-503 and 10-7-504, and all other matters designated as confidential or privileged under the Tennessee Code;
- b. Litigation;
- c. Audits or investigations;
- d. Information protected by federal law; and
- e. Matters involving information under T.C.A. § 4-35-107(a), where the informant has requested anonymity.

2. No business, other than that described under subsection 1 a-e, above, shall be considered during a confidential, non-public executive session.

3. Attendance at executive sessions shall be limited to board members. Other individuals may be invited to attend all or portions of an executive session as deemed necessary by the board vice-chair.

K. Minutes

1. Minutes shall be taken at each meeting of the Board and shall provide a permanent record of such meeting.

2. Minutes need not be a verbatim record of a meeting but should provide adequate basis upon which implementing actions may be taken or permanent policies be extracted therefrom.

3. Each meeting shall also be electronically recorded in its entirety. In the event of a dispute regarding the transactions at a meeting, the electronic recording shall be determinative of the Board's action.

4. Minutes of each regular meeting and of subsequent special meetings shall be circulated for consideration of the members prior to the next regular meeting at which time they shall be approved as attested to by the Vice Chair and the Secretary of the Board.

Article III. Committees of the Board

- A. The Board of Regents as a whole shall be responsible for the operation of the State University and Community College System.
- B. The Board may organize standing and special committees as necessary to carry out its governance, control, and management functions.
- C. The Committees of the Board shall make studies of the fields assigned to them and advise the Board as to what, if any, changes of policy should be made.
- D. Each of the standing committees shall keep informed with respect to the manner in which the policies of the Board are being administered in its field. Committees may be authorized to act on behalf of the Board.
- E. All Board members may participate in committee deliberations; however, each standing committee shall consist of not less than three and not more than seven Board members.
- F. A majority of the members of a committee shall constitute a quorum for the transaction of business. In the absence of a quorum, a committee may convene for the purpose of receiving information. If a committee convenes in the absence of a quorum and a quorum is later established, the committee may then transact business.
- G. The Board of Regents may authorize special committees with whatever membership is desired by the Board.
- H. Each standing or special committee shall report to the Board periodically or at the request of the Chair of the Board.
- I. The Chair of the Board shall be an ex officio member of all committees with the authority to vote. In the absence of the Chair, the Vice-Chair shall be an ex officio member of all committees with the authority to vote.
- J. The Chancellor and Secretary shall be ex officio members of all committees without the authority to vote.
- K. The Executive Director of the Tennessee Higher Education Commission may serve as a member of any committee without the authority to vote.
- L. Standing Committees

1. Committee on Finance and Business Operations

- a. The Committee on Finance and Business Operations shall make recommendations to the Board regarding the fiscal policies to be followed in the conduct of the System.
- b. The Committee shall receive and review the recommendations of the Chancellor concerning appropriation requests, allocations, budgets and budget revisions for each of the institutions in the State University and Community College System and for the office of the Board, and shall make its recommendations to the Board.
- c. The report of the Committee to the Board shall include in written form the itemized deletions, additions, or other changes in the submitted budget requests of each institution.
- d. The Committee shall also make recommendations to the Board as to needs for additional buildings and land for the campuses, repair and renovation of buildings, maintenance of campuses, and adequate insurance coverage of buildings and contents.
- e. It shall coordinate the preparation of the capital outlay budget and capital outlay appropriations.
- f. It shall study and submit recommendations affecting investments or reinvestments of trust funds and shall advise the Board regarding such funds.
- g. The Committee shall submit recommendations on System-wide policies and procedures on procurement and purchasing.
- h. This committee shall have such other duties as may be authorized by the Board.
- i. The Treasurer shall serve as a member of this committee only without the authority to vote.

2. Committee on Academic Policies and Programs and Student Life

- a. The Committee shall review and make recommendations to the Board concerning all proposals for new academic programs and degrees, revisions or discontinuations of existing programs, the adoption of our changes in admission and retention standards, and the establishment, reorganization or elimination of academic departments, divisions, branch operations and extension services, and other academic units.

b. The Committee shall be responsible for reviewing the level of productivity of existing programs, and when appropriate to recommend the discontinuance of non-productive programs.

c. The Committee shall make appropriate recommendations concerning studies and policies relating to academic matters.

d. The Committee shall also make recommendations to the Board regarding campus life of the institutions.

e. It shall receive and review the Chancellor's reports of proposed policies and regulations concerning student affairs including, but not limited to, the conduct of students, discipline, student housing, parking, safety and special activities of students of the institutions under control of the Board.

d. The Committee shall facilitate the development and implementation of K-12 partnership efforts, middle college, dual credit/dual enrollment programming, and opportunities for alignment of K-12 and college curricula.

3. Committee on Personnel and Compensation

a. The Committee on Personnel shall make recommendations to the Board regarding retirement, tenure, promotion, evaluation and other personnel matters regarding personnel involved in the various institutions governed by the Board.

b. The Committee shall make appropriate recommendations concerning policy and procedures relating to personnel matters and review the recommendations from the Chancellor relative to the annual review of personnel requests from the institutions.

c. The committee shall also review compensation matters of the institutions and System Office personnel that require Board approval and make recommendations to the Board regarding these matters.

d. The Committee shall have the power to act for the full Board in compensation matters when waiting for the next scheduled Board meeting is not desirable.

