



Middle Tennessee State University Board of Trustees

Monday, June 5, 2017 – 2:00 pm

ORDER OF BUSINESS

Call to Order

Pledge of Allegiance

Chairman's Welcome and Opening Remarks

President's Opening Comments

Roll Call

Approval of the Minutes

Tab 1

- April 10, 2017 Regular Session Board Meeting

Action Items

Academic Affairs, Student Life and Athletics Committee Meeting of
May 15, 2017 that includes:

Tab 2

- Minutes
- Policies for Board approval and policies to be approved by the president
- Faculty Tenure
- Faculty Promotion

Audit and Compliance Committee Meeting of May 22, 2017

Tab 3

- Minutes
- Audit Charter for Office of Audit and Consulting Services
- Policies for Board approval and policies to be approved by the president
- 2018 Audit Plan

Finance and Personnel Committee meetings of April 24, 2017;
May 9, 2017; and, May 22, 2017 that includes:

Tab 4

- Minutes for each meeting
- Policies for Board approval and policies to be approved by the president
- Compensation Items
 1. President Emeritus Contract for Dr. Sam Ingram
 2. Executive Member Salary Recommendation for Ms. Brenda Burkhart
 3. Compensation Plan Revision
 4. Salary Pool Allocation Methodology
- Estimated 2016-17 and Proposed 2017-18 Operating Budgets
- Maintenance Fees, Tuition and Mandatory/Non-Mandatory Fees
 1. Maintenance Fees and Tuition
 2. Mandatory and Non-Mandatory Fees and Housing Rates

President's Report

Closing Remarks

Adjourn



Middle Tennessee State University

Board of Trustees

Tab 1

**MINUTES
OF THE
MIDDLE TENNESSEE STATE UNIVERISTY
BOARD OF TRUSTEES**

APRIL 10, 2017

Call to Order

President Sidney A. McPhee called to order the inaugural meeting of the Middle Tennessee State University Board of Trustees on Monday, April 10, 2017, at 2:30 p.m. (CDT). Dr. McPhee welcomed the trustees and all attendees to the meeting and introduced Governor Bill Haslam. Dr. McPhee highlighted Gov. Haslam's leadership concerning higher education, referencing the Focus on College and University Success (FOCUS) Act, and the Drive to 55, and the Tennessee Promise and Tennessee Reconnect programs. Gov. Haslam provided remarks beginning with the background for the FOCUS Act with its focus on post-secondary education in order for the State to compete for jobs in the future. The determination was made to reconfigure the Tennessee Board of Regents higher education structure so that all institutions could concentrate on efforts to realize student success. He noted that from this point forward, MTSU will have a Board of Trustees with a singular focus on MTSU. He noted the quality and commitment of each trustee and thanked them for their agreement to serve. He reminded them that while their focus is MTSU, they are part of a bigger network of higher education in Tennessee.

Dr. McPhee asked each trustee to introduce himself/herself and share some remarks. He recognized several elected and appointed officials, members of the President's Cabinet and members of the Faculty Senate who were in attendance.

Roll Call

Dr. McPhee then requested Heidi Zimmerman, University Legal Counsel, to call the roll. Present were: W. Andrew "Andy" Adams, J.B. Baker, Pete DeLay, Darrell Freeman, Sr., Joey

Jacobs, Christine Karbowiak, Stephen Smith, Pamela Wright and Tony Johnston. All trustees were present and a quorum was declared.

Adoption of Board Bylaws

The first order of business concerned adoption of the Board of Trustees Bylaws. Dr. McPhee remarked that with approval of the Bylaws, the University would become subject to a Board of Trustees as provided in the FOCUS Act. Trustee Smith made a Motion that the Bylaws be adopted. Trustee Karbowiak seconded the Motion. After calling for discussion but hearing none, Dr. McPhee instructed that a roll call vote be taken. All nine (9) trustees voted in favor of adoption and the Middle Tennessee State University Board of Trustees Bylaws were officially adopted.

Election of Officers

Article 5 of the newly-adopted Bylaws provides for officers of the Board to be elected to serve two (2)-year terms. Trustee Freeman nominated Trustee Smith for the position of Chair of the Board. No additional nominations were made and Trustee Smith accepted the nomination. By unanimous voice vote, the Motion to elect Trustee Smith as Chair of the Board carried. Dr. McPhee passed the gavel to Chairman Smith and turned the meeting over to him. Chairman Smith expressed his gratitude for this honor and to Gov. Haslam for his vision with the FOCUS Act, without which an independent board would not exist. Chairman Smith acknowledged the moral and financial responsibility that comes with serving on the Board.

Chairman Smith called for nominations for the position of Vice Chair. Trustee Wright nominated Trustee Freeman for the position of Vice Chair. No additional nominations were made. By unanimous voice vote, the Motion to elect Trustee Freeman as Vice Chairman of the Board carried.

Appointment of Student Trustee

The next agenda item concerned appointment of the student trustee to serve a one (1)-year term. Dr. McPhee explained the selection process and recommended Mrs. Lindsey Weaver for this position. Vice Chair Freeman made a Motion to nominate Mrs. Lindsey Weaver as student trustee; Trustee Wright seconded the Motion. Mrs. Weaver was selected by unanimous voice vote. Mrs. Weaver thanked Dr. McPhee for nominating her and the Board for selecting her to serve as the first student trustee member.

Affirmation of the President

Affirmation of the President was the next order of business. Chairman Smith summarized Dr. McPhee's accomplishments at MTSU to date, as well as, his prior higher education experience. Vice Chairman Freeman moved to affirm Dr. McPhee in this position; Trustee DeLay seconded the Motion. The Motion carried by unanimous voice vote.

Affirmation of the Board Secretary

Ms. Heidi Zimmerman was recommended by Dr. McPhee for affirmation for the position of Secretary to the Board. Dr. McPhee explained the role of the position and Ms. Zimmerman's qualifications. Vice Chair Freeman made the Motion to approve Ms. Zimmerman, seconded by Trustee Wright. The Motion carried by unanimous voice vote.

Approval of Board Policies

The Board next considered several proposed Board policies:

- Code of Ethics
- Reservation and Delegation of Authority
- Channel of Authority and Communications
- Board Committees
- Audit and Compliance Committee Charter

Trustee Baker moved for their adoption; Trustee DeLay seconded the Motion. Trustee Wright moved to amend the Motion to revise the Board Committees policy; specifically, Section 14, Number 7, to delete the words, "Developing a system and defining," and to start the point with

“Metrics to measure efficiency of each academic department.” Trustee Wright explained that the revision is intended in order to have a very clear understanding about the difference between governance and management. As written, she was concerned it could be interpreted that the Board or the committee has the responsibility to develop the system when it is the committee’s responsibility to oversee, analyze and approve the system. Trustee Karbowski seconded the Motion to amend. Discussion followed. Chairman Smith called for a vote on the amendment; the amendment carried. Chairman Smith called for a Motion to approve the policies, as amended. Vice Chair Freeman moved for approval, seconded by Trustee Baker. The Motion, as amended, carried by unanimous voice vote.

Appointment of Committee Chairs and Committee Members

Chairman Smith moved to the next item, appointment of trustees to Board committees. The Board Bylaws provide that the Board Chair has the discretion to make these appointments and to designate the committee chairs. Chairman Smith indicated that he wished to confirm that trustees accepted their appointments to committees, and that he reserved discretion to add non-voting, non-trustee members to committees. The following trustees were appointed to the Academic Affairs, Student Life and Athletics Committee: Pam Wright, Chair, Pete DeLay, Tony Johnston and Lindsey Weaver. The following trustees were appointed to the Finance and Personnel Committee: Joey Jacobs, Chair, J.B. Baker and Darrell Freeman. These trustees were appointed to the Audit and Compliance Committee: Chris Karbowski, Chair, Andy Adams and Tony Johnston. The Executive and Governance Committee is composed of the Board Chair, Board Vice Chair, and the Audit and Compliance Committee Chair.

Affirmation of Institutional Internal Auditor

At Chairman Smith’s request, Dr. McPhee provided the basis for the recommendation to affirm Ms. Brenda Burkhart as Director of Audit and Consulting Services to fulfill the statutory requirement that each university board have an audit committee that employs a person qualified by training and experience to serve as an internal auditor. Vice Chairman Freeman

moved to accept the recommendation to affirm Ms. Burkhart as the University Internal Auditor. Trustee Wright seconded the Motion. The Motion carried unanimously.

General Confirmation Authority for Accreditation and Federal/State Commitments

The Board next considered the General Confirmation Authority for Accreditation and Federal/State Commitments. Ms. Zimmerman provided an explanation of the necessity for the Board to reaffirm the University's ongoing responsibilities under its Program Participation Agreement (PPA) with the U.S. Department of Education due to the change in governance. Vice Chairman Freeman moved to acknowledge the University's responsibilities under the PPA; Trustee Jacobs seconded the Motion. The Motion carried unanimously.

President's Report

Chairman Smith called on Dr. McPhee to give his President's Report. Dr. McPhee updated the Board on several recent activities. The first concerned the recently completed renovations to the 1967 Davis Science and the 1932 Wiser-Patton buildings, including the new Strobel Lobby connecting the two buildings. Including the new Science Building that opened two years ago, there is now a total of over 400,000 square feet of state-of-the-art science facilities, with an investment of over \$170,000,000. Dr. McPhee indicated that the Middle Tennessee Boulevard widening and upgrade project began in February 2016 and is scheduled to be completed in the Fall of 2018. The third item concerned the Division of State Audit annual financial and compliance audit of MTSU. Dr. McPhee stated that the audit report for fiscal year 2015-2016 contained no findings. Finally, Dr. McPhee provided information regarding the process of the renaming of Forrest Hall. The Tennessee Board of Regents approved the proposal to rename this building as the Army ROTC Building at its quarterly meeting on June 24, 2016. The next step, as required by state statute, will be an Initial Hearing before the Tennessee Historical Commission (THC) which is scheduled for June 16, 2017, and a Final Hearing by the THC to take place at its October 2017 meeting.

As part of his report, Dr. McPhee asked three of his executives to provide overviews of their operations and responsibilities at the University. Mark Byrnes, Interim University Provost, Deb Sells, Vice President for Student Affairs and Vice Provost for Enrollment and Academic Services and Alan Thomas, Vice President for Business and Finance, spoke about the Division of Academic Affairs, the Division of Student Affairs and Enrollment Services, and the Division of Business and Finance, respectively.

Dates for Future Meetings

The final item on the agenda was setting dates for upcoming Board meetings. Proposed dates for meetings of the Board were provided: Monday, June 5, 2017; Tuesday, September 12, 2017; Tuesday, December 5, 2017; and, Tuesday, March 27, 2018. Additional suggested dates for committee meetings or informational sessions were included in the materials. Trustee Baker made the Motion to approve the dates; Trustee DeLay seconded the Motion; the Motion carried.

Dr. McPhee made concluding remarks, thanking all those responsible for working hard to make the inaugural meeting run smoothly. Chairman Smith then asked retired Lieutenant General Keith Huber to close the meeting by leading the Pledge of Allegiance.

Adjournment of the Meeting

No further business was brought before the Board and the meeting adjourned at 4:26 p.m. CDT.

Respectfully submitted,


Heidi M. Zimmerman, Board Secretary

Dr. Sidney A. McPhee, President

Stephen Smith, Chair



Middle Tennessee State University

Board of Trustees

Tab 2



**Middle Tennessee State University
Board of Trustees**

MEETING: June Quarterly Board Meeting

SUBJECT: Approval of Academic Affairs,
Student Life and Athletics
Committee Actions

DATE: June 5, 2017

PRESENTER: Committee Chair Pam Wright

ACTION REQUIRED: Voice Vote

STAFF RECOMMENDATION: Approval

BACKGROUND INFORMATION:

The Academic Affairs, Student Life, and Athletics Committee met in regular session on May 15, 2017.

Dr. Mark Byrnes, Interim University Provost, and Dr. Debra Sells, Vice President for Student Affairs and Vice Provost for Enrollment and Academic Services, provided the Committee information concerning seven (7) academic affairs policies and three (3) student life policies. Thirty (30) faculty members were recommended for tenure and thirty-four (34) faculty members were recommended for promotion. A new degree program (B.S. in Interactive Media) was recommended for approval. The Committee approved each of these items.

An overview of the Athletics department was given by Director of Athletics Chris Massaro, highlighting both the academic and athletic achievements of our student athletes.

The Committee also discussed metrics for academic performance and suggested some additions to metrics proposed by the administration.

REPORT FROM THE ACADEMIC AFFAIRS, STUDENT LIFE, AND ATHLETICS COMMITTEE

The Academic Affairs, Student Life, and Athletics Committee met in regular session on Monday, May 15, 2017, at Middle Tennessee State University. Chairwoman Pam Wright called the first meeting of this Committee to order at 9:00 a.m. (CDT). A quorum was present with the following Committee members in attendance: J.B. Baker, Tony Johnston, Steve Smith, Pam Wright, and Lindsey Weaver. Also present were Mark Byrnes, Interim University Provost; Alan Thomas, Vice President for Business and Finance; Bruce Petryshak, Vice President for Information Technology and Chief Information Officer; Andrew Oppmann, Vice President for Marketing and Communications; Deb Sells, Vice President for Student Affairs and Vice Provost for Enrollment and Academic Services; Chris Massaro, Director of Athletics; and, Heidi Zimmerman, University Counsel and Board Secretary. President McPhee greeted the committee by telephone, but disconnected shortly afterwards due to a bad connection.

Chairwoman Wright thanked everyone for coming and stated the meeting would last two hours and the main objectives were the action items.

The first action item concerned review of proposed institutional policies. Prior to the meeting, Committee members had been provided a list of policies indicating ten recommended for approval by the Board of Trustees and those recommended for approval by the President. Chairman Wright requested that Dr. Byrnes provide brief explanations for the policies recommended for Board approval.

During Dr. Byrnes' explanations of the tenure and promotion policies, questions were asked about the tenure and promotion process, how many faculty hold tenure, percentages of faculty by rank, and how many faculty do not attain tenure. Dr. Byrnes will provide the information for the next meeting.

In his explanation of policy 206 Tenure and Promotion Appeals Process, Dr. Byrnes noted the final level of appeal is the Board of Trustees. He then raised the issue of who makes recommendations regarding appeals to the Board of Trustees. Under the Tennessee Board of Regents, their staff would prepare/investigate appeal materials and make a recommendation for the Board's consideration. Dr. Byrnes said there has been discussion of collaborating with other state universities when appeals arise.

Board Chairman Smith asked questions about community college transfer admissions. He also asked whether our admission process included a criminal background review. Dr. Sells discussed guaranteed and conditional admission standards, and stated that we do not include a question about criminal background on our application. Ms. Zimmerman will look at legal issues associated with adding this to our application for the next committee meeting.

Dr. Johnston made the Motion that the list of ten (10) proposed policies be recommended to the Board for approval with the remaining proposed policies recommended to be approved by the President. See Attachment 1. The Motion was seconded by Board Chairman Smith. A voice vote was taken and the Motion carried.

The next action item was the Recommendation for Approval of Tenure and Promotion Candidates. Dr. Byrnes explained the application process for tenure and promotion candidates and the seven levels of review prior to Board of Trustees approval. Board Chairman Smith asked how often the tenure policy is reviewed, and Trustee Baker added that considering the financial obligations associated with tenure, the policy should be reviewed annually. Dr. Johnston commented on the depth of review that has taken place on all MTSU and TBR policies since the FOCUS Act, and it was agreed that the University Provost will review the policies which require Board of Trustees approval annually and bring concerns to this committee.

Trustee Baker made the Motion that the list of thirty (30) Tenure and thirty-four (34) Promotion Candidates be recommended to the Board for approval. See Attachment 2. The

Motion was seconded by Board Chairman Smith. A voice vote was taken and the Motion carried.

The third action item concerned approval of one new degree program, the Bachelor of Science (BS) in Interactive Media. Department Chair Billy Pittard described Interactive Media and how moving this program from a concentration under the BS in Mass Communication to a stand-alone major provides more specificity for potential employers of our graduates.

Board Chairman Smith made the Motion that the Bachelor of Science (BS) in Interactive Media be recommended to the Board for approval. See Attachment 3. The Motion was seconded by Trustee Baker. A voice vote was taken and the Motion carried.

Director of Athletics Chris Massaro [presented an overview](#) of MTSU Athletics, Conference USA, and the NCAA. See Attachment 4. Board Chairman Smith asked for the graduation rate of student-athletes (86%, a higher rate than general student body). Trustee Baker asked about the list of facility needs. Mr. Massaro shared that an architect will be working on a master plan this summer for a formal report.

The next information item was Metrics for Academic Programs. Prior to the meeting, Committee members had been provided reports on Degrees Awarded, Enrollment, Retention, Persistence, and Completion Rates. See Attachment 5. Trustee Baker asked for the most current information and more context to the data presented. Board Chairman Smith would like to see this year's data compared to last year's related to admissions and employment information for our graduates. Dr. Byrnes will provide a report at the next meeting. Dr. Sells discussed trends in applications, yield rates, housing, and scholarship applications.

Regarding tracking the specific components that contribute to student success, Dr. Byrnes told the Committee that the President, Vice Presidents, and Deans just completed a series of student success/budget meetings which provided a narrative behind the student success statistics.

The Committee would like to review the THEC low-producing program report before it is sent to THEC.

Board Chairman Smith asked why degrees in nursing were trending down and how can we increase the maximum enrollment in nursing. Dr. Byrnes will provide a report at the next meeting.

Board Chairman Smith asked for a faculty-to-degree productivity report. Dr. Johnston said that some departments teach general education courses to all 20,000 students but may not have many majors.

Trustee Baker asked for a report on Greek Life for the next committee meeting.

Chairperson Wright asked if additional resources are needed to produce metrics.

Chairperson Wright asked for agenda items for the next committee meeting and noted that a meeting date has not been set yet.

The meeting adjourned at 10:58 a.m. (CDT).

Pam Wright, Chairwoman



Middle Tennessee State University Board of Trustees
Academic Affairs, Student Life and Athletics Committee
 Monday, May 15, 2017, 9:00 AM

Recommendation for Approval of Policies

A copy of the following policies is included in the attached meeting materials.

Academic Affairs Policies – Institution and Faculty

Policy No.	Policy Name	Purpose
201	Academic Freedom and Responsibility	This policy is fundamental to Middle Tennessee State University and academic functioning of the faculty in instruction, research and publication, and as members of a civic community, a learned profession, and an educational institution.
204	Tenure	This policy establishes criteria and procedures relating to academic tenure at Middle Tennessee State University. It is important to note that the listed criteria represent minimum standards set by the University to attain tenure. College and/or department policies relating to the tenure process must meet the criteria as specified herein, but may exceed and be more specific than the minimum standards required by the University.
205	Promotion of Tenured and Tenurable Faculty	This policy establishes criteria and procedures for academic promotion at Middle Tennessee State University. It is intended to help ensure that promotions are made objectively, equitably, impartially, and as recognition of merit.
206	Tenure and Promotion Appeals Process	This policy applies to candidates for tenure and/or promotion. It is available to those receiving negative recommendations if the

		appeal meets one of the criteria stipulated in Section IV.A of this policy.
251	Approval of Academic Programs, Units or Modifications	This policy establishes the procedures and processes for the submission and approval of academic action requests for new academic programs and new academic units, and requests to modify existing academic programs at Middle Tennessee State University.

Academic Affairs Policies – Students

Policy No.	Policy Name	Purpose
301	Admissions	The following policy and procedures are adopted, pursuant to the authority granted by T.C.A. 49-7-101, as consistent admission policy of Middle Tennessee State University. MTSU shall also develop specific criteria and procedures consistent with this policy for the admission of students. Admission decisions shall be made without regard to race, color, religion, ethnic or national origin, sex, sexual orientation, gender identity/expression, disability status, age or status as a covered veteran and shall fully comply with Executive Order 11246, as amended; the Rehabilitation Act of 1973, as amended; Americans with Disabilities Act of 1990, as amended; the Vietnam Era Veterans Readjustment Act of 1974, as amended; the Age Discrimination Act of 1975; the Pregnancy Discrimination Act; applicable state statutes, and all regulations promulgated pursuant thereto.
302	Student Rights and Freedoms	Academic institutions exist for the transmission of knowledge, the pursuit of truth, the development of students, and the general well-being of society. At Middle Tennessee State University free inquiry and free expression are indispensable to the attainment of these goals. As members of the academic community, students should be encouraged to develop the capacity for critical judgment and to engage in a sustained and independent search for truth. Institutional procedures for achieving these

		<p>purposes may vary from campus to campus, but the minimal standards of academic freedom of students outlined below are essential to any community of scholars. This policy enumerates the essential provisions for students' freedom to learn.</p>
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Student Affairs Policies

Policy No.	Policy Name	Purpose
501	<u>Classifying Students In-State and Out-of-State for Paying University Fees and Tuition and for Admission Purposes</u>	<p>It is the intent of Middle Tennessee State University that uniform rules shall apply in determining whether students shall be classified in-state or out-of-state for fees and tuition purposes and for admission purposes. This policy provides the rules and criteria that will be utilized in making classification determinations.</p>
540	<u>Student Disciplinary Rules</u>	<p>Middle Tennessee State University is committed to fostering a campus environment that is devoted to learning, growth, and service. We accept and practice the core values of honesty and integrity, respect for diversity, positive engagement in the community, and commitment to non-violence. The Office of Student Conduct was created to uphold these values, educate the community about behavioral expectations, and hold members of the student community accountable to these rules and expectations. Student members of the university community are expected to uphold and abide by standards of conduct that form the basis of our Student Disciplinary Rules. Each member of the University community bears responsibility for their conduct and assumes reasonable responsibility for the behavior of others. When community members fail to exemplify and uphold these standards of conduct, student conduct procedures are used to assert and uphold the Student Disciplinary Rules. The student conduct process at MTSU exists to protect the interests of the community and the individual student while striking a balance between the two. Individuals and organizations that do not act in accordance with our rules and</p>

		<p>expectations will be challenged and may be sanctioned accordingly. Sanctions are designed to assist students in achieving acceptable standards of behavior while providing tools and resources for life-long learning and conflict resolution.</p>
541	<p>Residential Life and Housing Rules</p>	<p>A residence hall is a densely populated community composed of students with many different interests, habits, and tastes. Middle Tennessee State University is committed to the concept that on-campus residence facilities should provide an atmosphere conducive to both living and learning where, in a spirit of cooperation and consideration for others, students may live, study, and relax together. This policy provides rules to establish and maintain that atmosphere.</p>

201 Academic Freedom and Responsibility

Approved by Board of Trustees

Effective Date:

Responsible Division: Academic Affairs

Responsible Office: University Provost

Responsible Officer: University Provost

I. Purpose

This policy is fundamental to Middle Tennessee State University (MTSU or University) and academic functioning of the faculty in instruction, research and publication, and as members of a civic community, a learned profession, and an educational institution.

II. General

- A. Faculty members are entitled to freedom in the classroom in discussing their subject, being careful to avoid the persistent intrusion of matter, controversial or not, that has no bearing on the subject of instruction. Controversial material that pertains to the subject of instruction, even if it is likely to offend some people, is protected by this policy.
- B. Faculty members are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties, including and consistent with any and all policies pertaining to clinical and research practices. Research for financial gain must be based upon an understanding with the authorities of the University, which is documented in writing and signed by the faculty member and the appropriate academic officer(s).
- C. Faculty are members of a civic community, a learned profession, and an educational institution. When faculty members speak or write as members of a civic community, they are free from institutional censorship or discipline, but their special position in the community imposes special obligations. Faculty should remember that the public may judge the profession and the institution by their utterances. Hence, they should be accurate, exercise appropriate restraint, show respect for the opinions of others, and make every effort to indicate that they do not represent the University when speaking as members of a civic community.
- D. Academic freedom is essential to fulfill the ultimate objectives of an educational institution – the free search for and exposition of truth – and applies to teaching, research, and faculty participation in institutional governance. Freedom in research is fundamental for the protection of the rights of the faculty member in teaching and of the student to freedom in learning. Faculty participation in institutional governance, especially participation in shared governance through the MTSU Faculty Senate, is fundamental to the development and maintenance of effective academic policies, national and regional accreditation, and shared responsibility for the delivery of educational programs and services to students. Implicit in the principle of academic freedom are the corollary responsibilities of the faculty who enjoy that freedom. Incompetence, indolence, intellectual dishonesty, failure to carry out assigned duties, serious moral dereliction, arbitrary and capricious disregard of standards of professional conduct – these and other

grounds as set forth in Policy 204 Tenure, may constitute adequate cause for dismissal or other disciplinary sanctions against faculty members.

- E. Academic freedom and academic responsibility are interdependent, and academic tenure is adopted as a means to protect the former while promoting the latter. The right to academic freedom imposes upon the faculty an equal responsibility to be involved in the process of review and recommendation in matters that pertain to tenure and promotion as specified in University policy. The right to academic freedom also imposes upon the faculty an equal responsibility to take appropriate professional action against faculty members who are derelict in discharging their professional responsibilities.

- F. While academic tenure is essential for the protection of academic freedom, all faculty members, tenured or non-tenured, have an equal right to academic freedom and bear the same academic responsibilities implicit in that freedom.

Forms: none.

Revisions: none.

References: none.

204 Tenure

Approved by Board of Trustees

Effective Date:

Responsible Division: Academic Affairs

Responsible Office: University Provost

Responsible Officer: University Provost

I. Purpose

This policy establishes criteria and procedures relating to academic tenure at Middle Tennessee State University (MTSU or University).

It is important to note that the listed criteria represent minimum standards set by the University to attain tenure. College and/or department policies relating to the tenure process must meet the criteria as specified herein, but may exceed and be more specific than the minimum standards required by the University. All college and department policies will be reviewed for consistency with this policy by the Provost and approved by the President. Approved college and department policies will be made available online.

II. Definitions

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

- A. **Academic Tenure.** A personnel status in an academic department or academic program unit pursuant to which the academic or fiscal year appointments of full-time faculty who have been awarded tenure are continued at the University until the expiration or relinquishment of that status, subject to termination for adequate cause, for financial exigency, or for curricular reasons. Tenure may only be awarded by positive action of the Board of Trustees (Board).
- B. **Adequate Cause.** A basis upon which a faculty member, either with academic tenure or a tenure-track appointment prior to the end of the specified term of the appointment may be terminated. The specific grounds which constitute adequate cause are set forth in Section VI.
- C. **Financial Exigency.** The formal declaration by the Board that the University faces an imminent financial crisis, that there is a current or projected absence of sufficient funds (appropriated or non-appropriated) for the campus as a whole to maintain current programs and activities at a level sufficient to fulfill its educational goals and priorities, and that the budget can only be balanced by extraordinary means, which include the termination of existing and continuing academic and non-academic appointments.
- D. **Tenable Faculty Member.** A full-time employee who holds academic rank as assistant professor, associate professor, or professor and is potentially eligible for tenure. Although full-time non-tenurable faculty appointments are recognized by the University (temporary, clinical track, research-track, instructional coordinator, and visiting distinguished professor), use of the term "faculty member" in this policy applies only to tenurable faculty positions (assistant professor, associate professor, professor) unless otherwise noted.

- E. Probationary Employment. Period of full-time professional service by tenure-track faculty members before they have been granted tenure. During this time, they are evaluated by the University for the purpose of determining their satisfaction of the criteria for a recommendation for tenure. Probationary tenure-track employment provides an opportunity for faculty members to assess their commitment to the University and for the University to determine whether they meet its stated criteria of quality and/or the University's projected need. The tenure clock starts on the date specified in the letter of appointment.
- F. Faculty Appointments. Defined in Policy 202 Faculty Definition, Roles and Responsibilities and Appointments Types.
- G. Academic Year. The period of time consisting of the fall and spring semesters.
- H. Teaching. Teaching includes strategies by which information is imparted so that others may learn, and may include, but is not limited to, a variety of techniques including instruction, student advising and/or mentoring, development of course materials, courseware, and innovative approaches to instruction.
- I. Research/Scholarship/Creative Activity. Research/scholarship/creative activity encompasses the studious inquiry, examination, or discovery that contributes to disciplinary and interdisciplinary bodies of knowledge and is disseminated to an appropriate audience. Research/scholarship/creative activity may include, but is not limited to, disciplinary and interdisciplinary activities that focus on the boundaries of knowledge, field-based scholarship, creative activities (e.g., film-making, performances, or other artistic creations), research in teaching and learning, and seeking grants to support such activities.
- J. Service. Service encompasses a faculty member's activities in three areas: university service, professional service, and public service.
 1. University service refers to work other than teaching and research/scholarship/creative activity done at the department, college, and/or university level. Participation in university service is expected of every faculty member. University service includes, but is not limited to, participation on department, college and university committees. Some faculty members may accept more extensive citizenship functions, such as a leadership role in the Faculty Senate, membership on a specially appointed task force, advisor to a university-wide student organization, and/or membership on a university search committee.
 2. Professional service refers to the work done for organizations germane to one's discipline or to the teaching profession generally. Service to the profession includes, but is not limited to, association leadership, journal editorships, articles and grant proposal review, guest lecturing on other campuses, and other appropriate activities. While it is difficult to define the exact nature of significant professional service, clearly more is required than organizational membership and attendance; examples of significant service would be that done by an officer of a professional organization or a member of the editorial staff of a journal.
 3. Public service is the University's outreach to the community and society at large, with major emphasis on the application of knowledge for the solution of problems with which society is

confronted. Public service primarily involves sharing professional expertise and should directly support the goals and mission of the university.