4. Committee on Workforce Development

a. The Committee on Workforce Development is responsible for the oversight of the workforce initiatives at the colleges, ensuring our institutions are meeting the workforce training needs of Tennessee.

b. The committee will:

(1) Provide oversight and make recommendations to the Tennessee Board of Regents relative to programmatic decisions including the approval of new programs of instruction, program credentials, modifications or terminations of academic workforce offerings.

(2) Ensure that workforce programs align with the needs of business and industry.

(3) Ensure that workforce programs enrich, strengthen, and support Tennessee citizens, the State of Tennessee's Drive to 55, and economic development goals.

(4) Review productivity and performance of workforce programs annually and provide a report to the Tennessee Board of Regents.

(5) Provide recommendations to the Tennessee Board of Regents for creation of or revisions to policies and guidelines related to workforce entities within the TBR system's institutions.

(6) Encourage and recognize excellence in workforce partnerships and student's successes.

5. Committee on External Affairs

a. The Committee on External Affairs is responsible for the oversight of the Board's relationship to organizations and constituent groups external to the system, ensuring that these relationships promote the mission and goals of the Tennessee Board of Regents system.

b. Toward the furtherance of this purpose, the Committee on External Affairs shall:

(1) Provide oversight for government relations activities and initiatives and make recommendations to the Board on legislative priorities for the system.

(2) Make recommendations regarding the Board's role in building relationships and collaborations with foundations, external funders, businesses, industry groups, organizations, and community leaders.

(3) Make recommendations regarding the Board's role in advocating the priorities of the System to media and local, state, and national leaders.

(4) Provide oversight for public relations efforts, promote effective communications with constituents and review the marketing, digital and branding strategies developed that promote the system, its initiatives and the individual colleges. Promote effective communication between the System and its institutions, public officials, and leaders at the local, state, and national levels.

(5) Provide oversight of fundraising and system grant efforts, recognize excellence in philanthropy and review reports on philanthropic and collaborative grant activities within the system.

6. Audit Committee

a. The Audit Committee shall provide appropriate oversight and accountability on fiscal matters within the Tennessee Board of Regents.

b. In addition to the Regents appointed to the Committee, the Board may select one or more certified public accountants or other qualified citizens who are not members of the Board to serve on the Audit Committee.

c. The Audit Committee shall employ a person qualified by training and experience to serve as an internal auditor and to report directly to the Audit Committee and the Board.

d. The internal auditor shall be removable only for cause by a majority vote of the Board.

e. The internal auditor shall perform the duties required by the Higher Education Accountability Act of 2004 (T.C.A. § 49-14-101 et seq.) including reports to the Committee and development of a process to report and investigate illegal, improper, fraudulent or wasteful activity.

Article IV. Officers and their Duties

A. Officers

1. The officers of the Board of Regents shall be the Chair, Vice Chair, Chancellor, Treasurer, and Secretary. The sitting Governor of the State of Tennessee shall serve as Chair of the Board.

2. The Board may from time to time establish such other offices and positions as may be necessary to carry out the functions of the Board.

B. Election and Term of Office

1. The term of office of each officer, except the Chancellor, shall be one year commencing on July 1st and continuing until a successor is chosen and installed.
2. Officers other than the Chair and Chancellor shall be elected each year by the Board at the last regular meeting of each fiscal year.
3. The Vice Chancellor for Business and Finance shall serve as Treasurer unless the Board chooses to fill the office by election from the staff of the Chancellor.
4. The Board shall elect the Secretary from the staff of the Chancellor.
5. No one person shall hold more than one of these offices.

C. Removal of Officers

Officers may be removed at any time by the Board by the affirmative vote of a majority of the Board, not merely of the quorum.

D. Vacancies

Vacancies shall be filled by the Board as soon as practicable.

E. Chair

1. The Chair shall be a member of the Board, shall preside at the meetings of the Board, if present, with the authority to vote, and may work with the Vice Chair to appoint the Chairs and members of all committees.
2. The Chair shall be an ex officio member of all committees with the authority to vote.

F. Vice Chair

The Vice Chair shall be a member of the Board and shall perform the duties and have the powers of the Chair during the absence or disability of the Chair.

G. Chancellor

1. The Board of Regents shall elect the Chancellor who shall hold office at the pleasure of the Board.
2. The Chancellor shall not be a member of the Board.
3. In case of any vacancy in the Chancellorship, the Board shall name an Acting Chancellor who shall serve until the office of the Chancellor shall be filled.

4. The Chancellor shall be the chief executive officer of the State University and Community College System.
5. The Chancellor shall perform all those duties that are prescribed by the Board.
6. The Chancellor shall be responsible to the Board of Regents for the prompt and effective execution of all resolutions, policies and rules and regulations adopted by the Board for the ordering and the operation of the entire System and for the government of any and all of its branches.
7. The Chancellor's discretionary powers shall be broad enough to enable him or her to discharge these responsibilities.
8. The Chancellor shall attend and participate in, without the privilege of voting, all of the meetings of the Board of Regents and of its committees.
9. The Chancellor shall be an ex officio member of all committees, without the authority to vote.
10. The Chancellor shall review recommendations from the presidents regarding annual appointments, promotions, and salaries of employees of the several institutions of the System, and shall be responsible for compliance by the presidents with Board policies and procedures on personnel matters.
11. The Chancellor shall make recommendations regarding the establishment or discontinuance of staff positions in the Office of the Board of Regents.
12. The Chancellor shall recommend the appointment of administrative officers and other employees of the Office of the Board of Regents.
13. The Chancellor shall be empowered to act for the Board in the interims when the Board is not in session.
14. The Chancellor shall speak for the Board and shall represent it at meetings and before the public consistent with established policies of the Board.
15. The Chancellor shall be the channel of communication with the presidents of the institutions and shall present recommendations concerning System policy to the Board.
16. The Chancellor shall be authorized upon the authority of the Board and in its name to execute all notes, bonds, deeds, contracts, and other documents of an official nature.

17. The Chancellor shall submit, on behalf of the Board and with its approval the annual report at the end of each fiscal year, which report shall go to the Governor and the legislature.

H. Treasurer

1. The Treasurer shall be sworn and bonded to discharge faithfully the duties as Treasurer.
2. The Treasurer shall serve without vote as a member of the Committee on Finance and Business Operations.
3. The Treasurer shall perform such other duties as the Board may authorize or as may be assigned by the Chancellor.

I. Secretary

1. The Secretary shall be sworn to discharge faithfully the duties as Secretary.
2. The Secretary shall be present at all meetings of the Board and of the committees.
3. The Secretary shall keep an accurate record of proceedings of the meetings of the Board and of the committees.
4. In the absence of the Secretary from a meeting, a secretary shall be chosen for the meeting and shall record the proceedings.
5. The Secretary shall be the custodian of all minutes, official documents, and archives of the System.
6. The Secretary shall perform such other duties and have such other powers as the Board may authorize or as may be assigned by the Chancellor.

J. Delegation of Duties of Officers

In case of the absence of any officer of the Board of Regents, or for any other reason that the Board may deem sufficient, the Board of Regents may delegate the powers or duties of such officers, provided a majority of the full Board concurs therein.

Article V. Presidents

Section 1. Duties of the President

A. The president of each college in the System shall be the chief executive of the institution and of all its departments, and shall exercise such supervision and direction as will promote the efficient operation of the institution.

B. The president shall be responsible to the Board through the Chancellor for the operation and management of the institution and for the execution of all directives of the Board and of the Chancellor.

C. The president shall be the official medium of communication between the faculty and the Chancellor, and between the council, senate, assembly, or any such body, either of the faculty or of the students, and the Chancellor.

D. The president shall recommend annually to the Board of Regents, through the Chancellor, the creation or continuance of positions of faculty and other employees of the institution.

E. The president shall have the authority to recommend or make appointments of personnel and, within budgetary limitations, to fix their salaries, and to recommend or approve promotions, transfers, leaves of absence, and removal of personnel, pursuant to the requirements of policies and procedures established by the Board, and subject to such prior approval or confirmation of the Board or the Chancellor as may be required by the Board.

~~F. The president shall make an annual report to the Board, through the Chancellor, of the work and condition of the institution under his or her control.~~

Section 2. Term of Appointment

The presidents of the colleges shall serve at the pleasure of the Board.

Section 3. Resignation and Removal of Presidents

A. The president of an institution may resign at any time upon written notification to the Board through the Chancellor.

B. The Board may terminate the employment of the president of an institution at any time.

C. In the event of a resignation or termination, the Board, at its discretion, may authorize a payment equal to up to three months of the president's salary.

Section 4. Presidents Council

A. The president of each college shall be a member of the Presidents Council.

B. The council shall have the opportunity to present reports and recommendations to the Board of Regents.

C. The Chancellor shall be an ex officio member of the council and shall be invited to attend each meeting of the council.

Article VI. Employees of the Colleges

A. Administrative personnel, faculty members and other personnel shall be recommended or appointed by the president of the college, subject to such requirements, approvals or confirmations by the Board or the Chancellor as may be specified by the Board.

B. A member of the Board shall not be a party to procuring the appointment of any relative at any of the units of the System.

Article VII. Amendment of Bylaws

A. These Bylaws may be amended or repealed at any regular meeting by an affirmative vote of not less than nine members of the Board, provided however, that any proposed change in these Bylaws shall be submitted to the Secretary in writing at any regular meeting or special meeting and shall be voted on at the next regular meeting of the Board.

B. Amendments or additions to the Bylaws shall be presented in such form as suitable for direct incorporation into the Bylaws.

C. Any Bylaw may be suspended at any regular or special meeting for that meeting only by the unanimous consent of all present.

D. The Secretary shall maintain a Bylaws book in which shall be recorded all Bylaws and any changes, additions, or deletions thereto.

Article VIII. Parliamentary Authority

The rules contained in *Roberts Rules of Order, Newly Revised* 11th Edition, or the most recent subsequent edition, shall govern the Board in all cases in which they are not inconsistent with these Bylaws or any special rules of order of this Board.

Article IX. Board Self-Assessment

A. In order to regularly evaluate its responsibilities and expectations, the Board shall conduct a self-assessment every other year, beginning in 2018.

B. In the years that self-assessments are conducted, assessment forms will be provided to the Regents to be completed and returned to the Board Secretary after the September Quarterly Meeting.