III. Consideration for Tenure

A. Tenure Appointments

1. The awarding of tenure is recognition of the merit of a faculty member and of the assumption that he/she would meet the long-term staffing needs of the department or academic program unit and the university. Tenure is awarded only to those members of the faculty who have exhibited professional excellence and outstanding abilities sufficient to demonstrate that their future services and performances justify the degree of permanence afforded by academic tenure. Non-faculty positions are not eligible for tenure. Tenure appointments reside in the departments and academic program units, and are assurances of continued employment during the academic year subject to expiration, relinquishment, or termination of tenure as set out in Section VI. Recommendations for or against tenure originate from the department or academic program unit in which the faculty member is assigned and should include appropriate participation in the recommendation by tenured faculty in the department or academic program unit.
2. Tenure is awarded only by positive action of the Board, pursuant to the requirements and procedures of this policy. No faculty member will acquire or be entitled to any interest in a tenure appointment at MTSU without a recommendation for tenure by the President and a positive award of tenure by the Board. No other person will have any authority to make any representation concerning tenure to any faculty member, and failure to give timely notice of non-renewal of a contract will not result in the acquisition of a tenure appointment, but will result in the right of the faculty member to another year of service at the university, provided that no tenure appeals remain outstanding due to lack of cooperation and/or appropriate action on the part of the candidate in completing the appeal process.

B. Tenure Process

1. Guidance through the Tenure Process
 - a. Faculty will be given pertinent tenure criteria with their initial appointment and may be provided with a department or academic unit mentor. Workshops on portfolio development, information sessions on criteria, and other support mechanisms may also be presented for making the process and expectations clear to the tenure-track faculty member.
 - b. Tenure-track faculty members will be evaluated in writing annually and separately by their department chair/director and their department tenure and promotion review committee. Separate copies of these evaluations will be provided to tenure-track faculty, placed in their department personnel files, and sent to the faculty member's dean and to the provost.
 - c. The faculty member will receive two formal reviews during the tenure process: a pre-tenure review of progress toward tenure and a final review during the sixth year of the probationary period. The pre-tenure review will follow the process of the final tenure review through the department and college level as outlined in Section III. Tenure-track

faculty entering with zero or one years of credit for prior service will be subject to pre-tenure review in the third year of their probationary appointment; probationary faculty entering with two or three years of credit for prior service will be subject to pre-tenure review in the fourth year of their probationary appointment.

- d. Types of evidence relevant to evaluating effectiveness and contributions in teaching, research/scholarship/creative activity, and service are identified in Section IV of this document.
 - e. Applicants may withdraw from the tenure review process at any time.
2. Procedures for Tenure Recommendations
- a. General Guidelines
 - (1) Consideration for tenure originates in the department or academic program unit to which the faculty member has been assigned. Faculty members are responsible for initiating the tenure process by the written notification to the department chair/director by the deadlines specified in the tenure calendar. Candidates for tenure are also responsible for submitting to the department chair/director the Outline of Faculty Data form and such pertinent supporting materials as are called for in Section IV.
 - (2) Administrators and committees involved in the review process (Department Committee, Department Chair/Director, College Committee, Dean, and Provost) shall only submit those materials, forms, letters, and other documentation required by the review process outlined below. This includes letters of recommendation which should specify the performance criteria used and explain how the candidate has or has not met those criteria.
 - (3) Except for the documents noted in the section above, no material can be added to the Outline of Faculty Data or supporting materials once the department and/or academic program unit review process has formally begun. It is important that all participants in the review process have access to the same set of materials.
 - (4) Members of department and college tenure and promotion review committees shall not make individual recommendations concerning candidates to administrators or other committees in the review process outside committee procedures.
 - (5) [Policy 816 Nepotism](#) will apply to all levels of the tenure process.
 - b. Department and/or Academic Program Unit Review
 - (1) The review process for tenure recommendations at the department and/or academic program unit level consists of separate and independent considerations by the department chair/director and a department tenure and promotion review committee. Departments and/or academic program units may establish a single committee for both tenure and promotion review, or if deemed desirable and necessary, departments and/or academic program units may create two peer review committees (a promotion review committee and a tenure and promotion

review committee) as outlined in department policies, subject to approval by the Provost and President.

- (2) Department Tenure and promotion review committee. Each department and/or academic program unit will develop written policies that cover the structure, annual election of committee members, and operating procedures of the department tenure and promotion review committee. A copy of these policies will be available to faculty members in the offices of their department chair/director and dean. At a minimum, these policies will include the following:
 - (a) Committee members must be tenured;
 - (b) All full-time tenured and tenure-track faculty members in the department and/or academic program unit are entitled to a vote on the committee membership;
 - (c) Non-tenure-track faculty are not entitled to vote on committee membership;
 - (d) Candidates for tenure and the department chair/director cannot be members;
 - (e) A committee chair/director will be elected by the members of the committee;
 - (f) Whether there will be academic rank requirements for committee membership.

In situations where the staffing procedures described in the department policy cannot be implemented (for example, in the case of an inadequate number of tenured faculty or of specified academic rank), an alternate committee composition may be proposed subject to approval of the Provost, appropriate dean, and faculty senate president prior to review of the candidate application(s).

- (3) Review Process. The department chair/director, after examining all materials submitted by each candidate for tenure, then forwards the materials to the department tenure and promotion review committee. The department tenure and promotion review committee will separately consider each candidate's qualifications for tenure on such department, college, and university criteria as have been approved. After consideration the committee will consult with the department chair. If the recommendations of the department chair/director and committee are in concert, separate reports will be filed by the department chair/director and by the committee to the appropriate dean. If the recommendations of the department chair/director and committee are in conflict, they will meet in an attempt to resolve the conflict prior to submitting written recommendations to the appropriate dean. If the conflicts cannot be resolved, reports submitted to the dean by the committee and by the department chair/director will each describe the points of conflict.
- (4) When deliberations are concluded, the department chair/director and the committee will separately notify each tenure candidate of the recommendation that has been forwarded to the appropriate dean. Each candidate will be afforded the opportunity to meet with the department chair/director and/or the department tenure and promotion review committee to discuss the review process and the data upon which the decision was made. It is the candidate's responsibility to initiate

requests for a meeting with the department chair/director and/or department committee.

- (5) In the case of departments or academic program units not affiliated with an academic college, the department tenure and promotion review committee will forward recommendations directly to the vice provost, who will serve as dean for the purposes of the review process. When conflicting recommendations result between the vice provost and the department tenure and promotion review committee, they will meet in an attempt to resolve conflicts before forwarding recommendations to the Provost.

c. College Review

- (1) The review process for tenure recommendations at the college level consists of separate and independent considerations by the dean and a college tenure and promotion review committee.
- (2) College Tenure and promotion review committee. Each academic college will develop written policies that cover the structure, election of members to terms of three (3) years and the operating procedures for the college tenure and promotion review committee. A copy of these policies will be available to faculty members in the offices of their department chair/director and dean. At a minimum, these policies will include the following:
 - (a) Colleges with six or more departments will elect one faculty member from each department to the committee; colleges with five or fewer will elect two faculty members from each department to the committee. (To provide for committee rotation, those tenured faculty elected to serve on the first college tenure and promotion review committee will draw numbers to determine whether they serve for periods of one, two, or three years; one-third of the members will rotate off the committee each year.)
 - (b) Committee members must be tenured;
 - (c) All full-time tenured and tenure-track faculty members in the department and/or academic program unit are entitled to a vote to elect their representative(s);
 - (d) Non-tenure track faculty are not entitled to vote on committee membership;
 - (e) Department chair/directors cannot be members;
 - (f) A committee chair/director will be elected annually by the members of the committee;
 - (g) Colleges need to determine whether there will be rank requirements for those faculty members serving on the committee.

In situations where the staffing procedures described in the college policy cannot be implemented (for example, in the case of an inadequate number of tenured faculty or of a specified academic rank in a department), an alternate committee

composition may be proposed subject to approval of the Provost, appropriate dean, and faculty senate president prior to review of the candidate application(s).

Each college dean will provide the faculty senate president with the names of those elected to the college tenure and promotion review committee according to the timetable specified in the tenure calendar. The faculty senate president, in consultation with the faculty senate steering committee, may in turn appoint up to two additional faculty members to each college tenure and promotion review committee to ensure diversity, which will provide for representation that reflects the make-up of the University.

- (3) Review Process. Upon receipt of recommendations and other materials from the department chair/director and department tenure and promotion review committee, the college dean then forwards the materials to the college tenure and promotion review committee. The college tenure and promotion review committee is responsible for: a) consideration of each candidate's qualifications using approved department, college and university criteria; and b) reviewing the tenure recommendations of the department's committee and chair/director for each candidate. Deans are responsible for: a) consideration of each candidate's qualifications using approved department, college and university criteria; and b) reviewing the recommendations of department chair/director and department tenure and promotion review committees for each candidate. After consideration, the committee will consult with the college dean. If the recommendations of the dean and committee are in concert, the committee will forward all materials submitted, along with their own recommendations, to the appropriate dean. If the recommendations of the college dean and committee are in conflict, they will meet in an attempt to resolve the conflict prior to submitting formal recommendations. If the conflicts cannot be resolved, reports submitted by the committee to the dean will describe the points of conflict. Deans will forward all materials submitted, along with their own recommendations, to the provost.
 - (4) When deliberations are concluded, the academic dean and the college tenure and promotion review committee will notify each candidate considered for tenure of their recommendations. Each candidate will be afforded the opportunity to meet with the dean and/or the college tenure and promotion review committee to discuss the review process and the data upon which the decision was made. It is the candidate's responsibility to initiate requests for a meeting with the dean and/or college committee.
- d. Provost's Review
- (1) The Provost will review all recommendations on tenure and forward his/her recommendations to the President of the University, state whether the issuance of letters of non-renewal is necessary, and prepare a list of those to whom such letters are to be sent. The Provost is responsible for: a) consideration of each candidate's qualifications using approved department, college and university criteria; and b) reviewing the recommendations of department chair/director, department tenure and promotion review committees, college tenure and promotion review

committees, and deans for each candidate. The Provost will forward all materials submitted, along with his/her own recommendations, to the President.

- (2) On the same date a decision is forwarded to the President, the Provost will notify each person considered, along with the appropriate dean and department chair/director, of his/her decision. The Provost will afford each person considered an opportunity to meet and discuss the review process and the data upon which the decision was made. It is the candidate's responsibility to initiate any request to review the process and data upon which the decision is made.

e. President's Review

The President is responsible for: a) consideration of each candidate's qualifications using approved department, college and university criteria; and b) reviewing the recommendations of department chair/director, department tenure and promotion review committees, college tenure and promotion review committees, deans, and Provost for each candidate. The President will prepare a list of faculty recommended for tenure and submit it to the Board. The President will notify candidates, department chair/directors, deans, and Provost of his/her recommendations. When notified of official action by the Board, the President will provide written confirmation of the Board's decisions to the candidates, department chair/directors, deans, and Provost.

f. Appeals

The appeals process for official review by members of the Faculty Appeals Committee is outlined in [Policy 206 Tenure and Promotion Appeals](#). The appeal process should commence after the Provost has rendered his/her decision and notified the candidate of the decision. The President's letter with the tenure recommendation to the candidate shall be sent after the appeal process is completed.

3. Calendar of the Review Process

Each spring semester, the Office of the Provost will issue a calendar for the tenure review process for the upcoming academic year, which will include key dates at each major step in the process.

4. Qualified Privilege of Academic Confidentiality for Tenure and promotion review committees

- a. Peers and other faculty members serving on committees that make evaluations are expected to observe the highest appropriate standards of confidentiality concerning deliberations. Tenure and promotion review committees have qualified privilege of academic confidentiality against disclosure of individual tenure votes unless there is evidence that casts doubt upon the integrity of the committee. This policy will be interpreted in a manner consistent with the Tennessee Public Records Act, T.C.A. § 10-7-101 et seq.
- b. In general, no such privilege is recognized for proceedings outside of the university. The records created during the tenure process are subject to disclosure pursuant to T.C.A. § 10-7-503, and information regarding the process may be sought by subpoena or court order.

C. Minimum Eligibility Requirements for Consideration for Academic Tenure

1. Academic tenure may be awarded only to full-time faculty members who: (a) hold academic rank as assistant professor, associate professor, or professor and meet the minimum rank criteria for that rank under University policies; (b) have been employed pursuant to tenure-track appointments and have completed the probationary period of service as stated in the University's policy, and/or as agreed upon in writing and signed by the appropriate academic officer; and (c) have been determined by the University to meet the criteria for recommendation for tenure and have been so recommended pursuant to this policy.
 - a. Faculty members holding temporary, instructional coordinator, clinical, or research appointments are not eligible for tenure.
 - b. Faculty members supported in whole or in part by funds available to the University on a short-term basis, such as grants, contracts, or foundation sponsored projects, will not be eligible for tenure unless continuing support for such members can be clearly identified in the regular budget of the University upon the recommendation of tenure to the Board.
 - c. No faculty member will be eligible for tenure unless the employee's contract specifies his/her tenure-track status; provided that where a faculty member with tenure is appointed to an administrative position, he/she will retain tenure in a former faculty position only; and provided further that a faculty member otherwise eligible for tenure who also holds a non-faculty position may be awarded tenure in the faculty position only, subject to the requirements of this policy.
 - d. In general, candidates for tenure must have earned the doctorate or other specified terminal degree in the faculty member's discipline. The University may grant exceptions to this standard based upon its mission or based upon an extraordinary candidate. In the latter instance, the exception will be granted by the Provost in consultation with the dean, chair/director and faculty in the appropriate department when the faculty member is employed.

D. Probationary Employment

1. Faculty members apply for tenure in the fall semester of their sixth year, following a probationary period of not less than five years. If tenure is denied, the seventh year is the terminal year.

Exceptions to the minimum probationary period may be made under special circumstances upon recommendation by the dean and Provost.

2. It is the faculty member's responsibility to initiate requests for tenure. A faculty member's failure to apply at the end of the probationary period and within the prescribed due dates for submission relieves the University of any responsibility in regard to awarding tenure, and any faculty member who fails to apply will be automatically denied tenure.

E. Calculating the Probationary Period

Only full-time continuous service at the University will be included in determining completion of the probationary period, except where a break in service was pursuant to an approved leave of absence. The probationary period starts on the date specified in the letter of appointment.

1. Credit for Prior Service. The probationary period of six (6) years may include credit for prior service when agreed to by the Provost and subject to the maximum permissible credit for prior service, as noted below.

Credit toward completion of the probationary period may, at the discretion of the Provost, be given for a maximum of three (3) years of previous full-time service at colleges, universities, or institutes provided that the prior service is relevant to the University's own needs and criteria. Any credit for prior service must be recognized and confirmed in writing in the appointment letter to a tenure-track position.

2. Approved Leave of Absence. A period of approved leave of absence will be excluded from the requisite period for completion of the probationary period unless the President specified in writing prior to the leave of absence that it will be included in the probationary period. Leaves of absence may not be granted retroactively. A faculty member may apply for a maximum of two (2) extensions in one-year increments so long as the total probationary period does not exceed six years. Requests for an extension to a leave of absence follow the same procedure.
3. Stopping the Tenure Clock. Faculty members in a tenure track appointment may request to stop the clock during their probationary period when circumstances exist that interrupt normal progress toward building a case for tenure. Discretion for stopping the tenure clock rests with the President and also requires supervisory approval. In such cases, the faculty member may request to stop the tenure clock for one-year if he/she demonstrates that circumstances reasonably warrant such interruption. Reasons for approving a request to "stop the clock" will typically be related to a personal or family situation requiring attention and commitment that consumes the time and energy normally addressed to faculty duties and professional development. Examples may include, but are not limited to, childbirth or adoption, care of dependents, medical conditions or obligations, physical disasters or disruptions, or similar circumstances that require a fundamental alteration of one's professional life. The intent of this provision is to serve the best interests of the University while providing neither preference to nor adverse effect on a faculty member's process of developing a case for tenure. Once approved, the stop the clock year is not counted in the probationary period accrual.
4. Procedure to Modify the Probationary Period. A faculty member seeking a modification of his/her probationary period must submit his/her request, in writing, addressing the considerations described above. The request is to be submitted to the department chair for consideration and recommendation. The chair's recommendation is forwarded to the dean of the faculty member's college for consideration and recommendation; then to the Provost for consideration and recommendation; and finally to the President for approval or denial. The President will notify the faculty member, in writing, of the decision to approve or deny such exceptions within one month of submission. Requests for modification of the probationary period should also be submitted to the University Counsel for review.

5. A faculty member who is appointed to an administrative position prior to a tenure award remains eligible for tenure under two conditions: 1) the faculty member must qualify for tenure under department or academic program unit, college and university guidelines; and 2) the faculty member must maintain a significant involvement in academic pursuits including teaching, research/scholarship/creative activity and service. The time (or prorated portion of time) spent in the administrative position may be credited toward completion of the probationary period.
6. Where a faculty member is serving a probationary period in a department or academic program unit and is subsequently transferred to another department or academic program unit, the faculty member may – with the approval of the President – elect to begin a new probationary period on the date that the transfer occurs. If he/she does not so elect (and confirm in writing to the President), time spent in the first appointment will count toward establishing the minimum and maximum probationary period.
7. Employment during summer terms or in part-time positions will not be credited toward satisfying the probationary period.
8. When a faculty member's appointment begins in January, service for that semester will be counted for tenure as one whole academic or fiscal year.

IV. Criteria to be Considered in Tenure Recommendations

A. General Tenure Criteria

1. Staffing needs of each department/program and the total University are the first priority when faculty members are considered for tenure. Staffing needs are determined primarily by the current student enrollment, by the enrollment trends over the past five to ten-year period, and by the overall mission of the department and University. An over-staffed department or even one whose enrollment trends indicate that it will soon become over-staffed, should not give serious consideration to tenuring additional faculty unless retirements and/or resignations of tenured staff appear imminent. The criteria relevant to assessing the long-term staffing needs of a department and the University are considered significant and are stated in a generic sense as follows: (a) mandates of the Tennessee Higher Education Commission; (b) University mission and long-term goals; (c) college mission and long-term goals; and (d) department academic program emphasis, specialized orientation, and long-term goals.
2. While the nature and relative importance of the criteria for recommendation for tenure depend upon the nature, missions and goals of the college and the department or academic program unit, all faculty members considered for tenure will be evaluated with respect to their performance in (a) teaching; (b) research/scholarship/creative activity; and (c) service. They are expected to demonstrate high quality performance in teaching, high quality performance in one of the other two areas and quality performance in the remaining area.

The performance expectations for tenure will be dependent on the faculty member's rank (see [Policy 205 Promotion of Tenured and Tenurable Faculty](#)). In all categories of evaluation, documentation of quality as evaluated by peers will be stressed over quantity. Within the context of teaching, research/scholarship/creative activity, and service, the faculty member must demonstrate willingness and ability to work effectively with

colleagues to support the mission of the University and the common goals both of the University and of the academic organizational unit.

Where departments demonstrate a clear need for additional tenured faculty, the following are general guidelines for assessing the work and potential of probationary faculty who are candidates for tenure:

- a. Evidence of professional experience and performance in teaching;
- b. Evidence of direct participation in scholarship through research and/or creative activity;
- c. Evidence of continuing direct participation in University service, professional service, and public service germane to their discipline.
- d. Evidence of professional integrity that will ensure cooperation with colleagues and commitment to the programs and students of the department, the college, and the University.

B. Outline of Faculty Data and Supporting Materials

Candidates for tenure will submit a completed Outline of Faculty Data form. Candidates will also submit an orderly file of supporting materials (reprints, letters of support, creative works, etc.). A list of these supporting materials will be attached to the Outline of Faculty Data form. However, the supporting materials themselves will be stored in the department. Administrators and committees involved in the review process may ask to review any or all of these supporting materials at their discretion. Departments and/or colleges may require additional specific supplemental documentation as outlined in department and/or college policies, subject to approval by the Provost and President.

C. Teaching

1. Overview. All faculty members are expected to demonstrate high quality performance in teaching. Teaching applies to any strategy in which information is imparted so that others may learn, and may include, but is not limited to, a variety of techniques including instruction, student advising and/or mentoring, development of course materials and courseware, and development of innovative approaches to instruction. Effective teaching is an essential qualification for tenure, and tenure should not be granted in the absence of clear evidence of a candidate's teaching ability and potential for continued development.
2. Performance Criteria. All faculty members are expected to demonstrate high quality performance in teaching. Although academic units of the University may assign varying degrees of significance to individual criteria, all faculty members will be evaluated with respect to each of the following criteria for teaching.
 - a. Performance in teaching of students as evaluated by students and peers;
 - b. Performance in the advisement and mentoring of students, if applicable;
 - c. Improvement of their own courses and also the curricular offerings of the department, college and University;

- d. Effectiveness in teaching methods (including efforts to improve pedagogy with new techniques and integration of new instructional technologies);
- e. Supervision of specialized instructional activities (student research/scholarship/creative activity, service learning, experiential learning, thesis and dissertation direction, internships, student teaching, etc.);
- f. Honors received and recognition for teaching;
- g. Currency and continued intellectual development in the field of specialization;
- h. Seeking internal and external funding for instructional activities. Whether funded or unfunded, the quality of the proposal will be stressed in the evaluation. Other factors may include the reputation of the funding source and the competition for funding; and
- i. Contributions to teaching (for example, textbooks, articles, workshops, presentations, instructional technology resources, etc.) could be appropriate here or under research/scholarship/creative activity depending on the nature of the work.

3. Documentation

- a. Supporting materials as described in Section IV:B will, at a minimum, include a statement of teaching philosophy; course materials; evidence of student projects and other forms of student mentorship; and evidence of evaluation by faculty peers.
- b. Student evaluations for each course section evaluated during the probationary period will be added to the candidate's supporting materials by the department chair/director.
- c. Other supporting material may include, but will not be limited to grant proposals, additional student input, results of alumni surveys and/or student exit interviews, textbooks or educational articles, and innovative contributions to teaching, if published or presented in a peer-reviewed forum.

D. Research/Scholarship/Creative Activity

1. Overview. All faculty members are expected to demonstrate quality research, scholarship, and/or creative activity. Candidates for tenure must present evidence of their research, scholarship and/or creative activity when they apply for tenure. Research/scholarship/creative activity applies to the studious inquiry, examination, or discovery that contributes to disciplinary and interdisciplinary bodies of knowledge. Research/scholarship/creative activity may include, but is not limited to, disciplinary and interdisciplinary activities that focus on the boundaries of knowledge, field-based scholarship, and creative activities (e.g., film-making, performances, or other artistic creations).
2. Performance Criteria. Although academic units of the University may assign varying degrees of weight to each criterion, all faculty members will be evaluated with respect to each of the following criteria:
 - a. Direct participation in research, scholarship, and/or creative activity. Faculty collaboration with undergraduate and/or graduate students may be included here;

- b. Seeking internal and external funding for research, scholarship, and/or creative activity. Whether funded or unfunded, the quality of the proposal will be stressed in the evaluation. Other factors may include the reputation of the funding source and the competition for funding.

3. Documentation

- a. The Outline of Faculty Data and supporting materials as described in IV: B above must include evidence of peer-review of some elements of the candidate's research, scholarship and/or creative activity.
- b. Other supporting materials may include, but will not be limited to the following:
 - (1) Publications (articles, monographs, books, electronic media, and other published works). Publications that are subject to a formal review process by recognized scholars in the field are considered more significant than those subject to less rigorous examination.
 - (2) Written reviews and evaluations of performances, compositions, and other creative activities by qualified peers, either in person or aided by other forms of reports, are considered appropriate documentation;
 - (3) Published programs or reviews of public performance or public display will constitute documentation of original creative work;
 - (4) Presentations before one's professional peers at regional, national, or international meetings/conferences;
 - (5) Appropriate textbooks, educational articles, and instructional technology resources in one's own discipline and innovative contributions to teaching, if published or presented in a peer-reviewed forum, constitute scholarship of teaching.
 - (6) Funded internal grants from the University or external grants from public or private sources;
 - (7) Unfunded proposals for internal and external grants, where the documentation supports the quality of the proposal.

E. Service

- 1. Overview. As a vital component of the University's mission, service must be performed at the same level of quality that characterizes the teaching and research/scholarship/creative activity programs. Service encompasses a faculty member's activities in three areas: university service, professional service, and public service.
 - a. University service refers to work other than teaching and research/scholarship/creative activity done at the department, college, and/or university level. A certain amount of such service is expected of every faculty member. University service includes, but is not limited to, participation on department, college and University committees. Some faculty members may accept more extensive citizenship functions, such as a leadership role in the Faculty Senate, membership on a specially appointed task force, advisor to a

university-wide student organization, and/or membership on a University search committee. Service includes but is not limited to activities that contribute to the recruitment, retention, progression, graduation, and post-graduation career placement of students.

- b. Professional service refers to the work done for organizations germane to one's discipline or to the teaching profession generally. Service to the profession includes, but is not limited to, association leadership, journal editorships, articles and grant proposal review, guest lecturing on other campuses, and other appropriate activities. While it is difficult to define the exact nature of significant professional service, clearly more is required than organizational membership and attendance; examples of significant service would be that done by an officer of a professional organization or a member of the editorial staff of a journal.
 - c. Public service is the University's outreach to the community and society at large, with major emphasis on the application of knowledge for the solution of problems with which society is confronted. Public service primarily involves sharing professional expertise and should directly support the goals and mission of the university.
2. Performance Criteria. Participation in University service is expected of every faculty member. Although it is recognized that differences in emphases may exist, evaluation of service will be based on an appraisal of the faculty member's performance in the three areas defined above: University service, professional service, and public service. Evaluation will be based on the following criteria, with the academic unit of the University to which the faculty member is assigned determining the degree of weight for each criterion. These criteria should include: community service programs; public service consultation; University committee and administrative responsibilities; and active contributions to professional associations. In each case, documentation of the evaluation process and criteria used will be as complete as possible.
3. Documentation
- a. The Outline of Faculty Data and supporting materials as described in IV: B above must include evidence of the candidate's service activities.
 - b. Other supporting materials may include, but will not be limited to the following:
 - (1) A description of the candidate's service position that permits evaluation of performance. This should include a statement of the mission or purpose of the position, and of the objective(s) of the candidate's service unit, as well as the specific assigned tasks and responsibilities of the candidate.
 - (2) An evaluation of the effectiveness of the candidate's service, as judged by its impact on individuals, groups, or organizations served. This should include indices of the success of the service activities, in terms of improvement of communities, programs, operating agencies, production processes, or management practices. The evaluations should also include indications of satisfaction with the service provided by the candidate, and of the magnitude and complexity of the work (as opposed to perfunctory activity that does not lead to useful results).

- (3) An appraisal of the candidate's local, regional and national stature. Although the achievement of national stature is sometimes difficult for faculty whose service activities are primarily directed to groups within the state, the public service professional should take advantage of every opportunity to project his or her accomplishments among peers on a local, regional, and national basis. Service work is sometimes not publishable. The results may be in the form of direct consultations, planning reports, or instructional time directed largely to the recipients of university service programs. But certain aspects of service work are suitable for publication in professional journals. For example, unique techniques developed to motivate clients, or new approaches to the transfer and application of knowledge, would be of interest to peers in other public service programs across the nation.
- (4) Evidence of applications seeking internal and external funding for service activities; funded grants from the University, public agencies, or private foundations; submitted proposals for external funding by public agencies or private foundations. The quality of the grant proposals, whether funded or unfunded, will be stressed in the evaluation.