C. The Board Secretary will share the completed forms with the Vice Chairman.

D. A Board Assessment Report will be produced by the Vice Chairman and Board Secretary and shared with other members of the Board at its December Quarterly Meeting.

Sources

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Authority

T.C.A. §§ 49-8-101 et seq.; 49-8-201; 49-11-401 et seq.; 49-14-101 et seq.; 8-44-103; 8-44-108; 4-35-107-108; 10-7-503-504

History

As Amended December 16, 1983; Board Meeting December 7, 2001; Board Meeting September 24, 2004; Board Meeting December 3, 2004; Board Meeting June 26, 2008; Board Meeting September 24, 2010; Revisions and renumbering approved at Board Meeting, September 26, 2014; Board Meeting December 10, 2015, Board Meeting June 23, 2017; Board Meeting September 21, 2017. Revision and reformat approved at Dec. 14, 2017 Board Meeting; Ministerial revisions 2-21-2018; Revisions approved June 22, 2018; Revisions Approved March 25, 2021.



BOARD TRANSMITTAL

MEETING: Quarterly Board Meeting

SUBJECT: Review and Consider Criteria for the President of Dyersburg State Community College

DATE: June 18, 2021

PRESENTER: Chancellor Flora W. Tydings

PRESENTATION REQUIREMENTS: 5 minutes

ACTION REQUIRED: ROLL CALL VOTE

STAFF'S RECOMMENDATION: Approve

President Karen Bowyer has announced her plans to retire on December 31, 2021. The Board will be asked to review and consider criteria for the president of Dyersburg State Community College. After the Board's action, the selection criteria will be used to advertise the president's position in a nationwide search. Executive search firm, Greenwood/ Asher, will assist the search committee in finding candidates to fill the position.

President

Dyersburg State Community College

The Tennessee Board of Regents invites applications and nominations for the position of President of Dyersburg State Community College. Dyersburg State is one of Tennessee's 13 community colleges in the Community College System of Tennessee, governed by the Tennessee Board of Regents. The President is the chief executive officer of the College and reports to the Tennessee Board of Regents through the Chancellor.

Dyersburg State Community College (DSCC) is a comprehensive, two-year postsecondary institution located in Dyersburg, Tennessee. As an Achieving the Dream college committed to student success, DSCC meets the educational needs of the people it serves in 5 counties in northwest Tennessee. Dyersburg enrolls approximately 2,800 credit seeking students each fall. The college employs 187 full-time employees, including roughly 50 full-time faculty members, and operates on a budget of over \$35 million.

DSCC awards Associate of Arts (AA), Associate of Science (AS), Associate of Applied Science (AAS), and Associate of Science in Teaching (AST) degrees as well as technical and institutional certificates. Dyersburg provides 33 academic programs of study. Currently, 26% of DSCC students are non-white. 40% percent of all credential-seeking students are enrolled in career preparation programs, while 60% of credential-seeking students are in programs intended for transfer to a university. About 41% of DSCC students are enrolled full-time, and students aged 25 or older represent 31% of the population. During fall semester 2020, 23% of the students were dual enrollment students.

In addition to the main campus located in Dyersburg, DSCC delivers programming at campuses in Trenton and Covington as well as selected teaching sites throughout the college's area of responsibility.

Additional information can be found at the college's website: <http://www.dsc.edu/>

Dyersburg State is fully accredited by the Commission on Colleges and Schools of the Southern Association of Colleges and Schools. It has been recognized as an innovative and entrepreneurial college and is looking for a President to continue to move the college forward as a leader in higher education reform nationwide.

Preferred criteria for selection include, but are not limited to the following:

- Qualifications and experience
 - An earned doctorate from an accredited institution (preferred).
 - A distinguished record of teaching and experience in public higher education (preferred);
 - A minimum of five years successful campus administrative experience at a level with significant decision-making responsibilities affecting an entire campus or as head of a major academic or administrative unit in an academic environment (preferred);
 - A distinguished record of extensive senior level administrative experience in a complex business, industry, or government enterprise

Expected criteria for selection include:

- A demonstrated commitment to serving students, faculty and staff

- An understanding of and commitment to the principles of academic freedom, tenure, and shared governance;
- A commitment to attracting traditional and non-traditional students into transfer programs as well as workforce programs (AAS/certificates/diplomas) and promoting approaches to enhance their opportunities for success;
- An understanding of and commitment to enhancing student success through focused efforts on retention, persistence and completion;
- A demonstrated commitment to diversity and inclusion as core values that enhance the educational process;
- A demonstrated commitment to affirmative action, and equal opportunity;
- A demonstrated strength in human relations, communications, planning, financial management, budgeting, and organizational skills to lead and inspire internal and external constituencies of the college;
- Demonstrated ability of being able to lead an institution that is comprised of diverse campuses that meet specific needs in the communities served, recognizing the educational requirements in each community and aligning resources and support to achieve those needs;
- A demonstrated background with and understanding of and commitment to private fundraising;
- An understanding of regional workforce education and training needs and how to strategically position Volunteer State in a highly competitive post-secondary education marketplace;
- An understanding of and commitment to the role of Volunteer State as a part of a higher education system;
- An understanding of the needs and concerns of the public and private constituencies of the college, as well as of the college community, including students, faculty and staff, alumni, and other college supporters;

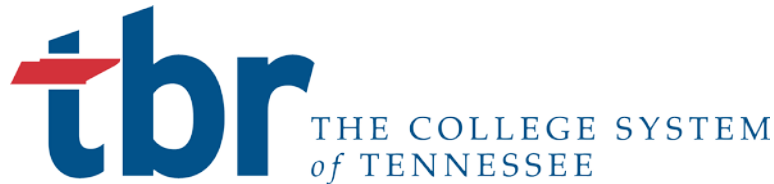
The Tennessee Board of Regents is committed to building and sustaining an inclusive and diverse educational environment and encourages applications from interested candidates who can contribute to, promote, and enhance this effort.

The Community College System of Tennessee is an Equal Opportunity/Affirmative Action employer. Under state law, applicants may request that their application and related materials be confidential and not open for public inspection until such time the candidate is selected as a finalist for the position. The Tennessee Open Meetings Act requires meetings of the Board of Regents to be open to the public.

Initial screening of applicants will begin August 11, 2021 and it is anticipated that the President will be selected prior to November 30, 2021.

Applications and letters of nomination should be submitted to:

Betty Turner Asher, Partner
 Ashley Hice, Senior Executive Search Consultant
 Greenwood/Asher & Associates, Inc.
 42 Business Centre Drive, Suite 206
 Miramar Beach, Florida 32550
 Phone: 850-650-2277/ Fax: 850-650-2272
 Email: bettyasher@greenwoodsearch.com
 Email: ashleyhice@greenwoodsearch.com



BOARD TRANSMITTAL

MEETING: June Quarterly Board Meeting

SUBJECT: Naming Request for Northeast State Community College

DATE: June 18, 2021

PRESENTER: Chancellor Flora W. Tydings

ACTION REQUIRED: Roll Call Vote

STAFF'S
RECOMMENDATION: Approve

The Northeast State Community College Building Naming Committee was recently charged with considering requests to name the College's current Faculty Office Building in memory of Dr. Allana R. Hamilton.

Dr. Hamilton, or "Lana" as she preferred to be addressed, devoted almost 26 years to Northeast State Community College, its students, faculty and staff. She made significant contributions in a variety of ways throughout her time at the College. She was initially hired by Northeast State as an Adjunct Faculty member and, over the span of 26 years at the College, advanced to several positions, including: Full-time Instructor, Tenured Assistant Professor, Associate Professor, and Vice President for Academic Affairs. Lana educated and influenced hundreds of Northeast State students, preparing them for their future careers in East Tennessee and beyond. Lana's colleagues have shared stories about her exceptional commitment to her students and her "servant leadership style". They write about how she led by example and was always willing to roll up her sleeves and help – no job was too big or too small. She served as a mentor to students and staff; she was always willing to help people better themselves. Lana was invested in the success of others and her influence will remain with the College for many years to come.

The Naming Committee requests approval to name the Faculty Office Building at Northeast State Community College – "**Lana Hamilton Hall**" in remembrance of Lana's commitment to education, lifelong learning, and community service, as well as, the commitment she had to Northeast State's mission, vision, and values.

April 29, 2021



Dear Chancellor Tydings and Members of the Tennessee Board of Regents:

Consistent with TBR Policy 4.02.05.01, the Northeast State Community College Building Naming Committee was charged with considering requests to name the College's current Faculty Office Building in honor of Dr. Allan Hamilton. The members of the naming committee were:

Dr. Connie Marshall, Committee Chair, Interim Vice President for Academic Affairs
Mr. John Adcox, Staff Senate President
Ms. Linda Calvert, Vice President for Administration and Grant Development
Mr. Chris Demas, Dean of Libraries
Dr. Susan Graybeal, Vice President for Institutional Excellence and Student Success
Dr. Pashia Hogan, Assistant Vice President for Multi-Campus Programs
Ms. Janie McConnell, Plant Operations and Grounds/Maintenance
Dr. Sam Rowell, Vice President for Workforce and Economic Development
Dr. Nathan Weber, Faculty Senate President

To honor the memory of Dr. Allana R. Hamilton, Northeast State Community College recommends naming our Faculty Office Building as **Lana Hamilton Hall**. The College offers the following justification specific to selected criteria from TBR Policy 4.02.05.01, as follows:

- (1) *In general, individuals and groups for whom buildings are named must have made a significant contribution to the field of education, government, science, or human betterment.*
- (2) *To preserve the integrity of all buildings named in the System, this honor must be reserved for individuals of recognized accomplishment and character; no building may bear the name of an individual convicted of a felony.*
- (3) *With respect to the naming of buildings on a particular campus, special consideration shall be given to:*
 - a. *The historical significance of the contribution of the individual or group to the institution;*
 - b. *The association of the individual or group with the building to be named.*

(1) Significant contribution to the field of education or human betterment.

Dr. Allana Hamilton, or “Lana” as she preferred to be addressed, made significant contributions in a variety of ways. Throughout her time at the College, Lana demonstrated her commitment to education and human betterment via the manner in which she conducted herself and interacted with those she encountered. Her colleagues would often tell stories of how Lana, as a Biology instructor, would wade the local creeks and streams to catch and collect specimens to engage her students as part of their coursework. She truly loved what she taught and shared her enthusiasm with all. Her contributions to education continued as she progressed from Dean of Northeast State’s Science division to its Vice President for Academic Affairs then became the President of Jackson State Community College before accepting her last role—that of the Tennessee Board of Regents’ (TBR) Vice Chancellor for Academic Affairs.