V. Expedited Tenure Review

The University will sometimes find it necessary to expedite tenure review in order to recruit high-quality faculty, especially when hiring for administrative positions. In these cases, the University's review will be based on the candidate's C.V. rather than a traditional tenure application file. The request will originate with the department chair/director and be reviewed by the department tenure and promotion review committee, the Dean, the college tenure and promotion review committee, the Provost, and the President. Because recruitment is often time-sensitive, the President will request approval from the Board through a special called meeting if necessary.

VI. Changes in Tenure/Tenure-Track Status

A. Non-renewal of Probationary Tenure-Track Faculty

1. When tenure-track appointments of faculty are not to be renewed for further service, applicable dates for notice of non-renewal will be based upon actual years of service at the University and are in no way affected by any credit for prior service that may be awarded pursuant to Section III of this policy. Faculty members will receive notice of their non-renewal for the ensuing academic year as follows:
 - a. Faculty members in their first year of service will be given notice at least two (2) months in advance of their termination; notification will not be later than March 1 for those whose appointments expire at the end of the academic year.
 - b. Faculty members in their second year of service will be given notice at least five (5) months in advance of their termination; notification will not be later than January 1 for those whose appointments expire at the end of the academic year.
 - c. Faculty members in their third or subsequent years of service will be notified no later than the close of the academic year. Faculty members who have served three (3) or

more years of their probationary appointment will be provided notice twelve (12) months prior to termination.

2. Notice of non-renewal will be effective upon personal delivery by the faculty member's department chair/director of the Notice to Faculty Members form, or upon the date the notice is mailed, by certified mail, return receipt requested, postage prepaid, to the faculty member's current home address on record at the University. Said written notice will carry the signature of the President or designee.
3. When faculty members on tenure-track appointments complete the sixth (6th) year of their probationary period, they will either be recommended for tenure by the President or will be given notice of non-renewal. Notice of non-renewal will be given by the President no later than the final day of the sixth (6th) academic year. The appointment to the University will end at the close of the seventh (7th) academic year. A faculty member's rights in such instance where timely notice is not given are described in Section III.
4. Faculty members on tenure-track appointments will not be terminated during the annual specified term of the appointment, except for reasons that would be sufficient for the termination of tenured faculty.
5. The non-renewal or non-reappointment of faculty members on a tenure-track appointment does not necessarily carry an implication that their work or conduct has been unsatisfactory. No proprietary or other interest in a position is created by acceptance of a probationary appointment.
6. Decisions of non-renewal of a tenure-track faculty appointment during the probationary period are not subject to appeal to the Board unless there is an alleged violation of state or federal law under the limitations described in [Policy 206 Tenure and Promotion Appeals](#).

B. Transfer of Tenure

Faculty members tenured in an academic program unit (e.g. a department or division) may be transferred to another academic program unit. In such cases, the transfer will be made with tenure; moreover, the tenure appointment will be transferred to the new academic program unit. In no instance may the faculty member be compelled to relinquish tenure as a condition for effecting the transfer.

C. Expiration of Tenure

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

D. Relinquishment of Tenure

A faculty member will relinquish or waive his/her right to tenure upon resignation from the University or upon failure to report for service at the designated date of the beginning of any academic term, which will be deemed to be a resignation, unless, in the opinion of the President, the faculty member has shown good cause for such failure to report. Tenure is not

relinquished during periods of approved leaves of absence, or during administrative assignments at the University.

E. Termination of Tenure for Reasons of Financial Exigency

A tenured faculty member may be terminated as a result of financial exigency subject to declaration by the Board that such financial conditions exist. Personnel decisions (including those pertaining to tenured faculty) that result from a declaration of financial exigency will comply with [Policy 40 Financial Exigency](#); also see definition of Financial Exigency in Section II).

F. Termination of Tenure for Curricular Reasons

The employment of a tenured faculty member may be terminated because (1) an academic program is deleted from the curriculum or (2) because of substantial and continued reduction of student enrollment in a field or discipline.

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

Before declaring that curricular reasons exist, the President will ensure meaningful participation by the faculty senate in identifying the specific curricular reasons, evaluating the long-term effect on the University’s curriculum and its strategic planning goals, and the advisability of initiating further action. Prior to initiating the process described below, the President will present a written description of curricular reasons that may warrant the termination of tenured faculty member(s). Subsequent to provision of the written description, the President will meet with the faculty senate to review these curricular reasons. The faculty senate will have the opportunity to respond in writing to the President for action described below is initiated. Each of these reasons for termination of tenure for curricular reasons must denote shifts in staffing needs that warrant greater reductions than those that are accommodated annually in light of shifting positions from one department to another or among colleges to handle changing enrollment patterns.

G. Procedures for Termination of Tenure for Curricular Reasons

The President should deny renewal to part-time faculty, temporary faculty, clinical track, research-track, and tenure-track faculty in the probationary period, before termination of tenured faculty.

1. Upon determining that termination of tenured faculty members is warranted for curricular reasons, the President will consult with the chair/directors and deans of affected departments concerning which terminations would least jeopardize the educational programs of their departments. The President will base decisions about which faculty

member(s) should be terminated upon assessment as to what action would least seriously compromise the educational programs in a department or division. Termination for curricular reasons presumes a staffing pattern in a department or academic program unit that cannot be warranted either by comparison with general load practices within the University or by comparison with faculty loads in comparable departments or academic program units at similar universities. In that light, the President will also, at his/her discretion, base decisions on a careful assessment of the impact of the curricular reason on staffing requirements in the department or academic program unit as compared to overall patterns in the University and to comparable departments or academic program units which, in his/her judgment are in universities similar enough to warrant assessment.

Unless the President demonstrates (preferably by means of past performance evaluations) that an exception should be made to protect the quality of an educational program, the following considerations should guide the President in determining the order of faculty reductions in a department where termination of tenured faculty is proposed for curricular reasons.

- a. among tenured faculty, those with higher rank should have priority in retaining their tenured positions over those with lower rank;
- b. among tenured faculty with comparable rank, those with appropriate higher academic degree(s) should have priority in retaining their tenured positions over those with lower degree(s); and
- c. among tenured faculty with comparable rank and comparable degrees, those with greater seniority in rank should have priority in retaining their tenured positions over those with less seniority.

The President will furnish each faculty member to be terminated a written statement of the reasons for the termination. Those reasons will indicate the manner and the information upon which the decision of which faculty members were to be terminated was reached. The President's written statement will also indicate that the faculty member has the opportunity to respond in writing stating any objections to the decision.

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

2. If a faculty member to be terminated indicates objections to the President's written statement and requests a review, the President will appoint a faculty committee consisting of a minimum of five (5) tenured faculty members from a slate of ten (10) tenured faculty members proposed by the faculty senate. The committee will conduct a hearing on the proposed termination(s). The committee will report its findings and recommendations to the President, who will in a reasonable time inform the faculty member(s) proposed for

termination in writing either that the decision for termination stands or that it has been altered.

3. The President's decision to terminate a tenured faculty member for curricular reasons is subject to appeal to the Board only as provided in Policy 60 Appeals and Appearances before the Board.
4. When a tenured faculty member is terminated for curricular reasons, the position will not be filled by a new appointee with the same areas of specialization as the terminated faculty member within a period of three (3) years unless the terminated faculty member has been offered, in writing, reappointment to the position at his/her previous rank and salary (with the addition of an appropriate increase which, in the opinion of the President, would constitute the raise(s) that would have been awarded during the period that he/she was not employed).

H. Termination for Adequate Cause

A tenured faculty member, or a tenure track faculty member during the annual specified- term of the appointment, may be terminated for adequate cause. Adequate cause includes the following:

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

I. Procedures for Termination for Adequate Cause

Termination of a faculty member with a tenure appointment will be subject to the following procedures:

1. No termination will be effective until steps four (4) through nine (9) below have been completed.
2. Suspensions pending termination will be governed by the following procedures:

- a. A faculty member may not be suspended pending completion of steps four (4) through nine (9) unless it is determined by the University that the faculty member's presence poses a danger to persons or property or a threat of destruction to the academic or operational processes of the University. Reassignment of responsibilities is not considered suspension; however, the faculty member must be reassigned responsibilities for which he/she is qualified.
 - b. In any case of suspension, the faculty member shall be given an opportunity at the time of the decision or immediately thereafter to contest the suspension; and, if there are disputed issues of fact or cause and effect, the faculty member will be provided the opportunity for a hearing on the suspension as soon as possible at which time the faculty member may cross-examine his/her accuser, present witnesses on his/her behalf, and be represented by an attorney. Thereafter, whether the suspension is upheld or revoked, the matter will proceed pursuant to these procedures.
3. Except for such simple announcements as may be required concerning the time of proceedings and similar matters, public statements and publicity about these proceedings by either the faculty member or administrative officers will be avoided so far as possible until the proceedings have been completed, including consideration by the Board.
4. Upon a recommendation by the Provost of the University to the President or upon a decision by the President that these procedures should be undertaken in consideration of the termination of a faculty member, one or more appropriate administrators will meet privately with the faculty member for purposes of attempting to reach a mutually acceptable resolution of the problems giving rise to the proposed termination proceedings.
5. If no mutually acceptable resolution is reached through step four (4) the following steps will be taken:
 - a. The faculty member will be provided with a written statement of the specific charges alleged by the University which constitute grounds for termination and a notice of hearing specifying the time, date, and place of the hearing. The statement and notice must be provided at least twenty (20) days prior to the hearing. The faculty member will respond to the charges in writing at least five (5) days prior to the hearing. The faculty member may waive the hearing by execution of a written waiver.
 - b. A Hearing Committee consisting of tenured faculty or tenured faculty and the Provost will be appointed to hear the case and to determine if adequate cause for termination exists according to the procedure hereinafter described. The committee will be appointed by the President, with recommendations coming from the Faculty Senate, with one tenured full professor representing each of the following colleges: Basic and Applied Sciences, Business, Education, Liberal Arts, Behavioral and Health Sciences, Media and Entertainment and University College. Members deeming themselves disqualified for bias or interest will remove themselves from the case, either at the request of a party or on their own initiative. Members of the committee will not discuss the case outside committee deliberations and will report any ex-parte communication pertaining to the hearing to the President who will notify all parties of the communication.

6. The Hearing Committee will elect a chair who will direct the proceedings and rule on procedural matters, including the granting of reasonable extensions of time at the request of any party and upon the showing of good cause for the extension.
7. The chair of the hearing committee may in his/her discretion require a joint pre-hearing conference with the parties, which may be held in person or by a conference telephone call. The purpose of the pre-hearing conference should include but is not limited to one or more of the following:
 - a. Notification as to procedure for conduct of the hearing;
 - b. Exchange of witness lists, documentary evidence, and affidavits;
 - c. Define and clarify issues;
 - d. Effect stipulations of fact; and
 - e. Any other appropriate preliminary matters.

A written memorandum of the pre-hearing conference should be prepared and provided to each party.

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

- f. In a hearing on charges of incompetence, the testimony will include that of qualified faculty members from the University and/or other universities of higher education.
 - g. The hearing committee will not be bound by strict rules of legal evidence and may admit any evidence which is of probative value in determining the issues involved. Every possible effort will be made to obtain the most reliable evidence available.
 - h. The findings of fact and the report issued by the committee will be based solely on the hearing record.
 - i. The President and the faculty member will be provided a copy of the written committee report. The committee's written report will specify findings of fact and will state whether the committee has determined that adequate cause for termination exists and, if so, the specific grounds for termination found. In addition, the committee may recommend action less than dismissal. The report will also specify any applicable policy the committee considered.
9. After consideration of the committee's report and the record, the President may in his/her discretion consult with the faculty member prior to reaching a final decision regarding termination. Following his/her review, the President will notify the faculty member of his/her decision, which, if contrary to the committee's recommendation will be accompanied by a statement of the reasons. If the faculty member is terminated or suspended as a result of the President's decision, the faculty member may appeal the President's action to the Board pursuant to Policy 60 Appeals and Appearances before the Board. Review of the appeal will be based upon the record of hearing. If upon review of the record, the Board notes objections regarding the termination and/or its proceedings, the matter will be returned to the President for reconsideration, taking into account the stated objections, and, at the discretion of the President, the case may be returned to the hearing committee for further proceedings.

NOTE 1: This revised policy is applicable to all tenure actions taken on or subsequent to July 1, 2008, for all MTSU faculty regardless of whether his/her employment began prior or subsequent to July 1, 2004.

The definition of tenure (II: A) became effective January 1, 1984. That definition applied only to faculty tenured subsequent to the effective date. For faculty members tenured previous to January 1, 1984, the applicable definition of tenure will be: "a status pursuant to which the academic year appointments of full-time faculty who have been awarded tenure are continued at a university until the expiration or relinquishment of that status, subject to termination for adequate cause for financial exigency or curricular reasons (see policy adopted June 25, 1976)."

Forms: none.

Revisions: none.

References: Policies 202 Faculty Definition, Roles and Responsibilities and Appointment Types; 60 Appearances before the Board; 816 Nepotism; T.C.A. § 10-7-101; 10-7-503; 206 Tenure and Promotion Appeals; 40 Financial Exigency; 205 Promotion of Tenured and Tenurable Faculty.

205 Promotion of Tenured and Tenurable Faculty

Approved by Board of Trustees

Effective Date:

Responsible Division: Academic Affairs

Responsible Office: University Provost

Responsible Officer: University Provost

I. Purpose

This policy establishes criteria and procedures for academic promotion at Middle Tennessee State University (MTSU or University). It is intended to help ensure that promotions are made objectively, equitably, impartially, and as recognition of merit.

II. Applicability

This policy relates only to promotion of MTSU faculty who are tenurable or tenured. Promotion of faculty who hold one of the ranks within the Instructor position is found in [Policy 202 Faculty Definition, Roles and Responsibilities, and Appointment Types](#).

III. Definitions

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

- A. Teaching. Teaching includes strategies by which information is imparted so that others may learn, and may include, but is not limited to, a variety of techniques including instruction, student advising and/or mentoring, and development of course materials, courseware, and innovative approaches to instruction.
- B. Research/Scholarship/Creative Activity. Research/scholarship/creative activity encompasses the studious inquiry, examination, or discovery that contributes to disciplinary and interdisciplinary bodies of knowledge and is disseminated to an appropriate audience. Research/scholarship/creative activity may include, but is not limited to, disciplinary and interdisciplinary activities that focus on the boundaries of knowledge, field-based scholarship, creative activities (e.g., film-making, performances, or other artistic creations), research in teaching and learning, and seeking grants to support such activities.
- C. Service. Service encompasses a faculty member's activities in three areas: university service, professional service, and public service.
 1. University service refers to work other than teaching and research/scholarship/ creative activity done at the department, college, and/or university level. Participation in university service is expected of every faculty member. University service includes, but is not limited to, participation on department, college and university committees. Some faculty members may accept more extensive citizenship functions, such as a leadership role in the Faculty

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

2. Professional service refers to the work done for organizations germane to one's discipline or to the teaching profession generally. Service to the profession includes, but is not limited to, association leadership, journal editorships, articles and grant proposal review, guest lecturing on other campuses, and other appropriate activities. While it is difficult to define the exact nature of significant professional service, clearly more is required than organizational membership and attendance; examples of significant service would be that done by an officer of a professional organization or a member of the editorial staff of a journal.
3. Public service is the University's outreach to the community and society at large, with major emphasis on the application of knowledge for the solution of problems with which society is confronted. Public service primarily involves sharing professional expertise and should directly support the goals and mission of the University.

IV. Consideration for Promotion

- A. The listed criteria represent minimum standards set by MTSU. College and/or department policies relating to the promotion process must meet the criteria as specified herein, but may exceed and be more specific than the minimum standards required by the University. All college and department policies will be reviewed for consistency with MTSU policies by the Provost and approved by the President. Approved college and department policies will be made available online.
- B. Promotion in Rank
 1. Promotion in rank is recognition of past achievements of the candidate. In addition, the advancement in rank is recognition of future potential and a sign of confidence that the individual is capable of even greater accomplishments and of assuming greater responsibilities. Promotions are to be made strictly on consideration of merit tempered by University and fiscal considerations.
 2. Tenure and promotion are not formally linked, but typically promotion to associate professor comes with tenure, and granting of tenure comes with promotion to associate professor.
 3. The President of the University is responsible for the master staffing plan of the University. In developing such a plan, the President will consider the fiscal impact of each promotion recommended to the Board of Trustees (Board); i.e., resources allocated and distributed within the University.
- C. Promotion Process
 1. Procedures for Promotion Recommendations
 - a. General Guidelines

- (1) Consideration for promotion originates in the department or academic program unit to which the faculty has been assigned. Faculty members are responsible for initiating the promotion process by written notification to the department chair/director by the deadlines specified in the promotion calendar. Candidates for promotion are also responsible for submitting to the department chair/director the Outline of Faculty Data form and such pertinent supporting materials as are called for in Section IV.B.
 - (2) Administrators and committees involved in the review process (department committee, department chair/director, college committee, dean, and Provost) shall only submit those materials, forms, letters, and other documentation required by the review process outlined below. This includes letters of recommendation which should specify the performance criteria used and explain how the candidate has or has not met those criteria.
 - (3) No material can be added to the Outline of Faculty Data or supporting materials once the department and/or academic program unit review process has formally begun. It is important that all participants in the review process have access to the same set of materials.
 - (4) Members of department and college tenure and promotion review committees shall not make individual recommendations concerning candidates to administrators or committees in the review process outside committee procedures.
 - (5) [Policy 816 Nepotism](#) prohibiting nepotism will apply to all levels of the promotion process.
 - (6) The candidate for promotion may withdraw from the review process at any level without prejudice. Withdrawal from the process does not preclude the candidate from reapplying.
- b. Department and/or Academic Program Unit Review
- (1) The review process for promotion recommendations at the department and/or academic program unit level consists of separate considerations by the department chair/director and a department tenure and promotion review committee. Departments and/or academic program units may establish a single committee for both tenure and promotion review, or if deemed desirable and necessary, departments and/or academic program units may create two peer review committees (a tenure and promotion review committee and a tenure review committee) as outlined in department policies, subject to approval by the Provost and President.

(2) Department Promotion Review Committee. Each department and/or academic program unit will develop written policies that cover the structure, annual election of committee members, and operating procedures of the department tenure and promotion review committee. A copy of these policies will be available to faculty members in the offices of their department chair/director and dean. At a minimum, these policies will include the following:

- (a) Committee members must be tenured;
- (b) All full-time tenured and tenure-track faculty members in the department and/or academic program unit are entitled to a vote on the committee membership;
- (c) Temporary faculty are not entitled to vote on committee membership;
- (d) Candidates for promotion and the department chair/director cannot be members;
- (e) A committee chair/director will be elected by the members of the committee; and
- (f) Whether there will be academic rank requirements for committee membership.

In situations where the staffing procedures described in the department policy cannot be implemented (for example, in the case of an inadequate number of tenured faculty or of specified academic rank), an alternate committee composition may be proposed subject to approval of the Provost, appropriate dean, and faculty senate president prior to review of the candidate application(s).

(3) Review Process. The department chair/director, after examining all materials submitted by each candidate for promotion, then forwards the materials to the department tenure and promotion review committee. The department tenure and promotion review committee will separately consider each candidate's qualifications for promotion on such department, college, and university criteria as have been approved. After consideration the committee will consult with the department chair/director. If the recommendations of the department chair/director and committee are in concert, separate reports will be filed by the department chair/director and by the committee to the appropriate dean. If the recommendations of the department chair/director and committee are in conflict, they will meet in an attempt to resolve the conflict prior to submitting written recommendations to the appropriate dean. If the conflicts cannot be resolved, reports submitted to the dean by the committee and by the department chair/director will each describe the points of conflict.

- (4) When deliberations are concluded, the department chair/director and the committee will separately notify each promotion candidate of the recommendation that has been forwarded to the appropriate dean. Each candidate will be afforded the opportunity to meet with the department chair/director and/or the department tenure and promotion review committee to discuss the review process and the data upon which the decision was made. It is the candidate's responsibility to initiate requests for a meeting with the department chair/director and/or department committee chair.
- (5) In the case of departments or academic program units not affiliated with an academic college, the department tenure and promotion review committee will forward recommendations directly to the vice provost, who will serve as dean for the purposes of the review process. When conflicting recommendations result between the dean/vice provost and the department tenure and promotion review committee, they will meet in an attempt to resolve conflicts before forwarding recommendations to the provost.

c. College Review

- (1) The review process for promotion recommendations at the college level consists of separate and independent considerations by the dean and a college promotion and tenure review committee.
- (2) College Promotion Review Committee. Each academic college will develop written policies that cover the structure, election of members to terms of three (3) years and the operating procedures for the college tenure and promotion review committee. A copy of these policies will be available to faculty members in the offices of their department chair/director and dean. At a minimum, these policies will include the following:
 - (a) Colleges with six or more departments will elect one faculty member from each department to the committee; colleges with five or fewer will elect two faculty members from each department to the committee. (To provide for committee rotation, those tenured faculty elected to serve on the first college tenure and promotion review committee will draw numbers to determine whether they serve for periods of one, two, or three years; one-third of the members will rotate off the committee each year.)
 - (b) Committee members must be tenured;
 - (c) All full-time tenured and tenure-track faculty members in the department and/or academic program unit are entitled to a vote to elect their representative(s);
 - (d) Temporary faculty are not entitled to vote on committee membership;

- (e) Candidates for promotion and department chair/directors cannot be members. In the event that an elected committee member initiates the promotion process during his/her three-year term, the department will elect a replacement;
- (f) A committee chair/director will be elected annually by the members of the committee; and
- (g) Colleges need to determine whether there will be rank requirements for those faculty members serving on the committee.

In situations where the staffing procedures described in the college policy cannot be implemented (for example, in the case of an inadequate number of tenured faculty or of a specified academic rank in a department), an alternate committee composition may be proposed subject to approval of the Provost, appropriate dean, and faculty senate president prior to review of the candidate application(s).

Each college dean will provide the faculty senate president with the names of those elected to the college promotion and tenure review committee according to the timetable specified in the promotion calendar. The faculty senate president, in consultation with the faculty senate steering committee, may in turn appoint up to two additional faculty members to each college promotion and tenure review committee to ensure diversity, which will provide for representation that reflects the make-up of the University.

- (3) Review Process. Upon receipt of recommendations and other materials from the department chair/director and department tenure and promotion review committee, the college dean then forwards the materials to the college tenure and promotion review committee. The college committee is responsible for: a) consideration of each candidate's qualifications using approved department, college and university criteria; and b) reviewing the promotion recommendations of the department committees and chair/director for each candidate. Deans are responsible for: a) consideration of each candidate's qualifications using approved department, college and University criteria; and b) reviewing the recommendations of department chairs/directors and department committees for each candidate. After consideration the committee will consult with the college dean. If the recommendations of the dean and committee are in concert, the committee will forward all materials submitted, along with their own recommendations, to the appropriate dean. If the recommendations of the college dean and committee are in conflict, they will meet in an attempt to resolve the conflict prior to submitting formal recommendations. If the conflicts cannot be resolved, reports submitted by the committee to the dean will describe the points of conflict. Deans will forward all materials submitted, along with their own recommendations, to the Provost.
- (4) When deliberations are concluded, the academic dean and the college tenure and promotion review committee will notify each candidate considered for promotion of their recommendations. Each candidate will be afforded the opportunity to meet with the dean and/or the college committee to discuss the review process and the

data upon which the decision was made. It is the candidate's responsibility to initiate requests for a meeting with the dean and/or college committee.

d. Provost's Review

- (1) The Provost will review all recommendations and materials sent forward on promotion and forward his/her recommendations to the President of the University. The Provost is responsible for: a) consideration of each candidate's qualifications using approved department, college and university criteria; and b) reviewing the recommendations of department chair/director, department tenure and promotion review committee, college promotion committee, and dean for each candidate. The Provost will forward all materials submitted, along with his/her own recommendations, to the President.
- (2) On the same date a decision is forwarded to the President, the Provost will notify each person considered, along with the appropriate dean and department chair/director, of his/her decision. The Provost will afford each person considered an opportunity to meet and discuss the review process and the data upon which the decision was made. It is the candidate's responsibility to initiate any request to review the process and data upon which the decision was made.

e. President's Review

The President is responsible for: a) consideration of each candidate's qualifications using approved department, college and university criteria; and b) reviewing the recommendations of department chair/director, department tenure and promotion review committee, college promotion committee, and dean, and Provost for each candidate. The President will prepare a list of faculty recommended for promotion and submit it to the Board. The President will notify candidates, department chair/directors, deans, and the Provost of his/her recommendations. When notified of Board action, the President will inform the parties concerned of the Board's decisions. If a candidate appeals, the President will not notify the individual of a promotion recommendation after the appeal process is completed.

f. Appeals

The appeals process for official review by members of the Faculty Appeals Committee and others is outlined in [Policy 206 Tenure and Promotion Appeals Process](#). The appeal process should commence after the Provost has rendered his/her decision and notified the candidate of the decision.

2. Calendar of the Review Process. Each spring semester, the Office of the Provost will issue a calendar for the promotion review process for the upcoming academic year, which will include key dates at each major step in the process.
3. Qualified Privilege of Academic Confidentiality for Promotion Review Committees

- a. Peers and other faculty members serving on committees that make evaluations are expected to observe the highest appropriate standards of confidentiality concerning deliberations. Tenure and promotion review committees have qualified privilege of academic confidentiality against disclosure of individual promotion votes unless there is evidence that casts doubt upon the integrity of the committee. This policy will be interpreted in a manner consistent with the Tennessee Public Records Act, as recorded in T.C.A. § 10-7-101 et seq.
 - b. In general, no such privilege is recognized for proceedings outside of the University. The records created during the promotion process are subject to disclosure pursuant to T.C.A. § 10-7-503 et seq., and information regarding the process may be sought by subpoena or court order.
- D. Minimum Eligibility Requirements for Consideration in Initial Appointment and Promotion
- 1. Initial appointment in academic rank is based on specific criteria and expectations as outlined in the following. Promotion in rank at any level is not simply a reward for length of service, but rather is recognition of fulfillment of higher expectations and more specific criteria at each academic rank.
 - 2. In general, each academic rank requires an advanced degree in the academic discipline. Where the degree is from a related area, the department chair/director and dean must approve the degree as being related to the academic discipline and forward such recommendation to the Provost. Upon receipt of these recommendations, the Provost will determine whether the degree is appropriate to the teaching field, normally at the time of initial appointment of the faculty member.
 - 3. When a faculty member's initial appointment begins in January, service for that semester will be counted toward promotion as one whole academic or fiscal year.
- E. General Criteria for Initial Appointment and Promotion in Rank. The following are the minimum criteria that distinguish between academic ranks. (See Section VI below for Exceptions to Minimum Academic Rank Criteria.)
- 1. Assistant Professor
 - a. Earned doctorate or terminal degree from an accredited institution in the academic discipline or related area.
 - b. Evidence of potential ability in teaching if initially appointed at this rank or documented ability if promoted into this rank.
 - c. Evidence of potential ability in research/scholarship/creative activity and service.
 - d. Evidence of professional integrity.
 - 2. Associate Professor

- a. Earned doctorate or terminal degree from an accredited institution in the academic discipline or related area.
 - b. Six (6) years of full-time collegiate experience in the academic discipline or related area as an assistant professor. Thus, a typical candidate is eligible to apply for promotion to associate professor at the beginning of his/her sixth (6) year.
 - c. Evidence of high quality professional performance in teaching.
 - d. Evidence of continuing direct participation in research/scholarship/creative activity and in service;
 - e. Evidence of high quality professional productivity in either research/scholarship/creative activity or service and quality professional productivity in the other area.
 - f. Evidence of professional integrity that will ensure cooperation with colleagues and commitment to the programs and students of the department, the college, and the University.
3. Professor. Since there is no higher rank, promotion to professor will be considered with great care and requires a level of superior achievement within the discipline with every expectation of continuing contribution to the University and larger academic community.
- a. Earned doctorate or terminal degree from an accredited institution in the academic discipline or related area.
 - b. Four years of full-time collegiate experience in the academic discipline or related area as an associate professor. Thus, a typical candidate is eligible to apply for promotion to professor at the beginning of his/her fourth year as an associate professor.
 - c. Evidence of sustained excellence in teaching.
 - d. Evidence of sustained high quality professional productivity in both research/scholarship/creative activity and in service. In one of these categories, the candidate will demonstrate a level of excellence in the academic discipline that is recognized at the national level. National recognition must be defined in department policies with approval at the college level.
 - e. Evidence of professional integrity that will ensure cooperation with colleagues and commitment to the programs and students of the department, the college, and the University.