Lana’s personal commitment to education, lifelong learning, and community service, as well as to the College’s mission, vision, and values, is evidenced by the trajectory of her career and the activities in which she engaged:

Year	Activity
1987	B.S., Biology, Tusculum College
1987-1988	15 Hours to Improve Job Skills in Industry, Walters State Community College
1987-1989	Shift Chemist, BASF, Inc.
1989-1991	Teaching Assistant, Biological Sciences, ETSU
1990	Seasonal Naturalist, Warrior’s Path State Park
1991	Seasonal Naturalist, Davy Crockett Birthplace State Park
1991	M.S., Biological Sciences, East Tennessee State University (ETSU)
1991-2017	Northeast State Community College: From Adjunct Faculty, Full-time Instructor, Tenured Assistant Professor, Associate Professor, and Vice President for Academic Affairs
1992-1994	MCAT Biology Instructor, Kaplan Test Prep, Inc.
1996	Outstanding Faculty Award, Northeast State Community College
1997-1998	Adjunct Instructor, ETSU
1997-2002	18 Graduate Hours, Allied Health, ETSU
1998-2004	Volunteer Instructor, American Red Cross
1998-2004	Volunteer Instructor, Tennessee Wildlife Resources Agency
2001	Completed Regents Community College Leadership Academy
2005	Completed Regents Academic Leadership Institute
2007-2008	Completed 150-hour Internship: Performance Funding in Tennessee and Research and Revisions to <i>Fifty States Systems of Community Colleges</i>
2009-2010	Completed Tennessee Board of Regents Advanced Leadership Academy
2011	Ed.D., Educational Leadership and Policy Analysis: Post-Secondary and Private Sector Leadership, Allied Health Emphasis, ETSU
2015	Completed National American University Roueche Graduate Center’s Senior Administrators Leadership Institute

Dr. Chris Lefler, a 31-year employee at the College and its former Assistant Vice President of Evening and Distance Education, provided the following to capture Lana's commitment to students and faculty as demonstrated via her servant leadership style. His words speak to her ability to affect human betterment as individuals:

It is hard to put into words what Lana Hamilton meant to me. From the first day I met her in Jonesborough to interview her for an adjunct faculty position in Biology to the day she left Northeast State to become President of Jackson State, I knew I had a loyal and trusting friend and colleague. Lana was a faculty member first and foremost. Her love of teaching and teaching excellence was evident each and every day she stepped into her classroom. She demanded the most of herself and challenged her students to do the same...Her leadership abilities were evident to faculty and students alike. She was driven to provide the best working environment for the faculty she SERVED. She was the epitome of a servant leader. Students and faculty came first in her actions and decisions. As Vice President of Academic Affairs, Lana always put the needs of faculty and students first. She supported my efforts to expand Northeast State's role in advancing online learning, teaching sites, dual enrollment, evening services, and adjunct faculty support. She made sure that our faculty had every advantage possible as they stepped into the classroom.

Janie McConnell, Plant Operations and Maintenance, Grounds/Equipment Maintenance Worker, recalls Lana's leadership style and the effect it had on her and her co-workers: "Words could never describe the zealous energy that Dr. Allana Hamilton brought to our campus. Her approach to any task was never, 'You need to do this!' Her attitude was always, 'What can we do to make things better, or how can I help?' An instance that comes to mind when our department saw how she displayed her heart of service was removing trash from faculty rooms at Christmas so custodians could have an extended break. Another illustration was aiding Plant Operations in cleaning (baseboards, windows, scraping gum off floors, etc.) at the Johnson City campus minutes before a news conference she was to be in with Dr. Gilliam at the site's opening. In conclusion, the College has been truly blessed to have known the love, compassion, and respect Lana showed for students, faculty, and staff."

Dr. Sam Rowell, Northeast State's Vice President for Economic and Workforce Development, recalled,

During her tenure at Northeast State, Lana served as a mentor for many, including myself. Several years ago she led the effort on the development of a certificate whereby individuals enrolled in company apprenticeship programs could earn simultaneously a college-level certificate with the completion of the Department of Labor-approved apprenticeship credential in which they were enrolled. The ability to provide academic

credit for apprenticeship coursework, allowing individuals opportunities for upward mobility is an accomplishment in academics that many still aspire to achieve. In the area of ‘human betterment,’ I honestly believe everyone who got to know Lana is a better person because of who she was. I unequivocally believe Dr. Lana Hamilton meets the requirements set forth by TBR for the naming of a building.

(2) This honor must be reserved for individuals of recognized accomplishment and character.

Lana’s recognized accomplishments are many and the depth of her character is evidenced by the relationships she built with others and the impact she had on their lives. Dr. Keith Young, Assistant Professor, English, and former Dean, Off-Campus Programs and Services, notes the following:

Over the 27+ years of my career, I have had the great honor of knowing Dr. Hamilton as a fellow faculty member, as a fellow administrator, and a friend. Over the span of her time with Northeast State, Dr. Hamilton stood out above her peers as an enthusiastic, energetic faculty in the Biology division. I had the pleasure of witnessing her teaching at the Elizabethton campus, hearing the student compliments about who she was as a teacher and mentor to dozens of students. Later, when she became the dean of the Science division and later, the Vice President for Academic Affairs, Dr. Hamilton continued to excel in every imaginable way. She championed numerous faculty initiatives with the same enthusiasm and respect that marked her tenure while an instructor...It is a rare person who can bridge the divide between administration, staff, and faculty in these times; and it is both astonishing and gratifying that for a far-too-brief period of time, the Northeast State family was so fortunate to have someone of her caliber on the campus.

The words of William Wilson, a 28-year College employee and former Humanities Dean, holding Faculty Emeritus status, best represent our voice now as we ask TBR’s permission to name the Faculty Office Building Lana Hamilton Hall in honor/memory of Lana:

Character can be defined in many ways; but one essential quality is courage, a courage to endure and to love others no matter what life has brought to us. Lana showed us how to face death with spirit and hope...As a biologist, she knew what she was facing with the cancer and the damage from the stroke, but she continued her speech therapy, hoping even then to better herself, to live. Lana Hamilton Hall. To all of us who have a living memory of Lana, it would be a good thing for us to have a place on campus, where we could go and say to someone and-- more importantly--say to ourselves that this building, Lana Hamilton Hall, this cornerstone of her life, where she worked so hard for all of the students and for all of us, is now her home here at Northeast State. Here, her energy will still envelop us with its lithe grace and soft touch that was her true power. Then, we could once again remind ourselves that Lana represented the best of us: She truly made us all better human beings, better teachers and administrators than we ever thought we could be. Thank you, Lana. Thank you.

(3a) The historical significance of the contribution of the individual.

As to the historical significance of Lana’s contributions to Northeast State Community College’s evolution, she was responsible for significant growth during her tenure as Vice President for Academic Affairs, increasing articulation agreements, program offerings, and off-campus instructional sites. Not only was she instrumental in coordinating the development of Kingsport’s Academic Village, she also oversaw the addition of two primary instructional sites: Northeast State at Bristol and Northeast State at Johnson City. Furthermore, Northeast State at Gray became SACSCOC accredited during her leadership as did 16 high school teaching sites in the five-county service area, enabling on-site early post-secondary opportunities for all local high school students.

Dr. Connie Marshall, Interim Vice President for Academic Affairs, wrote, “Lana had a strong commitment to academic excellence and compassion for people, which she has left with everyone at Northeast State. Academic excellence was at the center of all decisions and policies brought forth when Lana was the Vice President for Academic Affairs. Lana’s focus was making sure every program was accredited and every course was of the highest quality possible to ensure each student was getting a superior education.” To that end, Lana negotiated a variety of articulation, dual admission, and reverse transfer agreements:

Year	Articulation Agreement
2008	East Tennessee State University - A.S., University Parallel, Business to B.A. Economics/International Commerce
2009	Milligan College - A.S., University Parallel, Pre-Occupational Therapy East Tennessee State University - A.A.S., Nursing to B.S. Nursing University of Phoenix - A.A./A.S./A.A.S degrees King College - A.S. in Teaching
2010	Bethel University - A.A./A.S., University Parallel, Criminal Justice and A.A.S, Criminal Justice Carson-Newman College - A.S., University Parallel, Philosophy/Religious Studies University of Tennessee at Martin - A.S., University Parallel, Business
2013	Western Governors University
2015	Bethel University – A.S. to B.S., Management and Organizational Development or Organizational Leadership
2016	Lincoln Memorial University - A.A./A.S. degrees
2015	Emory and Henry College - A.A., Mass Communications, Guaranteed Admissions Agreement
2016	Emory and Henry College – General Agreement for AA/AS

Year	Dual Admission Agreement
2013	Tusculum College
2014	Middle Tennessee State University
2014-2017	Tennessee State University
2015	University of Memphis
2015-2018	Austin Peay State University
2015-2025	East Tennessee State University

Year	Reverse Transfer Agreement
2014	East Tennessee State University
2014	Middle Tennessee State University
2014	Milligan College
2014	King University
2014	Tusculum College
2014-2017	Austin Peay State University
2014-2018	Tennessee State University

In addition, the following new academic programs were added to the College's academic portfolio under Lana's guidance:

Year	Program Added
2010	Certificate, Auto Body Service Technology A.A.S., Industrial Technology, Concentration: Automotive Body/Collision Repair
2011	A.A., University Parallel, Visual Art and Design A.S., University Parallel, Digital Media Certificate, General Education Core
2012	A.S., University Parallel, Pre-Medical Technology (Transfer to LMU) A.S. University Parallel, Pre-Veterinary Science (Transfer to LMU) Certificate, Industrial Operations
2014	Certificate, Customer Service and Sales Certificate, Entrepreneurship Certificate, Sound and Lighting A.A.S., Nursing (LPN to RN Option) A.S., University Parallel, Information Technology
2015	Certificate, Aviation Maintenance Technology A.A.S., Entertainment Technology A.S., University Parallel, Pre-Wildlife and Fisheries Biology (Transfer to LMU)
2016	A.A.S., Aviation Technology A.A., University Parallel, Mass Communication (Transfer to Emory and Henry College) A.A., University Parallel, Religious Studies (Transfer to Emory and Henry College) A.A., University Parallel, Sociology (Transfer to Emory and Henry College) A.S., University Parallel, Pre-Health - Athletic Training (Transfer to Emory and Henry College) A.A.S., Criminal Justice

Lana consistently helped local community agencies, businesses, and industries strengthen economic and community development. On-going initiatives with these entities resulted in the College's Regional Center for Advanced Manufacturing in Kingsport, providing both credit and

non-credit training to support workforce development and training needs. For example, she was instrumental in establishing an Industrial Operations technical certificate to recognize credit-course training. A benefit of the certificate included providing a higher education credential for students for workforce training completion.