V. Criteria to be Considered in Promotion Recommendations

A. General Promotion Criteria

1. While the nature and relative importance of the criteria for recommendation for promotion depend upon the nature, missions and goals of the college and the department or academic program unit, all faculty members considered for promotion will be evaluated with respect to their performance in (1) teaching; (2) research/scholarship/creative activity; and (3) service. All candidates for promotion are expected to demonstrate high quality performance in teaching. In the remaining two categories of evaluation, expectations for promotion to academic rank are described in Section III.D. above. In all categories of evaluation, documentation of quality as evaluated by peers will be stressed over quantity. Within the context of teaching, research/scholarship/creative activity, and service, the faculty member must demonstrate a willingness and ability to work effectively with colleagues to support the mission of the University and the common goals both of the University and of the academic organizational unit.
2. The academic units of the University must develop written policies with specific criteria for evaluating the faculty in teaching, research/scholarship/creative activity, and service. College and/or department policies relating to the promotion process must meet the criteria as specified herein, but may exceed and be more specific than the minimum standards required by the University. National recognition must be defined in department policies with approval at the college level. College and department policies will be available to faculty members in the offices of their department chair/director and dean.
3. College and department policies should use the following general criteria as minimum requirements.
 - a. evidence of high quality professional experience and performance in teaching;
 - b. evidence of continuing direct participation in scholarship through research and/or creative activity;
 - c. evidence of continuing direct participation in university service, professional service and/or public service germane to their discipline;
 - d. evidence of professional integrity that will ensure cooperation with colleagues and commitment to the programs and students of the department, the college, and the University.

B. Outline of Faculty Data and Supporting Materials

Candidates for promotion will submit a completed Outline of Faculty Data form. Candidates will also submit an orderly file of supporting materials (reprints, letters of support, creative works, etc.). A list of these supporting materials will be attached to the Outline of Faculty Data form. However, the supporting materials themselves will be stored in the department. Administrators and committees involved in the review process may ask to review any or all of these supporting materials at their discretion. Departments and/or colleges may require additional specific supplemental documentation as outlined in department and/or college policies, subject to approval by the provost and president.

C. Teaching

1. Overview. All faculty members are expected to demonstrate high quality performance in teaching. Teaching applies to any strategy in which information is imparted so that others may learn, and may include, but is not limited to, a variety of techniques including instruction, student advising and/or mentoring, development of course materials and courseware, and development of innovative approaches to instruction. Effective teaching is an essential qualification for promotion, and promotion should not be granted in the absence of clear evidence of a candidate's teaching ability and potential for continued development.
2. Performance Criteria. All faculty members are expected to demonstrate high quality performance in teaching. Although academic units of the University may assign varying degrees of significance to individual criteria, all faculty members will be evaluated with respect to each of the following criteria for teaching.
 - a. Performance in teaching of students as evaluated by students and peers;
 - b. Performance in the advisement and mentoring of students, if applicable;
 - c. Improvement of their own courses and also the curricular offerings of the department, college and University;
 - d. Effectiveness in teaching methods (including efforts to improve pedagogy with new techniques and integration of new instructional technologies);
 - e. Supervision of specialized instructional activities (student research/scholarship/creative activity, thesis and dissertation direction, experiential learning, service learning, internships, student teaching, etc.);
 - f. Honors received and recognition for teaching;
 - g. Currency and continued intellectual development in the field of specialization;
 - h. Seeking internal and external funding for instructional activities. Whether funded or unfunded, the quality of the proposal will be stressed in the evaluation. Other factors may include the reputation of the funding source and the competition for funding;
 - i. Contributions to teaching (for example, textbooks, articles, workshops, presentations, instructional technology resources, etc.) could be appropriate here or under research/scholarship/creative activity depending on the nature of the work.
3. Documentation
 - a. Supporting materials as described in Section IV:B above will, at a minimum, include a statement of teaching philosophy; course materials; evidence of student projects and other forms of student mentorship; and evidence of evaluation by faculty peers.

- b. Student evaluations for each course section evaluated since initial appointment or most recent promotion will be added to the candidate's supporting materials by the department chair/director.
- c. Other supporting material may include, but will not be limited to grant proposals, additional student input, results of alumni surveys and/or student exit interviews, textbooks or educational articles, and innovative contributions to teaching, if published or presented in a peer-reviewed forum.

D. Research/Scholarship/Creative Activity

1. Overview. All faculty members are expected to demonstrate quality research, scholarship, and/or creative activity. Candidates for promotion must present evidence of their research, scholarship and/or creative activity when they apply for promotion. Research/scholarship/creative activity applies to the studious inquiry, examination, or discovery that contributes to disciplinary and interdisciplinary bodies of knowledge. Research/scholarship/creative activity may include, but is not limited to, disciplinary and interdisciplinary activities that focus on the boundaries of knowledge, field-based scholarship, and creative activities (e.g., film-making, performances, or other artistic creations).

2. Performance Criteria.

Although academic units of the University may assign varying degrees of weight to each criterion, all faculty members will be evaluated with respect to each of the following criteria:

- a. Direct participation in research, scholarship, and/or creative activity. Faculty collaboration with undergraduate and/or graduate students may be included here;
- b. Thorough and systematic study of the research, scholarship, and/or creative activity of others; and
- c. Seeking internal and external funding for research, scholarship, and/or creative activity. Whether funded or unfunded, the quality of the proposal will be stressed in the evaluation. Other factors may include the reputation of the funding source and the competition for funding.

3. Documentation

- a. The Outline of Faculty Data and supporting materials as described in Section IV: B above must include evidence of peer-review of some elements of the candidate's research/scholarship/creative activity. If the candidate chooses, the Outline of Faculty Data may also include external peer review of scholarship and research.
- b. Other supporting materials may include, but will not be limited to the following:
 - (1) Publications (articles, monographs, books, electronic media, and other published works). Publications that are subject to a formal review process by recognized

scholars in the field are considered more significant than those subject to less rigorous examination;

- (2) Written reviews and evaluations of performances, compositions, and other creative activities by qualified peers, either in person or aided by other forms of reports, are considered appropriate documentation;
- (3) Published programs or reviews of public performance or public display will constitute documentation of original creative work;
- (4) Presentations before one's professional peers at regional, national, or international meetings/conferences;
- (5) Appropriate textbooks, educational articles, and/or instructional technology resources and innovative contributions to teaching, if published or presented in a peer-reviewed forum, constitute scholarship of teaching.
- (6) The scholarship of teaching is a valid measure of research capability;
- (7) Funded internal grants from the University or external grants from public or private sources;
- (8) Unfunded proposals for internal and external grants, where the documentation supports the quality of the proposal.

E. Service

1. Overview. As a vital component of the University's mission, service must be performed at the same level of quality that characterizes the teaching and research/scholarship/creative activity programs. Service encompasses a faculty member's activities in three areas: university service, professional service, and public service.
 - a. University service refers to work other than teaching and research/scholarship/creative activity done at the department, college, and/or university level. Participation in university service is expected of every faculty member. University service includes, but is not limited to, participation on department, college and University committees. Some faculty members may accept more extensive citizenship functions, such as a leadership role in the Faculty Senate, membership on a specially appointed task force, advisor to a university-wide student organization, and/or membership on a university search committee. Service includes but is not limited to activities that contribute to the recruitment, retention, progression, graduation, and post-graduation career placement of students.
 - b. Professional service refers to the work done for organizations germane to one's discipline or to the teaching profession generally. Service to the profession includes, but is not limited to, association leadership, journal editorships, articles and grant proposal review, guest lecturing on other campuses, and other appropriate activities. While it is difficult to define the exact nature of significant professional service, clearly more is

required than organizational membership and attendance; examples of significant service would be that done by an officer of a professional organization or a member of the editorial staff of a journal.

- c. Public service is the University's outreach to the community and society at large, with major emphasis on the application of knowledge for the solution of problems with which society is confronted. Public service primarily involves sharing professional expertise and should directly support the goals and mission of the University.

2. Performance Criteria

Participation in university service is expected of every faculty member. Although it is recognized that differences in emphases may exist, evaluation of service will be based on an appraisal of the candidate's performance in the three areas defined above: university service, professional service, and public service. Evaluation will be based on the following criteria, with the academic unit of the University to which the faculty member is assigned determining the degree of weight for each criterion. These criteria should include: community service programs; public service consultation; university committee and administrative responsibilities; and active contributions to professional associations. In each case, documentation of the evaluation process and criteria used will be as complete as possible.

3. Documentation

- a. The Outline of Faculty Data and supporting materials as described in Section IV.B. above must include evidence of the candidate's service.
- b. Other supporting materials may include, but will not be limited to the following:
 - (1) A description of the candidate's service that permits evaluation of performance. This should include a statement of the mission or purpose of the activities, and of the objective(s) of the candidate's service unit, as well as the specific assigned tasks and responsibilities of the candidate.
 - (2) An evaluation of the candidate's effectiveness, as judged by his/her impact on individuals, groups, or organizations served. This should include indices of the success of his/her service, in terms of improvement of communities, programs, operating agencies, production processes, or management practices. The evaluations should also include indications of satisfaction with the service provided by the candidate, and of the magnitude and complexity of his/her work (as opposed to perfunctory activity that does not lead to useful results).
 - (3) An appraisal of the candidate's local, regional and national stature. Although the achievement of national stature is sometimes difficult for service faculty whose activities are primarily directed to groups within the state, the faculty member should take advantage of every opportunity to project his/her accomplishments among peers on a local, regional, and national basis. Service work is sometimes not publishable. The results may be in the form of direct consultations, planning reports,

or instructional time directed largely to the recipients of university service programs. Certain aspects of service work may be suitable for publication in professional journals. For example, unique techniques developed to motivate clients, or new approaches to the transfer and application of knowledge, would be of interest to peers in other service programs across the nation.

- (4) Evidence of applications seeking internal and external funding for service activities; funded grants from MTSU, public agencies, or private foundations; submitted proposals for external funding by public agencies or private foundations. The quality of the grant proposals, whether funded or unfunded, will be stressed in the evaluation.

VI. Exceptions to Minimum Academic Rank Criteria

To ensure the development of a faculty of the highest caliber and to ensure access to appropriate rank for all members of the faculty, justifiable exceptions to these criteria may be recommended.

Exceptions to the minimum rank qualifications established by this policy can be recommended by the Provost but are subject to approval by the Board and the faculty in the appropriate academic department. Such exceptions will be recommended only upon a showing of a candidate's exceptional merit and/or other extraordinary circumstances, such as an objective need to deviate from these minimum qualifications in filling positions and/or retaining otherwise qualified faculty within certain academic disciplines. This determination will be made at the time of hire.

Petitions for exceptions to promotion criteria may include consideration of the appropriateness of the degree, extraordinary qualities that the candidate may possess, and/or equivalent work experience credit.

The department chair/director and dean are responsible for evaluating a candidate's professional experience and record of accomplishments and recommending consideration for an exception to the Provost.

VII. Terminal Degree Designation

The University will use national discipline standards to determine which degrees are considered to be terminal within each discipline. The University may also award equivalent work experience credit when a candidate has not obtained a terminal degree, but has a record of extraordinary achievement in a germane field.

Forms: none.

Revisions: none.

References: Policies 202 Faculty Definition, Roles and Responsibilities and Appointment Types; 206 Tenure and Promotion Appeals; 816 Nepotism; T.C.A. § 10-7-101; 10-7-503; Tennessee Public Records Act.

206 Tenure and Promotion Appeals Process

Approved by Board of Trustees

Effective Date:

Responsible Division: Academic Affairs

Responsible Office: University Provost

Responsible Officer: University Provost

I. Purpose

This policy applies to candidates for tenure and/or promotion. It is available to those receiving negative recommendations if the appeal meets one of the criteria stipulated in Section IV.A of this policy.

II. Scope

[Policy 852 Administrative, Professional, and Faculty Grievance or Complaint](#) is available for some grievances not addressed in this policy. This policy is not to be used in instances of complaint about the non-renewal of tenure track contracts.

III. Definitions

- A. Appeal. A request by a faculty member for investigation by the Faculty Appeals Committee of an alleged error or errors made during the review process resulting in a negative recommendation for tenure and/or promotion by the Provost.
- B. Faculty Appeals Committee. The committee established under [Policy 32 University Committees](#).
- C. Faculty Member. Includes any individual who holds academic rank ([Policy 204 Tenure](#)).
- D. Days. In this policy refers specifically to normal business days.

IV. Nature and Procedures for an Appeal

- A. A faculty member who receives written notification from the Provost that he/she has not been recommended to the President for tenure and/or promotion may appeal on one or more of the following grounds:
 - 1. The recommendation was made in violation of the faculty member's right to academic freedom.
 - 2. The recommendation was made in violation of the University policies or procedures.
 - 3. The recommendation was made in violation of the faculty member's right to equal employment opportunity. Appeals on this basis shall be referred to the Office of Institutional Equity and Compliance as claims of discriminatory acts prohibited by law or MTSU policy are considered by the Office of Equity and Compliance. The Office of Institutional Equity and Compliance shall investigate the complaint and produce a report to

include a determination as to whether discrimination adversely affected the tenure and/or promotion recommendation. The Committee shall accept this determination as conclusive.

A faculty member who receives written notification from the Provost that he/she has not been recommended to the President for tenure and/or promotion will have ten (10) business days from the date that appears on the Provost's written notification to file an appeal.

- B. The appeal, to be made on the [Faculty Appeals Form](#), must set forth in detail the nature of the alleged violation along with all factual data deemed pertinent. Ten (10) copies of the appeal forms must be supplied to the Committee, through its chairperson. At the same time, a copy of the appeal must be provided to the Provost.
- C. The Faculty Appeals Committee (Committee) shall serve as an advisory body to the President on matters arising from an appeal filed by a faculty member.
- D. A faculty member with an appeal may discuss the case informally with any member of the faculty or the administration except a member of the Committee. A Committee member who discusses Committee deliberations with the faculty member concerned shall automatically disqualify himself/herself or failing to do so be disqualified from any further proceedings in the case.
- E. In its initial review of the appeal, the Committee shall determine whether the appeal appears to qualify for further consideration based on one or more of the alleged violations stated in Section IV A 1-3-above. If found to have merit sufficient for further consideration by the Committee, an inquiry shall be scheduled on the appeal within fifteen (15) business days of the appeal submission deadline to provide the faculty member an opportunity to present additional evidence in support of the appeal. The inquiry shall also provide an opportunity for the Provost or designee to submit written and/or oral statements to the Committee regarding the allegations in the appeal. Such inquiry shall be investigatory rather than adjudicative in nature.
- F. A simple majority of members present constitutes a quorum for purposes of reaching a decision.
- G. The Committee shall within ten (10) business days from the start of the inquiry report its findings and recommendations to the President, with copies of the report sent simultaneously to the faculty member and the Provost. The Committee's findings and recommendations shall be limited to the following:
 - 1. By the weight of the evidence, the Committee determines that the ground/grounds of the appeal was/were valid, and the committee believes that this adversely affected the ultimate recommendation;
 - 2. By the weight of the evidence, the Committee determines that the ground/grounds of the appeal was/were valid, but the committee believes that this did not adversely affect the ultimate recommendation; or
 - 3. No ground/grounds was/were found to exist.

- H. If the decision of the Appeals Committee is not unanimous, the committee may also submit to the President a minority report with the rationale for dissenting opinions.
- I. If the faculty member is not satisfied following the President's recommendation for tenure and/or promotion, he/she may appeal, if permitted by policy, to the Board of Trustees or its designated subcommittee for final disposition. The appeal shall be filed within twenty (20) business days from the date that appears on the President's decision notification. The Board or its designated subcommittee will follow the criteria and process established in [Policy 60 Appeals and Appearances before the Board](#).

V. Miscellaneous

- A. The number of days indicated in Section III shall be considered the maximum, but every effort shall be made to expedite the process. The stated time limits may be extended only by mutual consent.
- B. An appeal may be withdrawn without prejudice and may be re-filed subject to provisions related to timeliness, and other relevant procedural requirements.
- C. All matters pertaining to the processing of an appeal shall be kept as confidential as may be appropriate.
- D. The faculty member and the Committee shall have access to all persons, places, and official records for information necessary to the determination and processing of an appeal.
- E. It shall be the general practice to process an appeal during the time which does not interfere with normal working duties.

Forms:

[Faculty Appeal Form](#)

Revisions: none.

References: Policies Policy 32 University Committees; 60 Appeals and Appearances before the Board; 204 Tenure; 852 Administrative, Professional, and Faculty Grievance or Complaint.

251 Approval of Academic Programs, Units, and Modifications

Approved by Board of Trustees

Effective Date:

Responsible Division: Academic Affairs

Responsible Office: University Provost

Responsible Officer: Vice Provost for Academic Programs

I. Purpose

This policy establishes the procedures and processes for the submission and approval of academic action requests for new academic programs and new academic units, and requests to modify existing academic programs at Middle Tennessee State University (MTSU or University).

II. Introduction

- A. The Board of Trustees (Board) has the power, subject to review and approval of the Tennessee Higher Education Commission (THEC), to create new academic degrees and majors, new academic units (colleges, schools, divisions, and departments), off-campus extensions of existing academic programs, and new instructional locations (THEC Policy A1.0 – New Academic Degrees, A1.1 – Academic Program Modification, and A1.3 – New Academic Units).
- B. The authority to approve all other academic actions, with the exception of those powers the Board reserves to itself, as indicated below, is delegated to the President or Provost.
- C. All proposals for changes to the University curriculum should originate with the faculty and be reviewed through an established campus review process prior to review by the Provost, President, or Board of Trustees.

III. Process

Academic Actions that must be approved by the Board

- A. The Board reserves to itself the authority to review and approve the following academic actions:
 - 1. All academic actions that require review and approval by THEC.
 - 2. To establish or abolish academic colleges, divisions, schools and departments.
 - 3. Revisions to University-wide admission, progression and graduation requirements.
- B. Academic actions approved by the Board through Interim Action.
 - 1. The power to approve the following academic actions through interim action is delegated to the President or the Provost.

- a. Establishment of new concentrations, minors, and certificates (less than 24 semester credit hours).
 - b. Inactivation of majors, minors, concentrations, or certificates.
 - c. Terminations of majors, minors, concentrations, or certificates (either at the end of the 3-year inactivation period or an immediate termination).
 - d. Name changes for existing academic programs and administrative units.
2. Summaries of academic actions approved through interim action will be reported at each regular meeting of the Board.
- C. Authority to approve all other academic actions. As chief academic officer, the Provost shall have the authority to approve all other academic actions, including the following:
- 1. New course proposals.
 - 2. Revisions to existing courses.
 - 3. Inactivation or termination of existing courses.
 - 4. Changes to policies on program admission, progression, and graduation requirements.
 - 5. Name change to existing concentrations within an academic program.
 - 6. Curriculum modifications to existing programs.
 - 7. Conversion of an existing degree to 100% online delivery.
 - 8. Other non-substantive revisions to curricula of major, concentration, minor, or certificate.

IV. Procedures

- A. All academic actions that require THEC review and approval shall follow the guidelines and procedures established by THEC.
- B. All academic actions that require notification to THEC, following approval on campus, shall follow THEC reporting procedures.
- C. The Provost shall be responsible for establishing procedures for review and approval of all academic actions that do not require THEC review and approval.

V. Sources of Specific Criteria and Forms for Reporting to THEC

- A. THEC Policy A1.0 – New Academic Programs: Approval Process
- B. THEC New Academic Programs Approval Process – Checklist
- C. THEC Letter of Notification (LON) and New Academic Program Proposal (NAPP) Checklist

D. THEC Policy A1.1 – Academic Program Modifications

E. THEC Academic Program Modifications – Checklist

F. THEC Policy A1.3 – New Academic Units

G. THEC Policy A1.5 – Academic Actions Notifications

H. THEC Financial Projection Form

Forms: none.

Revisions: none.

References: none.

301 Admissions

Approved by Board of Trustees

Effective Date:

Responsible Division:

Responsible Office:

Responsible Officer:

I. Purpose

The following policy and procedures are adopted, pursuant to the authority granted by Tennessee Code Annotated (T.C.A.) § 49-7-101, as consistent admission policy of Middle Tennessee State University (MTSU or the University). MTSU shall also develop specific criteria and procedures consistent with this policy for the admission of students. Admission decisions shall be made without regard to race, color, religion, ethnic or national origin, sex, sexual orientation, gender identity/expression, disability status, age or status as a covered veteran and shall fully comply with Executive Order 11246, as amended; the Rehabilitation Act of 1973, as amended; Americans with Disabilities Act of 1990, as amended; the Vietnam Era Veterans Readjustment Act of 1974, as amended; the Age Discrimination Act of 1975; the Pregnancy Discrimination Act; applicable state statutes, and all regulations promulgated pursuant thereto.

II. Definitions

- A. Adequate insurance coverage. The student's coverage meets or exceeds the level of coverage provided to participants under the University's Student/Scholar Health & Accident Insurance Plan.
- B. Dual enrollment. The enrollment of a high school student in one or more specified college course(s) for which the student will be awarded both high school and college credit.
- C. Joint enrollment. The enrollment of a high school student in one or more college course(s) for which the student will earn only college credit.

III. Policy Development

- A. Publication of Policy, criteria and procedures for admission. MTSU shall include its approved admission policy, along with specific criteria and procedures, in its catalog <http://www.mtsu.edu/ucat/index.php> and other appropriate publications.
- B. Policy Revision. Any subsequent change to the approved admission policy shall, prior to implementation, be submitted to the MTSU Board of Trustees (Board) for review and approval.

IV. Medical or Health Information

- A. All applicants for admission shall provide health information that, at a minimum, establishes the applicant's compliance with Rules promulgated by the Tennessee Department of Health regarding requirements for immunization against certain diseases prior to attendance at a higher education institution, and, compliance with the latest standards for immunization for

meningococcal disease as set forth by the recommended immunization schedule issued by the Center for Disease Control Advisory Committee on Immunization Practices.

- B. Prior to full-time attendance all students must provide documentation that illustrates receipt of the required immunizations.
- C. New, incoming students who live in on-campus student housing must comply with the latest standards for immunization for meningococcal disease as set forth by the recommended immunization schedule issued by the Center for Disease Control Advisory Committee on Immunization Practices.
- D. Once a student is enrolled full-time at any Tennessee Board of Regents institution, the student shall be deemed as satisfying the requirement for immunizations, and upon transfer to MTSU, will have the requirement for documentation of immunizations waived.

V. Provisions for admission at MTSU.

A. General Provisions

- 1. MTSU shall, in the admission or readmission process, assign each student a residency classification. Minimum criteria for the admission of residents of states other than Tennessee may exceed the minimum criteria established for residents of the state. [Policy 501 Classifying Students In-State and Out-of-State for Paying University Fees and Tuition and for Admission Purposes.](#)
- 2. Admission of International Non-Immigrant Applicants
 - a. Criteria for admission:
 - (1) Educational Level. The educational level attained must be comparable to that required of U.S. applicants.
 - (2) Proof of English Language Proficiency for Non-Native English Language Speakers. In order to determine an applicant's level of proficiency in the English language, MTSU shall require that applicants whose native language is not English submit scores earned on the Test of English Language Proficiency (TOEFL), the academic version of the International English Language Testing System (IELTS), or one of the other recognized comparable standardized examinations. Courses completed at another U. S. institution may be used in lieu of standardized examination scores.
 - (3) Financial Statement. In order to determine the international student's ability to pay registration fees, non-resident fees, living and other expenses, MTSU shall require international applicants to supply evidence of financial capability.
 - (4) Immigration Service Regulations. MTSU shall adhere to all U.S. Citizenship and Immigration Service regulations in the admission, enrollment, and readmission of international non-immigrant applicants.

- (5) Certification of Freedom from Tuberculosis. All international non-immigrant students applying for admission pursuant to a student visa shall submit within thirty (30) days from the first day of classes a certificate from a licensed physician or other qualified medical authority verifying freedom from tuberculosis. Failure to submit such certification shall result in denial of admission or continued enrollment. In the event that a student has tuberculosis or has potential tuberculosis requiring medical treatment, continued enrollment will be conditioned upon the determination by a licensed physician that further enrollment is not a risk to others and upon the student's compliance with any prescribed medical treatment program.
- (6) Medical and Hospitalization Insurance. International non-immigrant applicants with J, F, or M visas must have and maintain medical and hospitalization insurance as a condition of admission and continued enrollment at the institution. Applicants with J visas must also carry adequate medical and hospitalization insurance for spouses and dependents. MTSU may require similar insurance coverage of all other international non-immigrant applicants.

b. MTSU shall establish a process for:

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

3. Admission to Specialized or Limited-Enrollment Programs

- a. MTSU shall develop specific criteria and procedures for admission of students to programs or courses with enrollment limitations and/or specialized curricula.
- b. Such limitations should be based upon selective criteria appropriate to the program or course which apply equally to all prospective students, provided that preference for admission be given to residents of the State of Tennessee. T.C.A. § 49-7-138.
- c. A number of factors such as accreditation and professional certification standards, limited clinical and classroom space, faculty availability, and a concern for appropriate student progress influence the selective admissions process to certain academic programs.
 - (1) Students must meet the application criteria, be reviewed and accepted for admission, and make satisfactory progress to be admitted and continue in these academic programs.

- (2) MTSU may vary in its admission requirements based on analysis of student success characteristics.
- (3) Admission and progression policies related to selective programs shall reflect the likelihood of being admitted to the major at the earliest possible point and may contain information on grade point average, standardized test scores, and grade expectations in specified high school courses indicative of success in the field.
- d. Admission and progression policies for specialized and limited enrollment programs shall be clearly displayed in all materials to prospective applicants.
- 4. Admission to Nursing and Allied Health Programs. MTSU shall require that all persons admitted to nursing or allied health programs:
 - a. Provide evidence through a health verification form, that at a minimum, establish the applicant's compliance with the Rules promulgated by the Tennessee Department of Health regarding requirements for immunization against certain diseases, including the Hepatitis B vaccine, and other communicable diseases.
 - b. Be, with reasonable accommodation, physically and mentally capable of performing the essential functions of the program as defined in writing by the institution.
- 5. Advanced Standing and Placement. MTSU may develop criteria and procedures for granting admission with advanced placement or standing based on examination, experiential learning, and active duty in the armed services, credit earned in armed services schools, and credit earned through non-collegiate sponsored instruction consistent with [Policy 304 Awarding of Credits Earned Through Extra-Institutional Learning](#).
- 6. Readmission. MTSU shall develop criteria and procedures for the readmission of students. These criteria and procedures shall be consistent with [Policy 307 Undergraduate Academic Retention Standards](#).
- 7. Application Fee. MTSU may, with prior approval of the Board, charge a one-time non-refundable application fee.
- B. Undergraduate Degree Admission
 - 1. Admission of First-Time Freshmen
 - a. Applicants for degree admission as first-time freshmen shall be admitted using the following four (4) criteria:
 - (1) High School Graduation. Except as provided for below, applicants for degree admission as first-time freshmen must provide an official transcript showing graduation from high school. The transcript of graduates of Tennessee public high schools must include a notation indicating that the student passed all required proficiency examinations.

- (2) High School Diploma or Equivalency. Applicants for degree admission as first-time freshmen may present either the 2014 GED[®] test or the HiSET[™] in lieu of a high school diploma provided that their GED[®] test or the HiSET[™] score meets or exceeds the minimum score set by the University.
- (3) Standardized Examination Scores
- (a) Applicants for admission as first-time freshmen who are 20 years of age or younger must present Enhanced ACT or SAT scores.
- (b) MTSU will use the scores for admission in keeping with recommended best practices, advisement, and as a component in the placement decision.
- (4) High School Course Requirements. MTSU accepts the curriculum requirements as set by the Tennessee Department of Education with the implementation of the Tennessee Diploma Project of 2009. Admission will be granted to freshmen applicants who hold a recognized high school diploma that includes a distribution of college preparatory courses, such as those required in the core elements of the Tennessee High School Diploma. These courses include the following:
- (a) 4 Credits of English
- (b) 4 Credits of Math, including Algebra I and II, Geometry, and a fourth higher level math class.
- (c) 3 Credits of Science, including Biology, Chemistry or Physics, and a third Lab Course.
- (d) 3 Credits of Social Studies, including United States History* and Geography, World History and Geography, U.S. Government and Civics, and Economics.
*T.C.A. § 49-7-110 requires the completion of six semester credit hours of American History by any individual in any non-exempted area of study to be granted a baccalaureate of any kind from any institution of higher learning or community college supported or maintained by the state. Persons in exempted fields of study need not fulfill this requirement if they successfully completed a course in American History in high school. Any student has the option, at the student's request, to substitute three semester hours of Tennessee History for the American History requirement.
- (e) 1.5 Credits of Physical Education and Wellness
- (f) 2 Credits of a Single Foreign Language
- (g) 0.5 Credits of Personal Finance
- (h) 1 Credit of Fine Arts
- (i) 3 Credits of Electives consisting of Math and Science, Career and Technical Education, Fine Arts, Humanities, Advanced Placement (AP) or International Baccalaureate (IB)

Applicants who graduated prior to the adoption of the Tennessee Diploma Project curriculum who hold a high school diploma are exempt from the diploma requirements.

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

2. Early Admission of First-Time Freshmen

- a. MTSU shall develop procedures for the admission of applicants who have completed their junior year in high school.
- b. The minimum requirements for admission of applicants in this category shall be the following:
 - (1) High School GPA. Applicants must have completed the 9th, 10th, and 11th grades with a minimum grade point average of 3.2 based on a 4.0 scale or the equivalent.
 - (2) Standardized Examination Score. Applicants must have an Enhanced ACT composite score of at least 22 or a comparable score on Accuplacer or other diagnostic tests that the University may adopt in the future
 - (3) Prescribed Courses. Applicants must provide a written statement from their high school principal specifying the college courses that will be substituted for the remaining high school courses needed for high school graduation.
 - (4) Endorsements. Applicants shall provide written endorsements from their high school counselors and from their parents or guardians.

3. Admission of Transfer Students. MTSU shall establish criteria and procedures for the admission of transfer students that are consistent with the following criteria:

- a. The applicant must provide official transcripts of credits attempted from all institutions of higher education previously attended.
- b. The applicant's grade point average on transferable courses must be at least equal to that which MTSU requires for the readmission of its own students. Applicants who do not meet MTSU's standards may be admitted on scholastic probation or other appropriate condition.
- c. MTSU shall develop and publish criteria and procedures regarding the awarding of transfer credit from collegiate and non-collegiate institutions, credit by examination, military and other formal training, experiential learning, and academic fresh start. Such criteria and procedures must, at a minimum, be consistent with national standards of good practice, and the requirements of appropriate accrediting bodies, and consistent with [Policy 304 Awarding of Credits Earned Through Extra-Institutional Learning](#) to and [Policy 307 Undergraduate Academic Retention Standards](#).

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

- a. MTSU shall develop criteria and procedures for granting degree admission to non-degree students.

- b. To be eligible for Degree Admission status, non-degree students, as defined below, must meet all the applicable provisions of Section II.B. above.

C. Graduate and Professional Degree Admission

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

- 2. Admission

- a. MTSU shall set a minimum undergraduate grade point average (GPA) that an applicant should have earned in order to be considered for admission.

- (1) Departments may set higher minimum standards for admission.

- (2) Departments may also stipulate a minimum GPA to be achieved in the desired major during the final year or two of the undergraduate studies.

- b. MTSU may determine to offer varying degrees of admission, i.e., full, conditional, or provisional.

- c. Official Transcripts

- (1) MTSU shall require official transcripts (undergraduate and graduate) issued directly by all institutions attended to be submitted either upon application or acceptance.

- (2) MTSU may determine whether or not to accept three year undergraduate degrees in keeping with the international education reform, i.e., Bologna process or to make exception for students seeking political or social asylum prior to the completion of undergraduate work.

- d. Standardized Examination Scores

- (1) MTSU may request dates and scores for one or more assessment tests such as the GRE, GMAT, the MAT, the IELTS and/or TOEFL.

- (2) Scores should be submitted directly from the testing organization and not the student within the time limitations of use set by the testing organizations.

- e. Proof of English Competency

- (1) All students for whom English is not the first language, with the possible exception of individuals who have completed a prior degree at an accredited institution in an English speaking nation, must provide proof of English proficiency.

- (2) MTSU may administer additional assessments for oral and written competencies for applicants and accepted students for whom English is not the first language if they have been offered graduate assistantships where they will be required to teach.
 - (3) Departments shall provide assistance to those students awarded assistantships to improve their English language proficiency if the assessment shows deficiencies prior to placing those applicants or students in the classroom.
 - f. Required Materials for Graduate Degree Application. Regardless of the standards set by the individual academic units, all applications should include at a minimum the following components:
 - (1) An application form
 - (2) Transcripts of all previous academic work from which an undergraduate GPA may be calculated (certified translations for non-English transcripts may be required).
 - (3) Proof of English competency for international students for whom English is not their first language, with the possible exception of those who have completed a degree at an accredited institution in an English speaking country.
3. Admission of Undergraduates to Graduate Courses. MTSU may grant permission to undergraduate students with exceptional academic backgrounds to undertake graduate coursework as part of their undergraduate experience.
4. Admission of Transfer Graduate Students
 - a. Students applying for transfer from another graduate institution should submit the same admission materials as the typical first time graduate applicant. If granted admission, the student should be informed of the number of hours which will be transferrable.
 - b. MTSU shall establish criteria and procedures for the admission of transfer graduate students that are consistent with the following criteria:
 - (1) The applicant must provide transcripts of credits attempted from all institutions of higher learning previously attended.
 - (2) The applicant's grade point average (GPA) on transferrable courses must be at least equal to that which MTSU requires for the readmission of its own students. Applicants who do not meet the institution's standards may be admitted on scholastic probation or other appropriate conditions.
 - (3) MTSU shall develop procedures and publish criteria regarding the awarding of transfer credit from other universities or colleges, credit by examination, military and other formal training, and experiential learning as well as criteria for Academic Fresh Start. Such policies and procedures must, as a minimum, be consistent with

national standards of good practice and the requirements of appropriate accrediting bodies.

D. Non-Degree Admission for Undergraduate and Graduate Applicants

1. MTSU shall develop criteria and procedures for admitting undergraduate and graduate applicants who wish to take credit courses, but who either do not qualify for or do not wish to apply for degree admission.
2. Criteria and procedures shall include any conditions of enrollment and any term or overall credit-hour limitations.
3. Applicants who are eligible for non-degree admission include:
 - a. Persons Not Previously Enrolled in College
 - (1) High School Graduates
 - (2) Persons 21 years of age or older who have not earned a high school diploma and are not currently enrolled in high school.
 - (3) Persons 18 years of age or older who have not earned a high school diploma or are not currently enrolled in high school and wish to enroll in HSE preparatory courses only.
 - (4) High school students who meet the following criteria as specified in T.C.A. § 49-6-3111:
 - (a) Academically talented/gifted students enrolled in grades 9, 10, 11, or 12 in public or private high schools in Tennessee may, with the recommendation and approval of the high school principal and appropriate higher education institution personnel, enroll in and receive regular college degree credit from a Tennessee postsecondary institution if such a student has a grade point average equivalent to 3.2 on a 4.0 maximum basis and if such placement is a part of the student's planned Individual Education Program (IEP) as established by the multi-disciplinary team process.
 - (b) High school students who are in their freshman year of high school. Such students may be admitted for either joint enrollment or dual enrollment or both. For the purposes of this policy, the terms joint and dual enrollment are defined in the Definitions section. Dual Enrollment students must meet the following eligibility criteria:

The student must be enrolled as a 9th, 10th, 11th, or 12th grade student in a Tennessee public or nonpublic secondary school, or in a home education program.

The student may enroll in a specific course based on the course's specific placement requirements as determined by the University.

The student must enroll in dual enrollment courses in the general education core, Tennessee Pathways leading to a degree, Career and Technical Program of study leading to an academic award, or middle college or equivalent program.

The student must provide secondary institution permission/approval. Additionally, a minor (under 18 years of age) must provide parental/guardian permission/approval.

- b. Persons with College Credit but Not a Degree
 - (1) Persons who earned credits but not a degree at another college and are eligible for readmission to the last institution attended.
 - (2) Those who do not meet the readmission standards of the last institution attended may be admitted on scholastic probation or other established condition.
- c. Persons with a College Degree or Certificate
 - (1) Persons who have a degree or certificate equivalent to the highest degree or certificate offered by the University in a particular field but who wish to take additional courses.
 - (2) Persons who do not qualify for or do not wish to apply for graduate degree admission.
- d. Senior Citizens and Disabled Persons. T.C.A. § 49-7-113.
 - (1) Totally and permanently disabled persons and persons 65 years of age or older.
 - (2) No fees other than a service fee in an amount authorized by the Board shall be charged.
 - (3) In the case of disabled persons, the University may require an affidavit or certificate of disability from a physician or from the agency compensating the disabled person.
 - (4) Admission under this provision may, however, be limited or denied based on the availability of space in the individual classroom.
- E. Audit and No-Credit Admission. MTSU shall develop criteria and procedures for the admission of persons wishing only to audit courses or to take credit courses on a no-credit basis. The following provisions shall apply:
 - 1. Space Available Basis. Admission may be limited or denied based on the availability of space in the individual classroom.
 - 2. Senior Citizens. Senior citizens age 60 or older may audit courses or take credit courses on a no-credit basis free of any charge.
 - 3. Disabled Persons
 - a. Totally and permanently disabled persons may audit courses or take credit courses on a no-credit basis free of any charge.

- b. The University, however, may require an affidavit or certificate of disability from a physician or from the agency compensating the disabled person.
- F. Admission of Non-Degree Students to Degree Admission Status. MTSU shall develop criteria and procedures for granting degree seeking admission status to non-degree students at both the undergraduate and graduate levels.
- G. Continuous Enrollment and Residency Requirements Upon Admission for Graduate Programs
 - 1. MTSU may require continuous enrollment within select or all graduate programs.
 - 2. MTSU may establish periods of required residency for students seeking admission and enrolling in select graduate programs. Residency requirements should be clearly described in application materials and on the institutional program website.
- H. Admission to Select Graduate Programs
 - 1. Accreditation and professional certification standards, limited clinical and classroom space, faculty availability, and a concern for appropriate student progress influence the selective admission process to MTSU graduate programs.
 - 2. Students must meet the application criteria, be reviewed and accepted for admission, and make satisfactory progress to be continued in all graduate programs.
 - 3. MTSU and individual graduate programs may vary in the defined requirements for satisfactory progress as based on their analysis of student success characteristics.

Forms: none.

Revisions: none.

References: Policies 304 Awarding of Credits Earned Through Extra-Institutional Learning; 307 Undergraduate Academic Retention Standards; 501 Classifying Students In-State and Out-of-State for Paying University Fees and Tuition and for Admission Purposes; T.C.A. §§ 49-6-3111; 49-7-101; 49-7-110; 49-7-113; 49-7-138; Executive Order 11246; Rehabilitation Act of 1973; Americans with Disabilities Act of 1990; Vietnam Era Veterans Readjustment Act of 1974; Age Discrimination Act of 1975; Pregnancy Discrimination Act; Tennessee Diploma Project of 2009.

302 Student Rights and Freedoms

Approved by Board of Trustees

Effective Date:

Responsible Division: Academic Affairs

Responsible Office: University Provost

Responsible Officer: University Provost

I. Purpose

Academic institutions exist for the transmission of knowledge, the pursuit of truth, the development of students, and the general well-being of society. At Middle Tennessee State University (MTSU or University) free inquiry and free expression are indispensable to the attainment of these goals. As members of the academic community, students should be encouraged to develop the capacity for critical judgment and to engage in a sustained and independent search for truth. Institutional procedures for achieving these purposes may vary from campus to campus, but the minimal standards of academic freedom of students outlined below are essential to any community of scholars. This policy enumerates the essential provisions for students' freedom to learn.

II. Academic Freedom

- A. Freedom to teach and freedom to learn are inseparable facets of academic freedom. The freedom to learn depends upon appropriate opportunities and conditions in the classroom, on the campus, and in the larger community. Students should exercise their freedom with responsibility.
- B. The responsibility to secure and to respect general conditions conducive to the freedom to learn is shared by all members of the academic community.

III. Freedom of Access to Higher Education

Under no circumstances should a student be barred from admission to MTSU on the basis of race, color, religion, creed, ethnic or national origin, sex, sexual orientation, gender identity/expression, disability, age or status as a covered veteran. Thus, within the limits of the facilities, MTSU is open to all students who are qualified according to its admissions standards. The facilities and services of MTSU are open to all of its enrolled students.

IV. In the Classroom

- A. The student has the right to engage in free discussion, inquiry, and expression in the classroom as it is related to the content of the course.
- B. Student performance should be evaluated solely on an academic basis, not on opinions or conduct in matters unrelated to academic standards.
 - 1. Protection of Freedom of Expression. Students should be free to take reasoned exception to the data or views offered in any course of study and to reserve judgment about matters of

opinion, but they are responsible for learning the content of any course of study for which they are enrolled.

2. Protection Against Improper Academic Evaluation

- a. Students should have protection through orderly procedures against prejudiced or capricious academic evaluation.
- b. At the same time, they are responsible for maintaining standards of academic performance established for each course in which they are enrolled.

3. Protection Against Improper Disclosure. Certain information about students is protected from public disclosure by Federal and state laws. Protection against improper disclosure is a serious professional obligation. See [Policy 500 Access to Education Records](#). Judgments of ability and character may be provided under appropriate circumstances. (Adapted from AAUP Statement of Rights and Freedoms of Students.)

Forms: none.

Revisions: none.

References: Policy 500 Access to Education Records.

540 Student Disciplinary Rules

Approved by President

Effective Date:

Responsible Division: Student Affairs

Responsible Office: Dean of Students' Office

Responsible Officer: Dean of Students

I. Purpose

Middle Tennessee State University (MTSU or University) is committed to fostering a campus environment that is devoted to learning, growth, and service. We accept and practice the core values of honesty and integrity, respect for diversity, positive engagement in the community, and commitment to non-violence. The Office of Student Conduct was created to uphold these values, educate the community about behavioral expectations, and hold members of the student community accountable to these rules and expectations.

Student members of the university community are expected to uphold and abide by standards of conduct that form the basis of our Student Disciplinary Rules. Each member of the University community bears responsibility for their conduct and assumes reasonable responsibility for the behavior of others. When community members fail to exemplify and uphold these standards of conduct, student conduct procedures are used to assert and uphold the Student Disciplinary Rules.

The student conduct process at MTSU exists to protect the interests of the community and the individual student while striking a balance between the two. Individuals and organizations that do not act in accordance with our rules and expectations will be challenged and may be sanctioned accordingly. Sanctions are designed to assist students in achieving acceptable standards of behavior while providing tools and resources for life-long learning and conflict resolution.

II. Responsibility and Jurisdiction

- A. The President of MTSU is authorized to take such action as may be necessary to maintain campus conditions and preserve the integrity of the Institution and its educational environment. The President has determined that the responsibility for the administration of student conduct at MTSU is a function of the Dean of Students' office and/or the appropriate adjudicating body. The Dean of Students' designee is the Office of Student Conduct, specifically the Assistant Dean for Student Conduct and the Student Conduct Coordinator ("University officials"). The Assistant Dean and/or Student Conduct Coordinator is authorized to make the determination and/or recommendation of the method of hearing for each complaint or allegation and to provide other opportunities for conflict resolution outside of the conduct process consistent with these policies. The Assistant Dean and/or Student Conduct Coordinator shall implement policies and procedures for the administration of the student conduct program.
- B. Matters concerning academic misconduct are the responsibility of the Office of the University Provost and/or the Academic Misconduct Committee. This process is set out in detail in [Policy 312 Academic Misconduct](#).

- C. For the purpose of this policy, a “student” shall mean any person who is admitted and/or registered for study at MTSU for any academic period, either full-time or part-time, undergraduate, graduate, or professional studies. 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. Finally, “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 policy governing student conduct. Students are responsible for compliance with Institutional policies at all times. In summary, the University considers a person a student when an offer of admission has been extended and thereafter as long as the student has a continuing educational interest in the University.
- D. Disciplinary action may be taken against a student for violations of this policy which 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. MTSU may also take disciplinary action for any off-campus behavior that affects a substantial University interest. A substantial University interest is defined to include:
1. Any situation where a student’s conduct may present a danger or threat to the health and safety of others;
 2. Any situation that significantly impinges upon the rights, property, or achievements of others;
 3. Any situation that is detrimental to the educational mission and/or interests of the University.

MTSU may enforce its policy regardless of the status or outcome of any external proceedings instituted in any other forum, including any civil or criminal proceeding. Should a student withdraw from the Institution with disciplinary action pending, the student’s record may be encumbered by the appropriate Institutional office until the proceedings have been concluded. The Institution may take action if a student elects to be absent from the proceeding.

- E. This policy, and related material incorporated herein by reference, is applicable to student organizations as well as individual students. 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.
- F. 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 Records Act, T.C.A. § 10-7-504(a)(4), a student’s disciplinary files are considered “educational records” and are confidential within the meaning of those Acts.

III. The Rules: Values and Behavioral Expectations

MTSU has adopted the following non-exclusive list of prohibited behaviors for which both individuals and organizations may be subject to disciplinary action. These behaviors are considered inappropriate and in opposition to the community standards and expectations set forth by MTSU:

A. Community Standards. MTSU is committed to developing and nurturing a community devoted to learning, growth, and service. Each person who joins or affiliates with the community does so freely and accepts and practices the following rules and expectations:

1. Alcoholic Beverages. The use and/or possession 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.

A student who is under the influence of alcohol should not be reluctant to seek assistance in the event of a health or safety emergency for fear of being sanctioned. The Office of Student Conduct will generally not pursue disciplinary violations against a student (or against a witness) for his/her improper use of alcohol (e.g., underage drinking) under that circumstance. This practice only applies to amnesty from violations of the Student Code of Conduct. It does not grant amnesty for criminal, civil, or legal consequences for violations of federal, state, or local law.

2. Drugs. The unlawful possession or use 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 (a.) 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; (b) abusing legally obtained drugs by failing to take the drug as prescribed/directed and/or providing the prescribed drug to another person; (c) using a prescription drug that has not been prescribed to the individual.

Any reasonable suspicion of drug use or possession, including the odor of burnt or raw marijuana, physical characteristics of impairment, and/or possession of any paraphernalia that can be used for drug consumption will lead to an investigation and possible violation of this rule.

A student who is under the influence of drugs should not be reluctant to seek assistance in the event of a health or safety emergency for fear of being sanctioned. The Office of Student Conduct will generally not pursue disciplinary violations against a student (or against a witness) for his/her improper possession or use of drugs under that circumstance. This practice only applies to amnesty from violations of the Student Code of Conduct. It does not grant amnesty for criminal, civil, or legal consequences for violations of federal, state, or local law.

3. Drug Paraphernalia. The use or possession 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.

4. Public Intoxication. Appearing on Institution owned or controlled property or at an Institutional sponsored event while under the influence of a controlled substance or of any other intoxicating substance.

A student who is under the influence of alcohol or drugs should not be reluctant to seek assistance in the event of a health or safety emergency for fear of being sanctioned. The Office of Student Conduct will generally not pursue disciplinary violations against a student (or against a witness) for his/her improper use of alcohol (e.g., underage drinking) under that circumstance. This practice only applies to amnesty from violations of the Student Code of Conduct. It does not grant amnesty for criminal, civil, or legal consequences for violations of federal, state, or local law.

5. Explosives, Fireworks, and Flammable 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 to be and used as fireworks.
6. Violation of General Policies. Any violation of the general policies, standards, or procedures of the Institution as published in an official Institutional publication or posted on an official Institutional web page or social media page. These policies include, but are not limited to, the following:

[Policy 100 Use of Campus Property and Facilities Scheduling](#)

[Policy 312 Academic Misconduct](#)

[Policy 541 Residential Life and Housing Rules](#)

[Policy 750 Tobacco-Free Campus](#)

[Policy 775 Traffic and Parking](#)

[Policy 910 Information Technology Resources](#)

7. Violations of State or Federal Laws. Any violation of state or federal laws or regulations proscribing conduct or establishing offenses, which laws and regulations are incorporated herein by reference.
8. Disorderly Conduct. Any individual or group behavior which is disruptive, abusive, obscene, lewd, indecent, violent, excessively noisy, disorderly, or which unreasonably disturbs institutional functions, operations, classrooms, other groups, or individuals. This includes unauthorized use of sirens, loudspeakers, and other sound amplification equipment.
9. 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 including, but not limited to, any personal or University property, fire alarms, fire equipment, elevators, telephones, Institution keys, library materials, and/or safety devices.

10. Obstruction of or Interference with Institutional Activities or Facilities. Any intentional interference with or obstruction of any Institutional program, event, or facility including the following:
 - a. Any unauthorized occupancy of facilities owned or controlled by the 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 the Institution;
 - c. Any obstruction or delay of a campus security officer, public safety officer, police officer, firefighter, EMT, or any official of the Institution, or failure to comply with any emergency directive issued by such person in the performance of his/her duty;
 - d. Leading or inciting others to disrupt scheduled and/or normal activities of the University;
 - e. Participating in behavior that disrupts the scheduled and/or normal activities of the University;
 - f. Interference of either: (1) the instructor's ability to conduct class; or (2) the ability of other students to participate in and profit from instructional activity.
11. Unacceptable Conduct in Disciplinary Proceedings. Any conduct at any stage of an Institutional disciplinary process or investigation that is contemptuous, disrespectful, threatening, or disorderly. This includes false complaints, retaliation, providing false testimony or other evidence, and attempts to influence the impartiality of a member of a judicial body, verbal or physical harassment or intimidation of a judicial board member, complainant, respondent, or witness.
12. Unauthorized Access to Institutional Facilities and/or Grounds. Any unauthorized access and/or occupancy of Institutional facilities and 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.
13. 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 (3) taken as a whole, lacks serious literary, artistic, political, or scientific value.
14. Student Identification Cards. (1) Failure to possess at all times a valid student identification card or an alternate ID that will prove student status; (2) failure to surrender ID card to a University official upon proper request.

15. Gambling. Unlawful gambling in any form.
 16. 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 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.
 17. Litter. Dispersing litter in any form onto the grounds or facilities of the campus.
 18. Sirens and Loudspeakers. Unauthorized use of sirens, loudspeakers, and other sound amplification equipment.
 19. Graffiti. Damage or defacement of MTSU property by painting, chalking, writing, stenciling, or by any other means of application on such property.
- B. Community Standard: Honesty and Integrity. The notions of personal and academic honesty and integrity are central to the existence of the MTSU community. All members of the community will strive to achieve and maintain the highest standards of academic achievement in the classroom and personal and social responsibility on and off campus.
1. Theft, Misappropriation, or Unauthorized Sale of Property. Any act of theft, misappropriation, or unauthorized possession or sale of Institution property, or any such act against a member of the Institutional community or a guest of the Institution, including identity theft.
 2. Failure to Cooperate with Institutional Officials. Failure to comply with directions or directives of Institutional officials acting in the performance of their duties.
 3. Providing False Information. Giving any false information to, or withholding necessary information from, any Institutional official acting in the performance of his/her duties in connection with a student's admission, enrollment, or status in the Institution.
 4. 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.
 5. 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.
 6. Violation of Imposed Disciplinary Sanctions. Intentional or unintentional violation of a disciplinary sanction officially imposed by an Institution official or a constituted body of the Institution.

7. Unauthorized Surveillance. 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, residence hall rooms, and restrooms, and storing, sharing, and/or distributing of such unauthorized images by any means.
 8. Unauthorized Duplication or Possession of Keys. Making, causing to be made, or the possession of any key for an Institutional facility without proper authorization.
 9. Fire Drills. Failure to evacuate University facilities or willfully disregarding any emergency or fire alarm signal.
- C. Community Standard: Respect for Diversity. The MTSU community is composed of individuals representing different races, ethnicities, sexual orientations, cultures, and ways of thinking. We respect individual differences and perspectives and acknowledge our commonalities.
1. Harassment or Retaliation. Any act by an individual or group against another person or group in violation of MTSU policies, as well as federal and/or state laws prohibiting discrimination or retaliation, including, but not limited to, [Policies 25 Equal Opportunity, Affirmative Action, and Nondiscrimination](#), [26 Discrimination and Harassment Based on Protected Categories Other Than Sex](#), and [27 Misconduct, Discrimination, and Harassment Based on Sex Including Pregnancy, Sexual Orientation, and Gender Identity/Expression](#).
 2. Retaliation also includes, in this context, an act intended or reasonably likely to dissuade a person from participating in the student disciplinary process or pursuing a complaint about a violation of MTSU policies and state or federal law.
- D. Community Standard: Commitment to Non-violence

MTSU is committed to the principles of nonviolence and peaceful conflict resolution. Community members will freely express their ideas and resolve differences using reason and persuasion.

1. Threatening or Dangerous Conduct. Any conduct, or attempted conduct, which poses a threat to the safety of others or when the student's behavior is disruptive of the Institution's learning environment.
2. 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. **Firearms and Other Dangerous Weapons.** The possession or use of firearms as set forth in [Policy 705 Weapons on Campus](#), explosives, fireworks, inflammables, dangerous chemical mixtures, and/or dangerous weapons of any kind, including, but not limited to, tasers, asp batons, tactical or telescoping batons, brass knuckles, whips, BB guns, pellet guns, propelled missiles, and/or stun guns is prohibited. The possession or use of ammunition, which includes, but is not limited to, bullets, paint balls, pellets, and BBs is prohibited. Any possession or use of replica/toy guns, including, but not limited to, BB guns or cap guns, pellet guns, paintball guns, water guns, "Super Soakers," toy knives, slingshots, or other items that simulate firearms or dangerous weapons is prohibited.
4. **Sexual Misconduct.** Sexual misconduct is defined as dating violence, domestic violence, stalking and sexual assault. See [Policy 27 Misconduct, Discrimination, and Harassment Based on Sex Including Pregnancy, Sexual Orientation and Gender Identity/Expression](#) for more detailed definitions of those terms along with the University process for investigating allegations of sexual misconduct. Also note that disciplinary matters involving incidents of sexual misconduct will proceed through the process set out in [Policy 27 Misconduct, Discrimination, and Harassment Based on Sex Including Pregnancy, Sexual Orientation, and Gender Identity/Expression](#) rather than the process specified in Section VII of this policy.

A student who is a victim of sexual misconduct and who was under the influence of alcohol or drugs during the sexual misconduct incident should not be reluctant to seek assistance for fear of being sanctioned for his/her improper use of alcohol or drugs. The Office of Student Conduct will generally not pursue disciplinary violations against the victim (or against a witness) for his/her improper use of alcohol or drugs (e.g., underage drinking) if the victim or witness is making a good faith report of sexual misconduct. Amnesty for improper use of alcohol or drugs will not be accorded to a student charged with sexual misconduct. This practice only applies to amnesty from violations of the Student Code of Conduct. It does not grant amnesty for criminal, civil, or legal consequences for violations of federal, state, or local law.

IV. Classroom Misconduct

- A. The instructor has the primary responsibility for maintenance of academic integrity and controlling classroom behavior, and can order the temporary removal or exclusion from the classroom of any student engaged in disruptive conduct or conduct that violates the general 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. If an instructor wishes to remove a student from the classroom for a longer period of time or permanently, he/she must refer the student to the Office of Student Conduct.
- 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 disrupts the flow of instruction or prevents 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 (e.g., disturbing noises from cell phones, computers,

hand-held devices, games, etc.). The instructor is expected to discuss behavioral expectations with each class at the beginning of the semester and as needed throughout the semester.