Lana was dedicated to excellence in education, ensuring that all discipline-specific standards required of the College's accrediting agencies were maintained via an on-going institutional self-study program. As a result, accrediting agencies included the following: Southern Association of Colleges and Schools Commission on Colleges; Commission on Accreditation of Allied Health Education Programs; the Joint Review Committee on Education in Cardiovascular Technology; Committee on Accreditation of Educational Programs for the EMS Professions and the Tennessee Department of Health (Division of Emergency Medical Services); Accreditation Review Council on Education in Surgical Technology and Surgical Assisting; Accreditation Council for Business Schools and Programs; Commission on Dental Accreditation of the American Dental Association; National Accrediting Agency for Clinical Laboratory Sciences; Association of Technology, Management, and Applied Engineering; Accreditation Commission for Education in Nursing; and the National Association for the Education of Young Children.

Lana recognized the expectations of faculty students, and accreditors and the role of the College's library resources in supporting excellence in education and advocated for materials accordingly. As noted by Chris Demas, Dean of the Library,

Lana Hamilton was a great supporter of libraries because she recognized the immense value of both classroom and non-classroom learning. She viewed libraries as a way for students to enrich their college and life experiences and grow into lifelong learners. Lana believed that libraries support the academic mission of the college to help students achieve academic success. By advocating for the Basler Library at Northeast State; she facilitated the growth of the collection and addition of services and resources to better provide for the students and faculty, thus promoting academic success and growth.

Lana's service to the College is exemplary as evidenced by her participation and leadership in a multitude of committees and organizations. These are just some of the committees in which she played a leadership role: Academic Affairs Committee, Academic

Advisement Committee, Accessibility Team, Academic Audit/Accreditation Teams, Campus Safe Committee, Curriculum Subcommittee, Distance Education Subcommittee, Faculty Council, General Education Committee, International Education Committee, Mobilization Committee, Program Advisory Committees, Promotion and Tenure Committee, SACSCOC Compliance Certification Leadership Team and Quality Enhancement Plan Team, EdVenture Club Advisor, Pre-Professional Health Society Advisor, and the Technology Planning and Oversight Committee.

(3b) The association of the individual with the building.

As to Lana's association with the building, Lana's office as Vice President for Academic Affairs was located in the building, which was and still is labeled the Faculty Office Building. Lana spent the entirety of her career at the College as a member of Academic Affairs. She came to the College in 1991 as an adjunct faculty member prior to being hired as a full-time faculty member in 1992. She continued to serve as a full-time faculty member, rising to the level of tenured Associate Professor then to Dean of the Science Division prior to being appointed as Interim Vice President for Academic Affairs in 2008. In 2010, Lana was hired via the search process to be the College's Vice President for Academic Affairs, the role in which she continued until she left the College in January 2017 to become President at Jackson State.

It is appropriate that the faculty building be the building named in Lana's honor because Lana considered it an honor and a privilege to be a faculty member herself then to serve the faculty in her role as Vice President. Lana has been referred to as the heart of the College; in addition, she was the voice for faculty—consistently working to provide the technology and resources to furnish faculty the tools they needed to ensure excellence in Northeast State's classrooms. The faculty who worked closely with Lana say about her:

Lana was always one of us, even after moving on. Having risen through the faculty ranks to administrative positions and then on to the Board level, she served as a professional mentor and inspiration to many of us. Regardless of the role in which she served, Lana remained a genuinely caring person and continued to exhibit the heart of a true educator, dedicated to student success. She will always be an integral piece of our institutional backbone and her guidance and friendship will be missed by those of us who knew her. The dedication of a building in her honor will be a visible reminder of her inspiring nature and her dedication to the College.

Not only did faculty have the utmost respect and care for Lana, staff across the College did as well. Amy Drinnon, former Northeast State at Elizabethton Administrative Assistant, wrote:

I had been at Northeast for just a short time, possibly two weeks, when Dr. Hamilton emailed me. I had only met her once, when my contract was signed; but she emailed to check on me to see how I was doing. She wanted to know if I was settling in okay and if there was anything she could do to make the transition to a new workplace easier. That struck me as the act of a very kind person, one who was genuinely interested in other people. She did not have to contact me or check in with me; it wasn't her job to do so. I think that action denoted a person who went above and beyond what was required on just about everything. That type of character is certainly deserving of accolades!

These examples from the naming committee, our faculty and staff, as well as past leaders of the College who worked closely with Lana throughout the years are evidence and support of our unanimous decision to advance our request for naming the Faculty Office Building in honor of Dr. Hamilton's contributions to higher education and our College. Therefore, it is my privilege to recommend for your consideration that the Faculty Office Building on the Blountville Campus of Northeast State Community College be named Lana Hamilton Hall.

Sincerely,

Bethany H. Bullock

Bethany H. Bullock
President