V. Disciplinary Sanctions

- A. A disciplinary sanction is a consequence for being found in violation of university rules and policies. The following disciplinary sanctions are applicable to both individuals and organizations. Upon a determination that a student or student organization has violated any of the rules set forth in this policy or the general policies of the University, disciplinary sanctions may be imposed, either singly or in combination, by the appropriate Institutional officials.
- B. Pursuant to T.C.A. § 49-7-146, the University will notify the parent/guardian of students under the age of 21 who have been found responsible for alcohol and/or drug - related violations. In addition, the parent/guardian may be contacted in any instance in which the safety of the student has been threatened either through the student's own behavior or the behavior of others.
- C. Definition of Sanctions:
 - 1. Restitution. Restitution may be required in situations which involve destruction, damage, 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 authority to compensate a party or parties for a loss suffered as a result of disciplinary violation(s). Any such payment in restitution shall be limited to actual cost of repair, replacement, labor, or financial loss;
 - 2. Reprimand. A written or verbal reprimand or notice may be given to any student or student organization whose conduct violates any part of these policies and provides notice that any further violation(s) may result in more serious consequences;
 - 3. 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 or the local community. All community service hours must be approved by the Office of Student Conduct prior to a student beginning the service;
 - 4. Specified Educational/Counseling Program. Requirement to participate in specified educational or counseling program(s) relevant to the offense, or to prepare a project or report concerning a relevant topic;
 - 5. Apology. Requirement to apologize to an affected party, either verbally or in writing, for the behavior related to a disciplinary violation;
 - 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 being taken;

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, for example, denial of the ability to represent the Institution at any event, ability to participate in Institution travel, eligibility to hold office in a student organization, use of facilities, parking privileges, participation in extracurricular activities, and/or restriction of organizational privileges, etc.;
8. Probation. Official notice that the continued enrollment of a student or recognition of a student organization on probation will be conditioned upon adherence to these policies. Any student or organization placed on probation will be notified in writing of the terms and length of the probation. Any conduct in further violation of these policies while on probationary status or the failure to comply with the terms of the probationary period may result in the imposition of more severe disciplinary sanctions, specifically suspension or expulsion;
9. Housing Probation. Continued residence in campus or student housing may be conditioned upon adherence to this policy 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). If a student has additional violations during the probationary period, they will become a candidate for housing suspension.
10. Involuntary Reassignment. A student may be involuntarily moved to another housing assignment if necessary;
11. Housing Suspension and Forfeiture. Removal from University housing for a specified period of time or permanently. 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 Pre-Payment). A suspended resident must vacate the housing unit as directed by University staff. This sanction may be enforced with a University Police trespass restriction, if necessary. Housing suspension shall remain a part of the student resident's disciplinary record.
12. Suspension. Separation from the Institution for a specified period of time. This includes all instructional delivery methods (i.e., on ground, on-line, distance education, etc.). Suspension may be accompanied by special conditions for readmission or recognition. Any student receiving a sanction of suspension shall be restricted from the campus of MTSU during the period of separation unless on official business with the University verified in writing by the Dean of Students' office. A suspended student must submit a written request to be on campus to the Dean of Students a minimum of 48 hours in advance of the scheduled time of his/her business on campus. The request must specify the specific reason to be on campus and the location that the student wishes to visit. The Dean of Students will issue a written decision regarding the request to be on campus, and the student is expected to carry that written decision with him/her during the time of the visit. Students who have been suspended are not permitted to live or board in University facilities or housing unless otherwise approved or provided by the University. This sanction will be enforced with a University Police trespass restriction, if necessary.

13. **Expulsion. 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 to the Institution. A student or organization that has been expelled may not enter Institution property or facilities without obtaining prior approval from the Dean of Students. Any student receiving a sanction of expulsion shall be restricted from the campus of MTSU unless on official business with the University verified in writing by the Dean of Students. An expelled student must submit a written request to be on campus to the Dean of Students' office a minimum of 48 hours in advance of the scheduled time of his/her business on campus. The request must specify the specific reason to be on campus and the location that the student wishes to visit. The Dean of Students will issue a written decision regarding the request to be on campus, and the student is expected to carry that written decision with them during the time of their visit. Students who have been expelled are not permitted to live or board in University facilities or housing unless otherwise approved or provided by the University. This sanction will be enforced with a University Police trespass restriction, if necessary.
14. **Revocation of Admission, Degree, or Credential.**
15. **Other Sanctions.** Additional or alternate sanctions may be created and designed as deemed appropriate to the offense and the student's individual need for education, growth, and reform.
16. **Interim Involuntary Withdrawal or Suspension.** As a general rule, the status of a student or student organization accused of violation of these policies should not be altered until a final determination has been made in regard to the charges. However, interim 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, or property; or, if the student's behavior is materially and substantially disruptive of the Institution's learning environment or other campus activities. In any case of interim 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 interim involuntary withdrawal or suspension in an interim involuntary withdrawal/suspension hearing. During an interim involuntary withdrawal or suspension, the student shall be denied access to residence halls, campus (including classes), and/or all other University activities or privileges for which the student might otherwise be eligible, as the Dean of Students or designee may determine to be appropriate. A preliminary hearing will be held by a designee of the Dean of Students in consultation with appropriate University officials and the Vice President for Student Affairs, within four (4) working days of the interim involuntary withdrawal or suspension to determine if the interim involuntary withdrawal or suspension should continue until a formal hearing of the charges by a University adjudicating body can be held. During this preliminary hearing, the student will be given notice of the allegations supporting the imposition of interim involuntary withdrawal or suspension against him/her and a summary of the evidence that supports the allegations. The student will be afforded an opportunity to respond to the allegations. If the interim involuntary withdrawal or suspension is upheld, the formal hearing concerning withdrawal, suspension, or expulsion shall be held as soon as practical. Conditions may be placed on a student for his/her return to the University. The

student may be required to provide documentation that he/she has taken steps to mitigate the previous behavior (e.g., followed a treatment plan, submitted periodic reports, granted permission for the University to talk to the treating professional).

17. Temporary Student Organization Cease and Desist. A temporary organizational cease and desist is instituted when the University has received information indicating that the continued activity of the organization could (1) potentially put students or the community at risk; (2) cause irreparable harm to the University or organization; (3) influence the integrity of an investigation; and/or (4) increase the organization's or University's fault or liability. A temporary organizational cease and desist can be issued by the University alone or in conjunction with a national/regional organizational cease and desist. The Office of Student Conduct will notify the parent office (i.e. Student Organizations and Service and/or Fraternity and Sorority Life) and the designated student representative that the organization has been temporarily restricted from conducting business. During the time of the temporary cease and desist, the organization will be prohibited from conducting organizational business including, but not limited to, organizational meetings, social activities, philanthropic activities, and representation of the University. The cease and desist duration will be determined on a case by case basis.

VI. Student Conduct Hearing Officers and/or Boards

Violations under this policy may be heard by the following hearing officers and/or boards:

- A. The Assistant Dean for Student Conduct and/or the Student Conduct Coordinator shall conduct all preliminary reviews and disciplinary conferences. These staff members will also conduct investigations as necessary.
- B. The Student Judicial Board shall consist of nine (9) members selected from eligible members of the student body. Members shall be selected for a one (1) year term and are eligible to serve additional terms with reapplication and approval as prescribed in the Student Government Association (SGA) constitution. The Student Judicial Board may be convened to hear cases involving alleged violations of University rules committed by students and organizations. This board may also be convened to hear matters relative to the interpretations of the Student Government Association constitution and any other policies passed by the Senate, as well as cases regarding student parking citations. Information regarding application, selection procedures, qualifications, and vacancies can be found in the Student Government Association constitution (<http://www.mtsu.edu/sga/documents/constitution.pdf>).
- C. The University Discipline Committee. See [Policy 32 University Committees](#).
- D. The Student Appeals Committee. See [Policy 32 University Committees](#).

VII. Disciplinary Procedures

- A. Responsibility for Administration. The administration of discipline is a function of the Dean of Students Office and/or the appropriate adjudicating body with the exception of matters concerning academic misconduct which is a function of the Office of the University Provost

and/or the Academic Misconduct Committee, set out with specificity in [Policy 312 Academic Misconduct](#). All matters involving sexual discrimination, sexual harassment, dating violence, domestic violence, or stalking will proceed pursuant to [Policy 27 Misconduct, Discrimination, and Harassment Based on Sex Including Pregnancy, Sexual Orientation, and Gender Identity/Expression](#) rather than the process specified in this Section VII.

- B. **Standard of Proof.** The standard of proof utilized in all student disciplinary matters is the preponderance of the evidence. Students should be aware that the student conduct process is different from criminal and civil court proceedings. The student conduct process is built on fundamental fairness, but does not include the same protections of due process afforded by the courts. Due process, as defined in this policy, includes written notice of the student disciplinary rules that are in question and an opportunity to be heard by an objective decision-maker. Students will only be found in violation of the student disciplinary rules when it is more likely than not that a policy violation occurred. This is called a preponderance of the evidence. Sanctions will be fundamentally proportional to the severity of the violation, the student's willingness to comply with disciplinary rules in the future, and the cumulative conduct history of the student.
- C. **Disciplinary Referral.** Reports of behaviors and incidents involving students may be referred for evaluation and possible disciplinary action by the University Police, residence hall staff members, faculty, staff, students, and other members of the University and city community. Referrals should be in writing and should be directed to the Assistant Dean for Student Conduct at judaff@mtsu.edu. A hard copy of a written referral may also be dropped off at the Office of Student Conduct, Keathley University Center, Room 208.
- D. **Preliminary Review.** All disciplinary referrals will undergo a preliminary review. The appropriate staff member will review the referral to determine if the possibility exists that a student disciplinary rule was violated, if additional information is needed prompting an investigation, if immediate action is warranted, and if there are other University entities that need to be put on notice that the behavior has occurred. If the staff member determines that there is a possibility that a student disciplinary rules violation has occurred and additional information is not needed, he/she will issue a disciplinary charge(s) against the student. If the staff member determines that additional information is needed, he/she will conduct an investigation. If immediate action is needed, the staff member will consult with the appropriate university officials to determine the best course of action. If other entities need to be informed of the matter, the staff member will consult with the appropriate University officials to determine the specific information that will be shared about the behavior or incident.
- E. **Disciplinary Charges and Disciplinary Conference.** Disciplinary charge means an allegation of a potential violation of the Student Disciplinary Rules. The purpose of a disciplinary conference is to determine whether there is a preponderance of the evidence to support the charges, and if so, to determine responsibility and appropriate sanctions. When disciplinary charges are issued to a student, the Student Conduct office will issue a written notice of the alleged violation(s) and the student's rights, and establish a disciplinary conference meeting date and time for the student and assigned staff member. This notice will be sent via the student's official MTSU email as well as a hard copy letter to their local address as indicated in the student information system. During this disciplinary conference, the student will be reminded which University policy/policies have allegedly been violated, and the student will be given an opportunity to

explain his/her version of the behavior or incident, or to otherwise refute the allegations. Students are afforded the following rights in the disciplinary conference:

1. The right to know what disciplinary violation(s) they have been charged with;
2. The right to tell their side of the story, present evidence, and request that fact witnesses be permitted to share information on their behalf;
3. The right to be accompanied by an advisor of their choosing whose participation is limited to advising the student. The advisor cannot speak on behalf of the student or represent the student. The advisor cannot be a student who has been charged with a violation of the Student Disciplinary Rules related to the same incident for which the meeting has been called;
4. The right to receive the decision and their imposed sanctions in writing.

The staff member will review the incident taking into account the information provided by the student. A determination will be made as to whether or not the student is in violation and, if so, what the appropriate sanction(s) will be. If the recommended sanction is not a sanction that separates the student from the institution, the staff member will explain the sanctions and needed follow-up to the student. If the recommended sanction is suspension or expulsion, the staff member will explain the student's options for case resolution. The staff member may also determine that additional information or follow-up is needed prior to being able to make a determination regarding the student's responsibility for a student disciplinary rules violation and may delay a decision until such a time that the needed information is acquired. The staff member can also refer the matter to the University Discipline Committee, if the case is particularly complex or the student would be best served by having a committee review the case (see the University Discipline Committee option below).

- F. **Hearing Options.** The majority of student disciplinary cases are resolved at the Disciplinary Conference level. However, there are instances when it becomes necessary for a discipline hearing to occur. If the recommended sanction for a student in a disciplinary conference is suspension or expulsion, the student has three choices regarding resolution of the disciplinary case. The first choice is to accept responsibility for the violation and the recommended sanction(s). The second choice is to request a hearing before the University Discipline Committee. The third choice is to request a hearing pursuant to the Uniform Administrative Procedures Act (UAPA). The staff member will explain the three choices to the student, and the student will indicate his/her selection in writing. Once the selection is made, a student cannot elect another option or revert back to the original decision rendered by the staff member. In addition, the Office of Student Conduct can refer a matter to a formal hearing when the case is unduly complex and/or problematic.

University Discipline Committee. The committee's purpose is to hear student disciplinary cases referred by the Office of Student Conduct. The University Discipline Committee (UDC) makes its recommendation(s) to the Vice President for Student Affairs and Vice Provost for Enrollment and Academic Services. The Vice President can uphold the recommendation(s), reverse the recommendation(s), or send the recommendation(s) back to the UDC for reconsideration of the sanctions only.

The Office of Student Conduct has the responsibility for scheduling UDC hearings, including the selection of date, time, and location as well as providing information to the student about the committee format and process. The student will be notified of the hearing schedule a minimum of four (4) business days in advance of the actual hearing date. University Discipline Committee hearings are closed to the public unless all parties agree, in writing, to an open hearing.

Students are afforded the rights guaranteed in the Disciplinary Conference as well as the following additional rights:

1. The right to be advised in writing of the date, time, and place of the hearing at least four (4) business days in advance of the hearing;
2. The right to be accompanied by more than one advisor at the discretion of the adjudicating body and the Office of Student Conduct. The advisor(s) cannot be another student who has been charged with a violation of the Student Disciplinary Rules related to the same incident as the student. The student may choose to be advised by legal counsel; however, counsel's participation shall be limited to directly advising the student. Legal counsel cannot engage in direct or cross-examination, make opening or closing statements, or engage in argument.
3. The right to call witnesses on his/her behalf. It is the student's responsibility to contact his/her witnesses and inform them of the hearing unless the witness is also a University witness. University witnesses are contacted by the Office of Student Conduct;
4. The right to question witnesses;
5. The right to be informed of an appeal option, if applicable.

Uniform Administrative Procedures Act. All cases which may result in: (a) suspension or expulsion of a student from the Institution for disciplinary reasons; or, (2) revocation of the 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 accordance with the Uniform Contested Case procedures unless the student or student organization waives those procedures and chooses to have the case disposed of administratively in a disciplinary conference or by going before the University Discipline Committee. If the student wishes to pursue the case administratively or through the UDC, he/she must waive the right to a UAPA hearing in writing.

In all cases involving a hearing under the UAPA contested case provisions, the President or designee shall determine, based upon the nature of the case, whether the hearing shall be before a hearing officer alone or a Hearing Committee presided over by a hearing officer. The President is responsible for appointing a hearing officer and/or hearing committee at the request of the Office of Student Conduct. The Office of Student Conduct has the responsibility for working with the Office of the University Counsel to schedule UAPA hearings including the selection of date, time, and location as well as assisting in the scheduling of any necessary preliminary meetings.

The case will proceed pursuant to [Policy 110 Cases Heard Pursuant to the Uniform Administrative Procedures Act](#). The student's rights are outlined in that process.

Interim Involuntary Withdrawal or Suspension Hearings. Hearings conducted with regard to interim involuntary withdrawals 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 a UDC 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. The following special conditions apply to involuntary withdrawal/suspension hearings:

- a. The Institution shall conduct an assessment to consider the nature, duration, severity, and probability of the threat posed and/or disruption caused by the student or student organization, relying on the best available objective evidence and, if applicable and obtainable, the most current medical evidence;
- b. Failure of the student or representative of a student organization to appear for or cooperate with a mandated assessment will result in an involuntary withdrawal without further process;
- c. The Institution shall also determine whether reasonable modifications of its policies, practices, or procedures could sufficiently mitigate the identified risk;
- d. Absent exigent circumstances creating an imminent risk of harm, the Institution will make the decision to involuntarily withdraw or suspend based on the threat the student or student organization poses to others;

If exigent circumstances warrant the immediate removal of a student or student organization from the institution, the student or student organization will receive, at a minimum, notice and an initial opportunity to present evidence immediately after being placed on the interim involuntary withdrawal or suspension, and the opportunity to initiate full due process within 30 days of the removal.

G. Appeals

Eligibility: A student or student organization who has been suspended or expelled from the University as the result of disciplinary action has the right to file an appeal. Students or student organizations subject to disciplinary action that does not include suspension or expulsion from the Institution, do not have an appeals option. It is the responsibility of the body of original jurisdiction to inform the student or student organization of the right to appeal and to whom the appeal should be presented. It is not the function of the appeals process to permit a rehearing of the factual issues presented to the adjudicating body, but rather it is to ensure that the disciplinary procedure has been implemented fairly and consistently with these policies.

Time Limitations: An appeal must be submitted in writing to the Dean of Students within forty-eight (48) hours of notice to the student or student organization that the approving authority has affirmed the suspension or expulsion. The student or student organization will be directed to pick up the decision letter from the Dean of Students office. If the student or student organization is unable or unwilling to pick up the decision letter, an official email will also be sent to the student's or student organization advisor's MTSU email account which shall serve as notice. A student or student organization cannot extend the 48-hour time limitation by refusing to acknowledge the notice, ignoring the notice, and/or because he/she does not agree with the decision.

Grounds for Appeal: The appeal must specify grounds which would justify consideration. The written appeal must contain the substantive proof on which the student or student organization is basing the appeal. Appeals that do not include the specific information that substantiates the appeal will be immediately denied. General dissatisfaction with the outcome of the decision shall not be accorded as a basis for consideration of an appeal. An appeal may be filed based on one or both of the following conditions:

1. an error in procedural due process by the body of original jurisdiction which prejudiced the disciplined student or student organization to the extent that he/she was denied a fundamentally fair hearing as a result of the error;
2. the emergence of new evidence which could not have been previously discovered by the exercise of due diligence and which, had it been presented at the initial hearing, would have substantially affected the original decision of the adjudicating body.

Appellate procedure: For UDC decisions, the Dean of Students will review the written appeal to determine if the appellant has met the requirements for filing an appeal. Appeals which do not allege sufficient grounds shall be denied consideration and dismissed. Appeals which do allege sufficient grounds will be accepted for consideration and forwarded to the appellate body. The appellate body shall not conduct a re-hearing, but will consider only the record made by the adjudicating body. The appellate body may, at its own discretion, permit written or oral statements from the concerned parties in interest at the time the appeal is considered. The alternatives available to the appellate body are affirmation of the recommended sanction, reversal of the decision, and return to the original adjudicating body for reconsideration of sanctions only.

For UAPA decisions, the appeal procedures are set forth in [Policy 110 Cases Heard Pursuant to the Uniform Administrative Procedures Act](#).

- H. Effect of Noncooperation. A student who fails to respond to a notice of allegations within the specified time frame will have a hold placed on his/her records. The hold will be removed at such time as the student has appropriately responded to a notice of an alleged violation(s). In the event a student fails to cooperate, ignores, or otherwise does not respond after a reasonable amount of time, he/she may be referred for a hearing before the appropriate University adjudicating body and shall be deemed to have waived the election of a hearing pursuant to the UAPA. Decisions may be made in the student's absence.
- I. Retention of Records. Disciplinary records are maintained by the Office of Student Conduct. A permanent disciplinary file will be maintained if a student is suspended or expelled from the Institution. Files developed in cases in which a lesser sanction has been imposed will be retained for a period of five (5) years after date of action unless sanctions specify that they should be retained for a longer period. Files developed in cases that are covered under the Clery Act will be retained for a period of seven (7) years after the date of action per federal requirements. Files developed in cases where a student is found not responsible for student disciplinary rules violations will be maintained for statistical purposes; however, the record will not be reportable as an official disciplinary record in that student's name.

VIII. Alternative Resolution of Disciplinary Incidents

- A. Mediation. Students involved in conflict(s) with another individual(s) may elect to have the conflict(s) mediated with the assistance of a third party mediator assigned by the appropriate university official. The Office of Student Conduct must agree that mediation is an appropriate resolution to the presenting disciplinary incident. Mediation may never be used for disciplinary matters concerning allegations of sexual assault. The following conditions must be accepted by the parties:
1. All parties involved must willfully agree to the mediation process;
 2. The resolution that results from the mediation process will be written, signed by all parties, and will bind the parties to the agreed terms until such terms are completed or an alternative agreement is developed by the parties;
 3. The agreement reached through mediation is not subject to any appeals process;
 4. If the agreement is not upheld, the parties may be referred back to the Office of Student Conduct for appropriate disciplinary action to be taken;
 5. If no form of resolution can be determined by mutual consent, the matter will be referred to the appropriate student conduct body.
- B. Informal Agreement. There may be times when it is appropriate for a student to come to an informal agreement with the university regarding their behavior and attempts to correct the behavior. The Office of Student Conduct will make these considerations on a case by case basis. An informal agreement can only be initiated by the Student Conduct Coordinator, Assistant Dean for Student Conduct, and/or the Dean of Students.

IX. Victim's Rights

Generally, a victim's input shall be sought during the disciplinary process; however, the right and responsibility for disposition of any individual complaint is reserved by the University. If a victim withdraws his/her complaint or refuses to offer testimony during the course of a disciplinary proceeding, the University reserves the right to proceed without his/her input. Victims of sexual misconduct, sexual harassment, dating violence, domestic violence, and stalking are guaranteed specific rights within [Policy 27 Misconduct, Discrimination, and Harassment Based on Sex Including Pregnancy, Sexual Orientation, and Gender Identity/Expression](#). Victims of violence are afforded the following rights:

- A. The victim shall be advised in writing of the date, time, and place of the hearing at least five (5) business days in advance of the hearing;
- B. The victim shall be given the opportunity to meet with the appropriate staff member to discuss the disciplinary process;
- C. The victim shall be given an opportunity to submit a written account of the alleged incident;

- D. The victim shall have the right to be accompanied at all stages of the disciplinary process by an advisor whose participation shall be limited to advising the victim. The advisor cannot be a student who has been charged with a violation of the Student Disciplinary Rules related to the same incident as the victim or a student who has an open complaint against the victim. The victim may also be accompanied by legal counsel; however, counsel's participation shall be limited to directly advising the victim, i.e., legal counsel may not conduct direct or cross-examination, make opening or closing statements, or engage in argument. The victim may be accompanied by more than one advisor at the discretion of the adjudicating officer or body. The intent of the victim to be accompanied by an advisor shall be indicated in writing to the student conduct coordinator at least five (5) days prior to the disciplinary hearing;
- E. The victim shall be afforded an opportunity to testify as a witness during a disciplinary hearing;
- F. The victim may reserve the right to decline to testify during a disciplinary hearing, with the knowledge that such action could result in dismissal of allegations of University rules violations for lack of evidence;
- G. The victim shall be allowed to submit a written victim impact statement to the adjudicating body for their consideration during the sanction phase of the disciplinary process.

X. Authority of the President

The President of the University retains final authority on all campus matters, including disciplinary decisions. Therefore, any disciplinary action is subject to final review by the President of the University. At his/her discretion, the President may determine to intervene in order to negotiate a mutually acceptable resolution to any disciplinary proceeding, or subsequently, to convert any finding or sanction imposed to a lesser finding or sanction, or to rescind any previous finding or sanction, in appropriate cases.

Forms: none.

Revisions: none.

References: Family Educational Rights and Privacy Act of 1974; Tennessee Open Records Act; T.C.A. § 4-5-301, et. seq.; § 10-7-504(a)(4); § 49-7-123(a)(1); § 49-7-146; Policies 25 Equal Opportunity, Affirmative Action, and Nondiscrimination; 26 Discrimination and Harassment Based on Protected Categories Other Than Sex; 27 Misconduct, Discrimination, and Harassment Based on Sex Including Pregnancy, Sexual Orientation, and Gender Identity/Expression; 32 University Committees; 100 Use of Campus Property and Facilities Scheduling; 110 Cases Heard Pursuant to the Uniform Administrative Procedures Act; 312 Academic Misconduct; 541 Residential Life and Housing Rules; 705 Weapons on Campus; 750 Tobacco-Free Campus; 775 Traffic and Parking; 910 Information Technology Resources.

541 Residential Life and Housing Rules

Approved by President

Effective Date:

Responsible Division: Student Affairs

Responsible Office: Housing and Residential Life

Responsible Officer: Director, Housing and Residential Life

I. Purpose

A residence hall is a densely populated community composed of students with many different interests, habits, and tastes. Middle Tennessee State University (MTSU or University) is committed to the concept that on-campus residence facilities should provide an atmosphere conducive to both living and learning where, in a spirit of cooperation and consideration for others, students may live, study, and relax together. This policy provides rules to establish and maintain that atmosphere.

II. Definitions

- A. Guest. Any person invited by a student resident or the University to visit in a residence facility.
- B. License Agreement. The contract document setting forth the terms of occupancy of any student residence facility/unit as between the University and student residents that occupy any such facility/unit.
- C. Occupant. Spouses, children, immediate family members and/or other persons residing with a student resident in a student residence facility/unit.
- D. Prepayment Fee. A payment required by the University to secure accommodation within a residence facility prior to taking occupancy of a particular room, bed, or unit. The prepayment fee is applied toward housing costs except where forfeitures apply.
- E. Premises. Any residence hall, apartment, house, or other facility owned or operated by the University to provide housing accommodations for student residents.
- F. Semester Fee. The payment required to occupy a residence facility for a specified term.
- G. Student. For the purposes of this policy, Student refers to the individual residing on premises who is a signatory to the student housing License Agreement. The Student and/or occupants may also be referred to as resident(s).

III. Eligibility

Full-time students officially admitted and enrolled at the University for the fall or spring semester shall be eligible to reside in a student residence facility on premises during their period of enrollment. Part-time students shall be eligible to reside in student residence facilities on a space-available basis only. Students who drop below full-time enrollment during the academic year should not assume that they

will be released from the obligations of their License Agreement (Agreement). Student residence facilities may be leased/licensed to other persons in connection with programs and activities on campus.

All students, with the exception of students who are prohibited by federal or state law from residing in student residence facilities for any reason, shall have an equal opportunity to reside in student residence facilities regardless of race, color, religion, creed, ethnic or national origin, sex, sexual orientation, gender identity/expression, familial status, age or disability, provided that separate student residential facilities may be established on the basis of sex.

No person who is registered or required to register as a sex offender pursuant to the Tennessee Sexual Offender and Violent Sexual Offender Registration, Verification and Tracking Act of 2004, as amended, Tenn. Code Ann. §§ 40-39-201, et. seq., shall be eligible to reside in any on-campus student residence facility including residence halls, apartments, and houses.

IV. Application Process

Application Process and Fees. Students must make application for permission to reside on campus by returning a completed application signed by Student and, as applicable, Student's parent/guardian or Student's spouse. A completed application, including the required signatures, indicates acceptance of the terms and conditions contained in the Agreement.

At the time of application, Student must also submit a prepayment fee. Semester fees are due and must be paid during the fee payment period at the beginning of the term. Fees are subject to change each year. See Housing Rates for Fall/Spring or Spring Only at <http://www.mtsu.edu/living-on-campus/rates.php> or contact Housing and Residential Life (Housing & Residential Life or Housing) at 615-898-2971 or by email at housing@mtsu.edu for additional information and current fee rates.

The prepayment fee is refundable prior to first check-in date according to the schedule included in the Student Housing License Agreement section below. All cancellations must be submitted in writing to Housing and Residential Life, MTSU Box 6, Murfreesboro, TN 37132 or by fax to 615-898-5459 or by email at www.mtsu.edu/housing.

Mandatory Board Plan for Freshmen. Students classified as Freshmen not assigned as a family unit are required to purchase an approved board plan option.

Required Immunizations. All new incoming students who live on campus are required to provide proof of adequate immunization against Meningococcal disease after their 16th birthday and within the last 5 years. Some exemptions exist for students who provide the appropriate medical or religious exemption form to Student Health Services. This requirement does not replace the Hepatitis B/Meningitis Waiver Form required by Student Health Services of all MTSU students living on or off campus. New incoming students living in on-campus housing will not have the option of refusing this immunization without providing Student Health Services with appropriately executed medical or religious exemptions. To ensure compliance, students are eligible for housing assignment contingent on proof of adequate immunization against Meningococcal disease. This means a housing application will be accepted but cannot be assigned until vaccination against the Meningococcal disease is confirmed by MTSU Student Health Services. For more information on all required immunizations, see <http://www.mtsu.edu/healthservices/immunizations.php>.

V. Student Housing License Agreement

The Agreement contains applicable provisions regarding prepayment, cancellations, and refunds. Students are responsible for compliance with each provision and term of the Agreement and this policy. Prospective students should request a copy of the Agreement from Housing and Residential Life.

Term. The term of an Agreement is for the full academic year (fall and spring semesters). The Student who enrolls in the University for the fall semester and who signs an Agreement agrees to reside in on-campus housing for both the fall semester and the spring semester provided he/she enrolls in the University during both semesters. Agreements entered into any time after the first day of the fall semester or spring semester continue in effect until the close of the academic year under the same conditions.

Students must check out of their residence within 24 hours if they withdraw from or fail to enroll in classes at the University.

The Agreement or an attachment to it must document/identify spouses, children, dependents, and/or other persons residing with the Student in the facility.

Assignment/Subletting. No Student shall assign the lease/license of any student residence facility or sublet the facility and any attempted assignment shall be void without the written consent of the University.

Liability for Damage. Each Student agrees to pay the University, immediately upon demand, for any and all damages to the premises, including but not limited to, damages to exterior or interior walls, ceilings, floors, windows, doors, locks, hardware, plumbing fixtures, cabinets, shrubbery, lawn, appliances, fixtures, or furnishings of the unit and its surrounding premises, if such damage is caused by an act or failure to act by the Student or guests of the Student.

Cancellation of the Agreement; Refunds. Student or University may cancel the Agreement under the circumstances indicated below.

A. Prior to the beginning of the Term.

1. If Student completes the application process and is assigned a living space but does not enroll in classes for fall and/or spring term and fails to properly check in prior to the first day of classes for any given term, University may cancel the Agreement. Student will be considered a no-show subject to forfeiture of his/her prepayment amount. In cases between terms where Student's personal items have been stored as an accommodation during a non-contract period, Student will be subject to forfeiture of his/her prepayment as well as storage fees and associated costs for removal of personal belongings.
2. Prepayment fee refunds. The amount of any refund of the prepayment fee is made based on the cancellation postmark date, the date a confirmed cancellation email was sent, or the date of hand delivery of the written notice of cancellation. The schedule for refunds, including dates and amounts is specified in the Agreement form.

B. During the Term of the Agreement. The Agreement may be cancelled consistent with the criteria identified below:

1. If Student officially withdraws from University and has complied with check-out procedures, University may cancel the Agreement for the remaining portion of the term. If Student enrolls for spring term, the Agreement will be reinstated and appropriate charges will be assessed to Student's account.
2. If Student does not plan to enroll for the spring term and notifies University in writing, the Agreement will terminate on the day of Student's last fall term exam or graduation date, if Student is among those scheduled, in advance, to graduate and not scheduled to return to the University in a student status. If Student enrolls for spring term, the Agreement will be reinstated and appropriate charges will be assessed to Student's account.
3. Prepayment fee refunds; Fall Residents Not Enrolling for the Spring Term. The prepayment fee may be refunded as specified below provided Student has appropriate prepayment on file. The amount of any refund of the prepayment fee is made based on the cancellation postmark date, the date a confirmed cancellation email was sent, or the date of hand delivery of the written notice of cancellation. The schedule for refunds, including dates and amounts of such refund, is specified in the Agreement form.

A full prepayment refund is available under the following conditions:

- a. The student is prevented from attending the University because of a medical reason(s) confirmed in writing by a licensed physician and deemed acceptable at the discretion of the University and, due to withdrawal from the University, must cease to occupy assigned living space.
 - b. Residence space is not available.
 - c. The death of the Student.
4. Semester fee refunds. No refund will be made other than under the following conditions:
- a. Refund of semester fees will be made on a prorated weekly calendar basis if Student is forced to withdraw from the University for a medical reason(s) which must be confirmed in writing by a licensed physician and deemed acceptable at the discretion of University and, due to withdrawal from the University, must cease to occupy assigned living space.
 - b. Refund of semester fees will be made on a prorated weekly calendar basis if Student is requested to leave the premises for other than disciplinary reasons.
 - c. No refund of fees for the academic year will be made if Student is required to vacate assigned space for disciplinary reasons.
 - d. A full refund of housing fees will be made in the event of Student's death.

- e. Withdrawals for other reasons will be subject to University's fee adjustment period as outlined in the registration guide.
5. Students who participate in an off-campus academic experience may be eligible for release from the Agreement provided the experience requires Student's regular and/or continued presence at a location significantly distant from the campus so as to constitute an undue hardship on Student, to be determined at the discretion of University. If termination is granted, the Agreement will terminate on the day of Student's last fall term exam or graduation date, if Student is among those scheduled, in advance, to graduate. Students seeking this option must petition for such relief by submitting, prior to October 15, a License Agreement Cancellation Request form outlining the academic experience and are required to provide additional supportive documentation from the college and/or internship site or assignment.
6. In the event that the assigned living space is destroyed or otherwise rendered uninhabitable and University does not provide alternative Premises, the Agreement will be cancelled and housing fees will be refunded on a prorated basis.

VI. Housing Assignment

The University reserves the right to make all housing assignments and to make any assignment changes or transfers considered necessary. Assignments are made by date of application without regard to race, color, national origin, religion, sex, familial status, or disability, although separate student residence facilities or areas of student residence facilities may be established on the basis of sex.

Housing assignments are based on the date of application, payment of applicable fees, and submission of required immunization documentation. A specific building, type of room, and specific roommate cannot be guaranteed.

Special living-learning programs may include specific additional criteria for participation/assignment.

In the event any occupant of a multiple occupancy student residence facility ceases to reside in the unit for any reason, the University shall have the right to reassign the remaining occupants to another student residence facility on campus.

Room Changes. Students may submit requests for room changes with Housing and Residential Life. Students moving out of or into a student residence facility without having written authorization from Housing will be in violation of the Agreement. All changes are authorized on a space-available basis.

VII. Check-In and Check-Out

Students may move into assigned living space by reporting to check-in locations during the dates and times specified in their Agreements. Unless previous arrangements have been made, any Student who fails to check in during the specified dates and times will forfeit his/her original room assignment. Students who fail to check into their buildings and who also fail to enroll in classes by the late registration deadline will forfeit their prepayments as specified in the Student Housing License Agreement section of this policy and in the Agreement, and their Agreements will be voided. An

enrolled Student who fails to check into the building but who has not been granted an approved Agreement release will remain subject to the financial obligation incurred by signing the Agreement.

Each Student must check out in person with the Area Coordinator or designated representative at the end of each semester and turn in the room key. His/her room must be clean and all personal property must be stored or removed. Housing assumes no responsibility for property left in rooms after check-out and/or student residence facility closing. Where applicable, additional charges for cleaning the room or removing abandoned items may be assessed to the Student's account.

VIII. Responsibility for and Maintenance of Property

Responsibility for Personal Property. The University does not assume any legal obligation to pay for the loss or damage to personal property of residents occurring in its buildings or on its grounds. Students or their parents are encouraged to carry appropriate insurance to cover such losses.

Aid in Maintenance. Students shall assist and cooperate with the University in the care and maintenance of the premises and shall report promptly to their residence hall staff any breakage, damage, or need for repair of the Student's room, facilities, or equipment therein. Students shall not adjust or tamper with any mechanical equipment.

Students are responsible for the care and preservation of their rooms and all University-owned equipment and room furnishings. All Students will complete a room inventory when they establish occupancy. Damages occurring during their period of occupancy beyond normal wear will be assessed to the individual(s) responsible as will unusual cleaning charges. Furnishings must not be removed from the room or public areas without the authorization of the Area Coordinator. Students shall make no alterations, changes, repairs, remodeling, or painting of the premises. Pictures and other materials may be posted on walls within student rooms using a non-defacing adhesive. No nails or screws may be driven into any wall. The Student(s) responsible will bear the cost of repair or replacement for damaged or misplaced furnishings. Cost for damages or loss occurring in the public areas of a building will be shared equally by all Students responsible for that area of the building when the damage or loss cannot be attributed to specific individuals. A minimum damage charge of \$1.00 per occurrence will be assessed to each Student.

Each Student agrees to pay the University, immediately upon demand, for any and all damages to the premises, including but not limited to damages to exterior or interior walls, ceilings, floors, windows, doors, locks, hardware, plumbing fixtures, cabinets, shrubbery, lawn, appliances, fixtures, and furnishings of the unit and its surrounding premises, if such damage is caused by an act or failure to act by the Student or guests of the Student.

Removal of Personal Property; Abandoned Property. Personal property of any kind that remains in a room either after a Student: (1) withdraws from classes at the University, (2) has his/her Agreement terminated, (3) is otherwise relocated (from building to building, from room to room, from side to side, or within the designated area assigned), (4) has checked out; or, after the facilities have been closed, will be considered abandoned property. The University shall have the right to remove the Student's personal property and store the belongings. The University will then dispose of such items in accordance with [Policy 685 Disposal of Surplus Personal Property](#). Any applicable cleaning, packing, or storage charges will be assessed to the Student's account. Housing assumes no responsibility for abandoned property that is lost, stolen, or damaged during packing, storage, or disposal.

IX. Safety and Security

Residents must share responsibility for maintaining a safe and secure residential community. Residents should keep their doors and windows locked any time they are out of the room, even for short periods of time. Residents who do not keep their doors and windows locked any time they are out of the room, or who prop open wing or building doors may be subject to disciplinary action. All visitors to residence halls must enter/exit only from the main entrance/door of the building, unless special permission has been secured from the Area Coordinator. Residents leaving the building through locked security doors are responsible for ensuring that the doors close to the locked position.

During holiday periods, doors and windows should be securely locked, and window shades should be opened. Items of value should not be left in a room over a holiday period. Any theft or losses should be reported to the University Police. Housing is not responsible for loss, damage, or theft of personal property. Residents and/or their parents are strongly encouraged to carry appropriate insurance to cover the potential theft, loss, or damage of personal property.

Card Access Systems. All Students are expected to carry and swipe their own student identification (ID) cards to enter residence hall buildings with an installed card access system. Students who experience difficulty using their ID cards to gain entry to a building should contact the residence hall front desk. As a security precaution, Students who lose their ID cards should report the loss to the residence hall front desk and the ID Office. Residents are not permitted to share or loan their ID cards with other persons.

Keys. Room or apartment keys are the property of the University, and a Student may not have duplicate keys made. Students who misplace their keys and need access to their rooms should contact their residence hall front desk to be issued a temporary key. As a security precaution, Students who lose their keys will have their locks changed and the core replaced and will be charged the appropriate fee. Residents are not permitted to share or loan their keys to other persons.

Fire safety. The sounding of false fire alarms and tampering with firefighting or safety equipment, including extinguishers, hoses, EXIT signs, and the alarm system is prohibited. Residents are responsible for safely evacuating the building immediately upon the sounding of the alarm or as otherwise directed by residence hall staff. Students failing to appropriately evacuate the building may be subject to disciplinary action.

Fire drills. Each residence hall will conduct a minimum of two fire exit drills each semester. One will be announced and notice given to all building staff and residents. One will be unannounced without notice to either the building staff or residents.

Disease. Students will report immediately to the University any infectious or contagious disease occurring within the residence halls or apartments. This is to insure the safety of all residents.

X. Entry and Searches

A student residence facility may be entered at all reasonable times to examine and inspect the facility for maintenance, health, safety, emergency purposes, or to render service and/or repairs to the facility. Students shall permit the duly authorized agent, employee, or representative of the University to enter without notice any part of the dwelling unit during reasonable hours for the purpose of inventory, maintenance inspections, improvements, or repair to any part of such dwelling unit.

Any student residence facility may be searched with the consent of the Student or any other occupant of the facility.

All entries and searches, other than those described in sections immediately above, shall be conducted in accordance with federal and state laws.

Health and Safety Inspections; Maintenance Inspections. Health and safety inspections will be conducted in all student residence facilities on a monthly basis by Housing staff to determine compliance with safety, health, and maintenance standards. Notice will be given prior to these inspections. Maintenance inspections occur when a work order has been submitted or when Housing staff becomes aware of an issue and will be conducted by University personnel during reasonable hours. Residents who fail to comply with the safety, health, and maintenance standards may be subject to disciplinary action.

XI. Visitation

Students and occupants shall be responsible for the compliance of their invited guests with this policy. Violators are subject to appropriate disciplinary action.

- A. Visitation hours will be noon until midnight Sunday through Thursday, and noon until 2:00 a.m. on Friday and Saturday. All visitors are required to check in at the front desk or other designated area and must be escorted at all times. Guests are not to wander in the residence halls nor are they permitted in opposite sex restrooms. If escorted at all times by the host, guests are permitted in any residence hall common area.
- B. Guests will be permitted in rooms only with the permission of the other occupants of the room. Interference with another occupant's privacy, use, and enjoyment of the room will not be allowed.
- C. Visitation hours during summer sessions will be noon until midnight Sunday through Thursday, and noon until 2:00 a.m. on Friday and Saturday.
- D. It is the responsibility of all students to be aware of the visitation hours/policy for the hall they are visiting. Failure to comply with the visitation rules may result in disciplinary action.
- E. A register will be maintained at each residence hall front desk that has twenty-four (24) hour staff. Students having guests are responsible for seeing that their guests provide identification and sign the register when entering and leaving the hall as directed by residence hall staff.
- F. Each guest must be escorted by the Student host from the lobby to the room he/she is visiting and from the room back to the lobby.
- G. Room checks may be made at any time during visitation by residence hall personnel. Violations of visitation guidelines will be reported to the appropriate Area Coordinator of the participating hall. Disposition of such cases will be treated in the same manner as other violations of University policy.

- H. There will be no more than a total of five (5) guests in a room at any given time except in cases where guests are members of the Student's immediate family.
- I. Students and guests must be properly attired in apparel suitable for class.
- J. Any student who violates visitation policies may lose subsequent visitation privileges, as well as incur other disciplinary action.
- K. Visitation regulations apply to all guests regardless of gender.
- L. Overnight guests of the same sex are permitted, if the following conditions are met:
 - 1. The guest is registered with the Area Coordinator prior to staying overnight.
 - 2. The Student host informs the guest of residence hall regulations and accepts responsibility for the guest's conduct.
 - 3. Permission for a guest to stay more than two (2) consecutive nights must be obtained from the Director, Housing & Residential Life and/or designee.

XII. Housing Disciplinary Offenses

Students, occupants, and guests are subject to, and shall comply with, the rules and policies of the Board, and all University rules and policies, as well as all federal and state laws. Violators are subject to appropriate disciplinary action.

Housing & Residential Life has adopted the following non-exclusive list providing notice of offenses for which students may be subject to disciplinary action through the process set out in Section XIV. Students may be subject to additional disciplinary charges and sanctions through the Office of Student Conduct.

Alcohol. The use and/or possession of alcoholic beverages is prohibited on the University campus and in all student residence facilities. Empty alcohol containers (including but not limited to bottles, cans, shot glasses, flasks, and kegs) may not be used for display purposes in any student residence facility.

Bicycles and Motorcycles. Parking or storing bicycles, mopeds, or motorcycles is not permitted in hallways, stairways, outside walkways, fire escapes, or lobbies of student residence facilities. Bicycles may be kept inside the facility, in bicycle storage rooms or individual student rooms, providing they do not block entrances or exits. Bicycles may not be kept in public areas (i.e. hallways, lounges, stairwells, etc.)

Business or Commercial Use. Student residence facilities may not be used for any business or commercial purpose. The facilities are to be used for residential purposes only.

Cable Theft. Cable theft is the receipt of cable services without the express authorization of a cable television operator. Theft includes splitting cable wires or attaching a black box that can alter the cable equipment owned by the operator.

Computer and Network Acceptable Use. [Policy 910 Information Technology Resources](#) is intended to prevent abuses of equipment and services, and to ensure that the use of computers and networks honors the public trust and supports the University's mission to educate students, conduct research, and provide public service. Using MTSU and state resources for unauthorized copying and/or distribution of copyright-protected information, music, video, and software is prohibited.

Construction. No construction of any kind is allowed without prior written consent of the University.

Data Service. All student residence facilities have direct data network access via Ethernet jack and wireless. All residents using the MTSU data network must adhere to all provisions of [Policy 910 Information Technology Resources](#).

- A. Wireless routers are not permitted.
- B. Servers of any type are not allowed in student residence facilities. This includes but is not limited to Web, FTP, telnet, game, peer-to-peer, and file servers. Servers discovered in operation are subject to disconnection.
- C. Distributing copyrighted material without permission is not permitted and may result in suspension of network access as well as other sanctions.
- D. Internet Protocol (IP) addresses are centrally assigned and may not be changed. To receive this address and other necessary configuration information, the network card must be set to obtain address information automatically via Dynamic Host Configuration Protocol (DHCP). Computers attempting to circumvent this registration and assignment process are subject to disconnection.

Disturbances or Nuisances. No student resident shall permit or create a nuisance or disturb any other residents of the facility. Students shall not conduct or permit activities in their student residence facilities or in any manner create disturbances which would cause disruption to other residents.

Drugs. The unlawful use and/or possession of drugs and/or drug paraphernalia is prohibited on the University campus and in all student residence facilities. Students found responsible for drug violations WILL be removed from the residence halls, apartments, and/or houses. Housing and Residential Life has a zero tolerance policy meaning students found in violation of drug or drug-related policies will be removed from the residence halls and/or apartments and be responsible for paying out the academic year housing agreement in full. Any reasonable suspicion of drug use or possession including odor of burnt or raw marijuana, physical characteristics of impairment, and/or possession of any paraphernalia that can be used for drug consumption will lead to an investigation and possible violation of this rule.

Electrical Kitchen Appliances. Appliances with open heating elements may not be operated in student residence hall rooms.

Failure to Comply with Sanctions. Failure to fully comply with disciplinary sanctions imposed subsequent to the process set forth in Section XIV.

Failure to Cooperate with Institutional Officials. Any act of insubordination or failure to cooperate with University officials, including all levels of Housing staff acting in the performance of their duties, is grounds for the immediate termination of the Agreement.

Fire Hazards. Students shall permit no combustible material to be kept on the premises and shall take every precaution to prevent fires. Fire escapes shall be kept clear of all items and shall be used in case of emergency only. Students will not store or lock anything on or immediately adjacent (within two [2] feet) to electrical meters or conduits from these meters leading into residence halls, apartments, and houses.

Fire Safety. The sounding of false fire alarms and tampering with firefighting or safety equipment, including extinguishers, hoses, EXIT signs, and the alarm system is prohibited. Residents are responsible for safely evacuating the building immediately upon the sounding of the alarm or as otherwise directed by residence hall staff. Students failing to appropriately evacuate the building may be subject to disciplinary action.

Firearms, Explosives, Fireworks, and Inflammables. The possession or use of firearms, slingshots, paint ball guns, super-soakers, explosives, fireworks, inflammable fluids, dangerous chemical mixtures, pellet guns, B.B. guns, propelled missiles, tasers, stun guns or ammunition (which includes but is not limited to bullets, paint balls, pellets, and B.B.s) is prohibited.

Heating. Students shall not use any appliances for heating except those provided with prior written consent of the University.

Illegal activities. Illegal activities of any kind within student residence facilities are prohibited.

Keys. Room or apartment keys are the property of the University, and a student may not have duplicate keys made. Students who misplace their keys and need access to their rooms should contact their residence hall front desk to be issued a temporary key. As a security precaution, students who lose their keys will have their locks changed and the core replaced and will be charged the appropriate fee. Residents are not permitted to share or loan their keys to other persons.

Noise and Quiet Hours. The primary aim of Housing and Residential Life is to maintain an atmosphere conducive to the pursuit of residents' academic goals and to provide an opportunity for uninterrupted study and rest. Courtesy hours are in effect 24 hours a day. Unnecessary noise, from whatever the source, must be discontinued upon request. Quiet hours are in effect from 9:00 p.m. until 9:00 a.m. every day. Students who show a disregard for quiet hours may have their Agreement canceled and/or be restricted from living or visiting in the residence halls. Strict quiet hours will be in effect 24 hours a day beginning one day prior to the start of final exams and will continue through the end of the exam period.

Pets. No pets of any kind are allowed in the residence halls or University apartments, with the exception of fish contained in one aquarium no larger than 10 gallons. Residents must make appropriate arrangements for the care of fish during holiday or other break periods. Housing and Residential Life will not assume responsibility for feeding, cleaning, or otherwise maintaining aquariums. This does not exclude accommodations required pursuant to the Americans with Disabilities Act, as amended.

Premises. Students shall maintain the premises, including their yards, in a neat and orderly condition. No refuse, loose paper, cans, bottles, etc., shall be permitted to accumulate outside or underneath dwelling units.

Prohibited Items. The following is a non-exhaustive list of items which are prohibited in student residence facilities: water-filled furniture, personal air conditioners, ice boxes, unauthorized refrigerators, pianos, exterior aerials or antennas, heavy electrical appliances such as laundry and dishwashing machines, personal stoves, extension cords, halogen lamps, candles, incense, firearms, explosives, fireworks, flammable fluids, slingshots, paint ball guns, super-soakers, dangerous chemical mixtures, pellet guns, B.B. guns, ammunition (which includes but is not limited to bullets, paint balls, pellets, and B.B.s) propelled missiles, alcoholic beverages, and illegal drugs or paraphernalia.

Security Doors. At no time may security doors be propped open.

Signs. Students shall display no signs, placards, or banners of any type in or about the premises without the prior approval of Housing staff.

Smoking. Pursuant to [Policy 750 Tobacco-Free Campus](#), smoking (including vaporizers, hookahs, e-cigs, etc.) is prohibited on the University campus and within student residence facilities. Students wishing to use tobacco products must do so in the privacy of a personal vehicle. Tobacco products can only be stored in a private vehicle.

Soliciting Sales. Soliciting, canvassing, or the use of student residence facilities as a location for selling is prohibited unless written permission is granted by the Dean of Students. Since solicitors or other salespersons are not allowed access to the premises except with permission from the University, students are requested to notify the front desk of violations of this rule.

Violation of General Policies. Any violation of the general policies or procedures of the University as published in an official institutional publication, including the intentional failure to perform any required action or the intentional performance of any prohibited action.

Violation of State or Federal Laws. Any violation of state or federal laws or regulations proscribing conduct or establishing offenses, which laws and regulations are incorporated herein by reference.

Violation of the Terms of the Student Housing License Agreement. Violations of the terms of the Agreement may result in disciplinary proceedings.

Windows, Screens, Roofs, and Ledges. Students shall not shake, clean, or hang any bedclothes, rugs, mops, dust cloths, etc., from windows. Students are not permitted to remove or tamper with the screens at any time. Roofs and ledges of residence halls and/or apartments are off limits.

XIII. Guidelines and Procedures for Housing Conduct Violations

Students who engage in prohibited conduct may be subject to the disciplinary processes of Housing and Residential Life, as well as other University disciplinary processes through the Office of Student Conduct. The following guidelines are provided to assist students in understanding and responding to the Housing and Residential Life judicial process, including its use of incident reports, conduct violation referrals, disciplinary conferences, and applicable forms. The imposition of sanctions for conduct violations resulting from incident reports filed with regard to housing infractions does not preclude additional hearing and sanctioning processes through the University disciplinary process. Individual circumstances can determine varying levels of response, and sanctions can take into account the specific facts of each

situation. By signing the Agreement, a Student agrees to support and abide by the policies, rules and disciplinary procedures governing a living and learning community.

Responsibility for Administration. Unless indicated otherwise, all initial violations of Housing rules will be adjudicated by the Area Coordinators in each of their respective areas. When necessary, cases will be referred to the Associate Director of Residential Education or designee, including cases involving multiple violations of Housing rules. The Associate Director will be responsible for adjudicating all cases referred to her/him and applying the appropriate sanctions. Alternately or additionally, the Associate Director may elect to refer all cases which involve multiple violations of [Policy 540 Student Disciplinary Rules](#), when inappropriate behavior persists, or when other circumstances warrant such action, to the Office of Student Conduct for disposition pursuant to the University disciplinary process.

Conduct Violation Referral. Cases are adjudicated from an incident report submitted to the Area Coordinator by a Housing staff member and/or resident of the hall. Cases may also be adjudicated from incident reports provided by the University Police.

Disciplinary Conference. A Student alleged to have acted in violation of this policy will receive a written notice directing the Student to appear for a Disciplinary Conference. The notice will be provided at least five (5) days prior to the date of the Conference. In addition to providing the date, time, and location of the Conference, the notice will inform the Student of:

- A. The policy/rule violation(s) for which he/she is being charged.
- B. The opportunity to call witnesses or present other evidence on his/her behalf.
- C. The right to be accompanied by an advisor of his/her choice. The advisor is not allowed to participate in the conference and may only advise the Student. The advisor cannot be a student who has been charged with a violation of the Housing and Residential Life Rules related to the same incident.
- D. The right to a copy of the Incident Report, if any, on which the Conference is being held.

At the Conference, the Student will be interviewed by the appropriate Housing official. During this interview, the Student will be advised as to what Housing policies/rules have allegedly been violated and will be given an opportunity to explain his/her version of the act or incident, or to otherwise refute the allegations.

The Housing official will review the incident, taking into account the information provided by the Student. A determination will be made as to whether policy/rule was violated or not, and the Student will be advised as to whether or not sanctions are warranted. The standard of proof required for a finding of violation of the Housing and Residential Life Rules shall be the preponderance of the evidence.

At the conclusion of the Disciplinary Conference, or at a later point as deemed necessary, the Student will be provided a Disposition Form indicating what violation(s) the Student has been found responsible for and the sanction imposed. The decision of the Housing official is final.

Effect of Noncooperation. A Student who fails to cooperate, ignores, or otherwise does not respond after receiving notice of the Disciplinary Conference may be subject to temporary measures such as

having the locks changed on his/her residence or having his/her student ID card blocked. If the Student continues to not respond, the Associate Director of Residential Education or designee will initiate action for possible cancellation of the Agreement and removal of the Student from Housing and Residential Life.

Failure to Comply with Sanctions. It is expected that all sanctions will be completed within the time frame given in writing to the Student. Failure to comply with sanctions in a timely manner may result in a meeting with the Associate Director of Residential Education or designee. The Associate Director of Residential Education may give a written extension if such is deemed appropriate, or may initiate the disciplinary process to consider this violation.

XIV. Housing Disciplinary Sanctions

Upon a determination that a Student has violated any of the Housing disciplinary offenses set forth in this policy or the general policies of the University, disciplinary sanctions may be imposed, either singly or in combination. Following is a non-exclusive list of potential sanctions for violations of the housing disciplinary policy

- A. Restitution. Restitution may be required in situations which involve destruction, damage, or loss of property. When restitution is required, the Student is obligated to compensate a party or parties for a loss suffered as a result of the violation(s). Any such payment in restitution shall be limited to actual cost of repair, replacement, or financial loss.
- B. Housing Probation. If a Student is engaging in repeated or continuing prohibited conduct, the Student may be placed on Housing Probation. The Student will be informed that during this time period any further violations may be cause for cancellation of the Agreement.
- C. Residential Service. A Student may be required to perform specified tasks or service to the residence hall community under the supervision of a University official.
- D. Community Impact Statement/Project. A Student may be required to complete a written paper, project, or presentation which relates to the offense.
- E. Involuntary Reassignment. A Student may be involuntarily moved to another residence hall if warranted by his/her behavior.
- F. Cancellation of Agreement. A Student's Agreement is canceled, and the Student must vacate his/her place of residence within 24 hours of notification or as directed by the appropriate Housing official. No refund of fees for the academic year will be made if the Student is required to vacate assigned space for disciplinary reasons.

XV. Special Regulations Applicable to Womack Lane Apartments

Womack Lane Apartments are available for the use of full- time students with a spouse, and/or a dependent child or dependent children who will reside on campus with the full-time student. A Student does not have to attend school during the summer sessions, provided the Student enrolls full-time the following semester. A one-bedroom furnished apartment will be assigned to a family unit of three (3), and a two-bedroom unfurnished apartment will be assigned to a family unit no larger than five (5).

Information Requested by the University. Students shall submit to the University, upon request, signed statements or other required documents setting forth the pertinent facts concerning their household composition and student status. The University may reexamine such information periodically for the purpose of determining the right of continued occupancy.

Supervision of Children. Parents, legal guardians, and babysitters are responsible for providing appropriate care and supervision for children in their care and are responsible for the conduct of such children while the children are on Womack Lane Apartments property and MTSU campus grounds. Children under 12 years of age must be accompanied by a parent, guardian, or other adult while on the Womack Lane Apartments property, including the Womack Lane Apartments playground or in the Womack Lane Apartments Center.

XVI. Miscellaneous Regulations

- A. Transfer or Subletting Units. Students shall not transfer possession, lease, or sublet the premises nor give accommodations to roomers, boarders, or lodgers, and any attempted assignment or subleasing shall be void without the written consent of the University.
- B. Rubbish, Garbage, and Waste. Students shall deposit garbage, rubbish, and other waste in a manner prescribed by the University and laws and ordinances covering the use of the premises. At no time are personal garbage bags or cans permitted in hallways, breezeways, lobbies, etc. Examples of other personal items not permitted in residence hall and/or apartment common areas include but are not limited to boxes, furniture, and appliances.
- C. Liability for Loss or Damage.
 - 1. The University does not maintain insurance on any personal property of students, and all personal property of Students on the premises shall be at the risk of the Student. The University shall not be liable for any damages to, or theft of, personal property of Students in student residence facilities.
 - 2. The University shall not be liable for any damages or injuries to any Student or the occupants of student residence facilities, or to guests or invitees of such Students resulting from any act or failure to act by the Student or any other occupant of the premises, or from any lack of repair of the facility or any accident occurring in or about the facility, except as authorized by and allowed pursuant to Tennessee Code Annotated (T.C.A.) §§ 9-8-301, et. seq.

Each Student who occupies any residence unit agrees to indemnify and hold the University harmless from and against any and all claims, damages, or causes of action whatsoever, asserted by any person arising out of or in any way connected with the use of the premises by the Student.
- D. Residential Parking. Residence parking areas are reserved for residence hall and/or apartment residents. All on-campus residents with vehicles are required to purchase an appropriate parking decal from Parking and Transportation Services. Stickers for Womack Lane families are limited to two per apartment. Unauthorized vehicles and/or abandoned or immobile vehicles will be cited and/or removed at the owner's expense.

- E. Refrigerator Guidelines. Small refrigerators are permitted in residence hall rooms provided they are no larger than 3.2 cubic feet and do not exceed 2.5 amps.
- F. Storage. Storage of all household or personal property outside of dwelling units shall be in such manner as prescribed by the University. Students shall not store items in areas including but not limited to attics, breezeways, hallways, lobbies, or underneath dwelling units.

XVII. Missing Students

See [Policy 720 Missing Residential Student Notification](#).

Forms: none.

Revisions: none.

References: Policies 540 Student Disciplinary Rules; [685 Disposal of Surplus Personal Property](#); [720 Missing Residential Student Notification](#); 750 Tobacco-Free Campus; 910 Information Technology Resources; Tennessee Sexual Offender and Violent Sexual Offender Registration, Verification and Tracking Act of 2004; T.C.A. §§ 9-8-301 et. seq.; Higher Education Act of 2008.



Middle Tennessee State University Board of Trustees
Academic Affairs, Student Life, and Athletics Committee

Policies Recommended for President Approval

The following policies can be found at <http://www.mtsu.edu/FOCUSpoliciesandstandards/pending/post-comment-policies.php>.

Policy No.	Policy Name
202	Faculty Definition, Roles and Responsibilities
203	Faculty Development
207	English Proficiency - Faculty
208	Determining Faculty Workload and Instructional Staffing
209	Post-Retirement Service Program for Tenured Faculty
210	Emeritus Status
211	Misconduct in Scholarly Activities and Research
221	Faculty Compensation during Summer
222	Adjunct Faculty Compensation
223	Faculty Compensation for Teaching Credit Courses as an Overload
224	Employee Compensation under Sponsored Projects
225	Appointment of Graduate Assistants
252	University Catalogs
253	Permanent or Semi-Permanent Off-Campus Instructional Facilities
254	Distance Education
255	Inter-Institutional Relationships
256	MTSU Articulation with Community Colleges within the Tennessee Board of Regents System and the State Universities
257	Components of Articulation Agreements
258	Criteria for the Evaluation of Bureaus, Centers and Institutes
271	Education Abroad
272	Faculty and Academic Staff Abroad

<u>291</u>	University Bookstore/Textbooks, Course Materials and Course Supplies
<u>292</u>	Calendar Conversion
<u>293</u>	Educator Preparation Program Standards Identified by the State of Tennessee Operational Guidelines
<u>303</u>	Academic Calendar and Student Registration
<u>304</u>	General Education Requirements and Degree Requirements
<u>305</u>	Limited English Proficiency
<u>306</u>	Learning Support
<u>307</u>	Articulation with Proprietary College
<u>308</u>	Awarding of Credits Earned through Extra-Institutional Learning
<u>309</u>	Reverse Transfer
<u>310</u>	Limitations on Enrollments
<u>311</u>	Class Attendance
<u>312</u>	Academic Misconduct
<u>313</u>	Student Grade Appeals
<u>314</u>	Undergraduate Academic Retention Standards
<u>315</u>	Posthumous Degrees
<u>316</u>	Awarding Honorary Degrees
<u>401</u>	Administration of Sponsored Projects
<u>402</u>	Protection of Human Subjects in Research
<u>403</u>	Animal Care and Use in Research and Testing
<u>404</u>	Conflict of Interest for Externally Funded Projects
<u>405</u>	Oversight of Dual Use Research Concern
<u>500</u>	Access to Education Records
<u>502</u>	Financial Aid Satisfactory Academic Progress
<u>504</u>	Educational Adjustment for Pregnant and Parenting Students
<u>505</u>	Withdrawals from the University
<u>560</u>	Student Organizations
<u>561</u>	Student Organization Operations



Middle Tennessee State University Board of Trustees
Academic Affairs, Student Life, and Athletics Committee
 Monday, May 15, 2017, 9:00 AM

Recommendation for Approval of Tenure and Promotion Candidates

Faculty Tenure Recommendations for 2017-18

The following faculty applied for tenure in September 2016 and have been reviewed for tenure by their department chair/school director, department/school committee, college committee, and college dean according to MTSU Policy II:01:05A Policies and Procedures for Tenure and their respective college and department policies. The President and University Provost recommend the following faculty be granted tenure effective August 1, 2017.

	Name	Department
1	Asbury, Mary Beth	Communication Studies and Organizational Communication
2	Barry, Vaughn	Health and Human Performance
3	Barsky, Marsha	Theatre and Dance
4	Black, Thomas	Elementary and Special Education
5	Butler, David L.*	Political Science and International Relations
6	Callender, Mark N	Aerospace
7	Clark, Adam	Music
8	Clark, Stanley	Accounting
9	Elleman, Amy	Elementary and Special Education
10	Federici, Michael*	Political Science and International Relations
11	Frank, Brian W	Physics and Astronomy
12	Foran, Nicole*	Art
13	Haines, Leslie	Journalism
14	Hall, Tina	Health and Human Performance
15	Harms, Joshua	Criminal Justice Administration
16	Kim, Christine	Music
17	Leonard, Kevin*	History
18	Lindsey, Brandi	Nursing
19	Marshall, Seth	Psychology
20	McDowell, William	Management
21	Milligan, Charles	Educational Leadership
22	Pettigrew, Jason	Foreign Languages and Literatures
23	Roach, Michael	Economics and Finance

24	Robertson, James	Biology
25	Tharp, Terri	Elementary and Special Education
26	Trundle, Jonathan	Electronic Media Communication
27	Vannatta-Hall, Jennifer	Music
28	Wade, Lee	Criminal Justice Administration
29	Wagnon, Deborah	Recording Industry
30	Wang, Chengshan	Chemistry

* Expedited Tenure Review, pursuant to Policy 204 Tenure, Section V:

The University will sometimes find it necessary to expedite tenure review in order to recruit high-quality faculty, especially when hiring for administrative positions. In these cases, the University's review will be based on the candidate's curriculum vitae rather than a traditional tenure application file. The request will originate with the Department Chair/Director and be reviewed by the department tenure and promotion review committee, the Dean, the college tenure and promotion review committee, the Provost, and the President. Because recruitment is often time-sensitive, the President will request approval from the Board through a special called meeting, if necessary.



Middle Tennessee State University Board of Trustees
Academic Affairs, Student Life, and Athletics Committee
 Monday, May 15, 2017, 9:00 AM

Recommendation for Approval of Tenure and Promotion Candidates

Faculty Promotion Recommendations for 2017-18

The following faculty applied for promotion in September 2016 and have been reviewed for promotion by their department chair/school director, department/school committee, college committee, and college dean according to MTSU Policy II:01:05B Policies and Procedures for Promotion of Tenured and Tenurable Faculty and their respective college and department policies. The President and University Provost recommend the following faculty be promoted effective August 1, 2017.

	Name	Department	Proposed Rank	Current Rank
1	Asbury, Mary Beth	Comm Studies / Org Comm	Associate Professor	Assistant Professor
2	Barry, Vaughn	Health and Human Perf	Associate Professor	Assistant Professor
3	Barsky, Marsha	Theatre and Dance	Associate Professor	Assistant Professor
4	Black, Thomas	Elem and Special Education	Associate Professor	Assistant Professor
5	Callender, Mark N	Aerospace	Associate Professor	Assistant Professor
6	Clark, Stanley	Accounting	Professor	Associate Professor
7	Elleman, Amy	Elem and Special Education	Associate Professor	Assistant Professor
8	Frank, Brian W	Physics and Astronomy	Associate Professor	Assistant Professor
9	Gaitely, Patricia	English	Professor	Associate Professor
10	Gao, Ying	TCBMR	Associate Professor	Assistant Professor
11	Harms, Joshua	Criminal Justice Admin	Associate Professor	Assistant Professor
12	Holt, Aimee	Psychology	Associate Professor	Assistant Professor
13	Huang, Rongjin	Math	Professor	Associate Professor
14	Kim, Christine	Music	Associate Professor	Assistant Professor
15	Kim, Yang Soo	Comm Studies / Org Comm	Professor	Associate Professor
16	Lindsey, Brandi	Nursing	Associate Professor	Assistant Professor
17	Marshall, Seth	Psychology	Associate Professor	Assistant Professor
18	Milligan, Charles	Educational Leadership	Associate Professor	Assistant Professor
19	Pettigrew, Jason	Foreign Languages and Lit	Associate Professor	Assistant Professor
20	Pruitt, Lisa	History	Professor	Associate Professor
21	Raines, Joan*	University Studies	Professor	Associate Professor
22	Ridgley, Robyn	Elem and Special Education	Professor	Associate Professor
23	Roach, Michael	Economics and Finance	Associate Professor	Assistant Professor

24	Robertson, James	Biology	Associate Professor	Assistant Professor
25	Tharp, Terri	Elem and Special Education	Associate Professor	Assistant Professor
26	Therrien, Kathleen	English	Professor	Associate Professor
27	True, Charlene	Educational Leadership	Professor	Associate Professor
28	Trundle, Jonathan	EMC	Associate Professor	Assistant Professor
29	Ujcich-Ward, Kim	Psychology	Professor	Associate Professor
30	Vanhook, Duane**	Concrete and Const Mgmt	Associate Professor	Assistant Professor
31	Vannatta-Hall, Jennifer	Music	Associate Professor	Assistant Professor
32	Wade, Lee	Criminal Justice Admin	Associate Professor	Assistant Professor
33	Wang, Chengshan	Chemistry	Associate Professor	Assistant Professor
34	Welborn, Cliff	Management	Professor	Associate Professor

* Raines: Exception due to time in rank as associate professor

** Vanhook: Exception due to no terminal degree



Middle Tennessee State University Board of Trustees
Academic Affairs, Student Life, and Athletics Committee
Monday, May 15, 2017, 9:00 AM

Recommendation for Approval of Academic Program Changes

The committee will receive a proposal for approval of one new degree program.

Bachelor of Science (BS) in Interactive Media

The College of Media and Entertainment proposes to elevate the concentration in New Media Communication within the existing Bachelor of Science in Mass Communication to a free-standing degree. There is no increase in credit hours required and the curriculum remains the same. This action is consistent with the policy of the Tennessee Higher Education Commission that permits existing concentrations with steady enrollment and graduation rate for a period of at least three years to be recognized as a freestanding degree if the establishment of the concentration as a degree does not compromise the remaining degree and does not require new faculty resources. Elevating this program of study to a free-standing degree will increase its visibility among prospective students, will give the degree greater value in the marketplace, and will facilitate better assessment of program outcomes.

Cover Memo for Proposed Undergraduate Curriculum Changes
Submit original proposal printed on 1 side only to Provost Office

Approved
1-27-17

TO: University Undergraduate Curriculum Committee RE: Proposed Curriculum Changes DATE: 11-4-16
FROM: (Chair/Director) Billy Pittard (Department/School/Program) Electronic Media Communication
PROPOSAL WRITTEN BY: Billy Pittard E-Mail Address: billy.pittard@mtsu.edu

I request that the following item be considered by the Committee: (please check all that apply)

Items for on campus approval

Items requiring TBR/THEC approval (see UCC handbook Page 7 and Appendix B)

- Proposed New Course
- Course Title Change
- Course Prefix/Number Change
- Change in Credit Hours
- Change in Grading System
- Inactivation of Course
- Reactivation of Course
- Cross Listing of Course
- Non-substantive Revisions in Curriculum of Existing Major, Minor, Concentration
- Other

- New Academic Program: Degree/Minor/Concentration/Certificate
- Title Change of Degree Program/ Concentration
- Consolidate/Reorganize Existing Academic Program
- Substantive Change Affecting 18+ Credit Hours since last TBR approval
- Establish Degree Program from Existing Concentration
- Program Reactivation
 - Program Termination
- Revision of Admission/Progression/Graduation requirements

Brief description of proposed change (attach separate sheet with complete information).

If new course proposal, list title and number of course.

Create a freestanding degree program named Interactive Media from the existing New Media Communication concentration in the department of Electronic Media Communication in the College of Media and Entertainment.

The proposed change will be effective beginning: Fall semester 2017 year

[Signature]
Signature, Department Curriculum Committee Chair

11/15/16
Date Signed

I certify that I (or department representative) have consulted with each department which may be affected by proposed new course and have attached their letters of support to this proposal.

[Signature]
Signature, Department Chair

11-8-16
Date Signed

[Signature]
Signature, College Curriculum Committee Chair

11/15/16
Date Signed

[Signature]
Signature, Academic Dean

11/12/16
Date Signed

[Signature]
Signature, University Curriculum Committee Chair

1/27/17
Date approved by UCC

[Signature]
Signature, Academic Affairs Designee

2/1/2017
Date approved by Academic Affairs



Updated 8/04/15



Actions Subject to the 30 Day Review Process
or Signature of the Vice Chancellor

Please refer to TBR Policy 2:01:01:00, TBR Guideline A-010, and THEC Policy A1:0 and A1:1 before developing a proposal.

INSTRUCTIONS: Please respond to each question. If the question is not applicable, please use “NA” and include a brief explanation of why the question is not applicable to the proposed action. The form will expand to allow space as needed and must be submitted to the TBR Vice Chancellor for Academic Affairs or Vice Chancellor of Community Colleges as appropriate an MSWord document.

INSTITUTION: Middle Tennessee State University

PROPOSAL (specify using “Type of Change” from following page): Establish a freestanding degree program in Interactive Media from an existing concentration with a steady enrollment and graduation rate for a period of at least three years.

PROPOSED EFFECTIVE DATE: August 2017

PURPOSE: (Goals and Objectives in keeping with Institutional Mission)

We are requesting the establishment of a freestanding degree program in Interactive Media from an existing concentration with a steady enrollment and graduation rate for a period of at least three years.

The establishment of a freestanding BS in Interactive Media has been the goal of the program for a number of years, but it has only been with the recent change in college administration and TBR that there has been support for this change.

For many years all programs in the College, with the exception of those in the Department of Recording Industry have shared one degree and have used one agency for accreditation. This resulted in a forced conforming of various programs with very different intents and purposes.

The department of Electronic Media Communication is no longer included in the programs accredited by the current agency ACEJMC.

The College of Media and Entertainment, formerly Mass Communication, is the only one of its kind within the TBR system as are a number of programs offered within it. The College is home to programs not only unique to the TBR system, but also have regional and national reputations.

The College and The Department of Electronic Media Communication have recently undertaken a rebranding process in order to evaluate and redefine their programs in a rapidly changing media



landscape. This has included reevaluating structure, accreditation and to regroup its programs and build on its existing strengths.

We have created a student-centered environment conducive to learning and personal expression. The program contains a broad array of classes that sharpen students' professional skills in a variety of media, but also introduce students to the critical, theoretical, and historical underpinnings of media and technology so that they may evolve as professionals as the landscape of media evolves. The Interactive Media faculty work hard to stay on top of the constant changes in this field. This includes developing relationships with feeder schools and industry partners and developing curricula that meets a broad range of student needs.

We have developed curriculum that gives students the opportunity to work with the latest in technology and encourages them to think logically, critically, and creatively and to make sound judgments with an awareness of ethical, moral, and aesthetic values.

NEED/RATIONALE: (What is the justification for making this proposal at this time?)

The program in Interactive Media has existed for about twenty years at MTSU. It was originally titled Digital Media Communication, then New Media Communication, and now we are proposing Interactive Media as the name of BS degree program. The title Interactive Media is descriptive of what is a now an established field of study. New Media was a title given to a subfield of Mass Communication during a time of evolution or revolution in media.

The Interactive Media program fulfills an important role in the department of Electronic Media Communication and the College of Media and Entertainment. The students in our program study technologies that are constantly emerging and are evolving the ways in which we communicate. These media are the touchstones and the sandboxes of media theory and practical media applications. Interactive Media students are often the first in our college to actively engage forms of content that eventually become mainstream. Examples include social media, game theory, and virtual and augmented reality. Our students go into careers that are literally inventing the future of media.

One of the challenges the program has faced has been awareness by prospective students and industry. With the program buried in a Mass Communication degree, the program has missed out on the awareness it would have otherwise had with a degree of the same name as the program. Making this program a freestanding degree with the same name as the program will help get the right students into the program, and also give their college degree more value in the marketplace.

Establishing this program as a freestanding degree will also facilitate better tracking of institutional effectiveness. The current major field test for students in this program is shared by such a diverse set of programs that the test is at best an ineffective measure, and at worst an off-putting last experience that our graduates have with the program.

With recent changes in our college administration, restructuring and rethinking of our accreditation needs, we believe it is timely to establish a freestanding degree program from this existing concentration. It has demonstrated a steady enrollment and graduation rate. Recognition as a freestanding degree does not require new resources, but creates great value for our students. We feel it is in the best interest of the program and students to raise its visibility and focus by removing it from the current degree umbrella of Mass Communication.



IMPACT: (Include students, personnel, fiscal resources, diversity, other clientele)

For terminations/consolidations of degrees, indicate how students will be notified and transitioned. If a phase-out period is greater than 1 year for certificates or 3 years for any other program, explain why More time is needed).

This change will have no negative impact on fiscal resources, diversity or other clientele. It will not cause any change in curriculum or requirements for graduation. Students currently enrolled will not be required to transition, but will have the option. Immediate advantage to those students already in the program to change to the new degree will be greater visibility and ease of identification of their program of study by potential employers.

PLANS FOR ACCREDITATION:

(Identify the source and **projected date** of Professional accreditation if applicable; SACS notification, if Required, and if a substantive change, the scope of the substantive change. If there are no plans to seek Specialized accreditation, please provide reasons.)

This program was recently approved for a self-study program review.



The following two items require the completion of separate forms as indicated below. Do not complete the remainder of this document.

Name Change for Existing Program or Academic Unit (USE NAME CHANGE FORM ONLY ON TBR ACADEMIC AFFAIRS WEBSITE)

Establish an Off-Campus Site/Off Campus Center. (USE THEC OFF-CAMPUS SITE/CENTER APPROVAL FORM(S) ONLY ON TBR ACADEMIC AFFAIRS WEBSITE)

Note: In keeping with the THEC Policies, the **THEC Off-Campus Site /Center Approval Forms** must be submitted for review. No announcements may be made regarding opening new site or center until the THEC approval is granted per THEC Policy 1.0.60B

Type of Change (Check all those that apply):

Name change for existing program

Change of degree designation for an existing academic program or concentration per written recommendation of a disciplinary accreditation body or to more accurately represent the title to the workplace. Documentation must accompany the change request.

Change of degree designation for an existing academic program or concentration when the change involves a significant curriculum shift in redefining the program's purpose.

Change/Add degree designation for existing programs

Consolidate an existing academic program

Consolidate existing academic programs regardless of degree designations for Performance Funding purposes only

Conversion of an existing ground program to a fully on-line program (Indicate with or without maintaining the existing ground program)

Curriculum modifications which increase or decrease total hours required for a degree.

Substantive Curriculum Modification (i.e., 9 or more SCH at the community college, 18 or more SCH undergraduate, 9 or more at graduate, or 50% or more certificate) in an existing academic program. Provide a side-by-side comparison of the existing and proposed curriculum.

The proposed program requires completion of ___ SCH distributed as follows:

Curriculum Component

SCH Required

General Education

Major Field Core (required of all students in program)

Concentration (courses specific to the concentration)

Electives (may be guided or general electives)



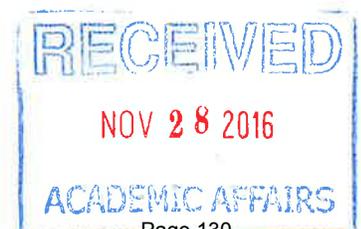
Other (specify, i.e.)

TOTAL SCH:

No. of new courses: _____ with _____ credit hours

No. of SCH impacted by the revision since last TBR action _____

- _____ Establish a certificate less than 24 SCH (Provide the curriculum, justify the demand for the requested certificate and any alignment with other existing programs or certificates)
- _____ Establish a new concentration or MINOR (**justify the demand and show side-by-side comparison of proposed curriculum along with the curriculum for any other concentrations or minors within the existing degree.**) (May be approved by the Vice Chancellor for Academic Affairs or referred to the Board.)
- _____ Establish a new academic unit (specify department, division, college, school, campus sponsored centers not seeking Center of Excellence/Emphasis status through the THEC, centers within existing academic units, institutes, bureaus, campus, etc.) (Attach a current and proposed organizational chart.) **The THEC has established additional requirements which must be attached to this request which may be located at http://www.tn.gov/thec/Divisions/AcademicAffairs/academic_programs/THEC%20Administrative%20Units%20Form%20Feb%2027%202015.pdf. This action will be reviewed with Executive signature action by the THEC.)**
- X Establish a free standing degree program from an existing concentration with a steady enrollment and graduation rate for a period of at least three years may request to be recognized as a freestanding degree if the establishment of the concentration as a degree does not compromise the remaining degree and does not require new faculty resources.
- _____ Establish a free standing degree program from an existing concentration **for more accurate Representation of title to the workplace.** (See TBR policy 2:01:01:00 II (m) for performance funding implications.)
- _____ Establish a new academic unit or reorganization resulting in a net gain of an academic unit (i.e., department, on-campus center, institute, bureau, division, school, or college). This action also requires approval by the THEC Executive Director.
- _____ Establish an articulation agreement between institutions
- _____ Establish an Off-Campus Site/Off Campus Center. In keeping with the THEC Policies, the THEC Off-Campus Site /Center Approval Forms must be submitted for review. No announcements may be made regarding opening new site or center until the THEC approval is granted per THEC Policy 1.0.60B
- _____ Extend an existing **degree** program to be delivered 100% at an off-campus location. (Extension to 100% off-campus delivery requires additional action if the location of delivery is to be converted from a “site” to a “center.”)



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_____ Inactivation of an existing program or concentration (If a program is not reactivated within a period of three years, the program will automatically be terminated and removed from the Academic Inventory by December of that year.)

_____ Reactivation of a program that was placed on inactivation within the past 3 years
 Date of inactivation: _____ Date of proposed reactivation: _____

_____ Termination with or without phase-out of an existing program or concentration

_____ Policy Revision: Admission/Progression/Graduation (institutional or program specific)
(Attach the current and proposed policy as a side-by-side comparison)

_____ Other _____

3. Indicate Program, Certificate and Concentration Change as Reflected in the Academic Program Inventory:

Before the Proposed Change (List as it now appears on the official Academic Program Inventory at THEC)			After the Proposed Change (List as it should appear on the official Academic Program Inventory at THEC, once approved.)		
Title of Old Program or Certificate Option (Include all existing concentrations before revision.)	Degree	CIP Code	Title of New Program Certificate, or Concentrations existing after revision is approved.	Degree	CIP Code
Mass Communication -Photography -Electronic Media Comm. -New Media Comm.	B.S.	09.0102.00	Mass Communication -Photography -Electronic Media Comm. -Interactive Media	B.S. B.S.	09.0102.00 09.0702

4.*Attach a copy of the "before and after" curriculum or organizational chart, as applicable, and a rationale for the proposed change. For policy changes, include the current and proposed policy. Whenever possible a side-by-side comparison is preferred.

Before and after Curriculum is provided in attachment A.

5. Intended implementation date for program change: August 2017

6. For terminations, date phase-out period will end: Summer 2019

7. If any new costs are anticipated, attach the THEC Financial Projections Form.

No new costs are associated with implementation of this major as it already exists as a concentration within the B.S. in Mass Communication.



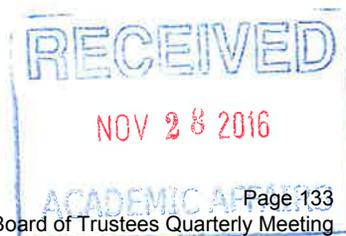
8. Describe the anticipated impact for students, personnel, fiscal resources, and other clientele.

The change to a freestanding degree, rather than a concentration within another degree, will provide students and graduates with a more clearly defined program of study when entering the work force and or graduate school. This will benefit all students equally, including members of diverse and under-represented groups. This change will not impact fiscal resources as all courses, faculty, and laboratories are already in place within the existing concentration. It will not cause any change in curriculum or requirements for graduation. Students currently enrolled will have the option of remaining in the existing concentration within the Mass Communication major or changing to the new Interactive Media major.



ATTACHMENT A: Comparison of before and After Curriculum – Proposed B.S. in Interactive Media

CURRENT CURRICULUM	Hours	PROPOSED CURRICULUM	Hours
General Education	41	General Education	41
College of Media & Entertainment Core	9	College of Media & Entertainment Core	9
EMC/JOUR/RIM 1020 – Am. Media & Social Inst. (3hrs)		EMC/JOUR/RIM 1020 – Am. Media & Social Inst. (3hrs)	
EMC 3060 - Writing for Digital Media (3hrs)		EMC 3060 - Writing for Digital Media (3hrs)	
EMC / JOUR 4250 - Mass Media Law (3hrs) <i>OR</i>		EMC / JOUR 4250 - Mass Media Law (3hrs) <i>OR</i>	
RIM 3700 - Copyright Law (3hrs) <i>OR</i>		RIM 3700 - Copyright Law (3hrs) <i>OR</i>	
PHOT 4190 - Ethics & Law for Visual Communicators (3hrs)		PHOT 4190 - Ethics & Law for Visual Communicators (3hrs)	
New Media Comm Requirements	24	Interactive Media Requirements	24
EMC 2500 – Survey of New Media (3hrs)		EMC 2500 – Survey of New Media (3hrs)	
EMC 3210 – New Media Video Applications (3hrs)		EMC 3210 – New Media Video Applications (3hrs)	
EMC 3070 – Social Media Practice (3hrs)		EMC 3070 – Social Media Practice (3hrs)	
EMC 3460 – Media and Messages (3hrs)		EMC 3460 – Media and Messages (3hrs)	
EMC 2030 – Visual Journalism Production (3hrs) <i>OR</i>		EMC 2030 – Visual Journalism Production (3hrs) <i>OR</i>	
VCOM 2950 – Visual Communication Applications (3hrs)		VCOM 2950 – Visual Communication Applications (3hrs)	
EMC 4000 - Internship (3hrs)		EMC 4000 - Internship (3hrs)	
EMC 4460 – New Media Capstone (3hrs)		EMC 4460 – New Media Capstone (3hrs)	
EMC 4800 – Seminar in Media Issues (3hrs)		EMC 4800 – Seminar in Media Issues (3hrs)	
EMC 4950 – Advanced Seminar – New Media (3hrs)		EMC 4950 – Advanced Seminar – New Media (3hrs)	
MGMT/MKT Competency Requirement	3	MGMT/MKT Competency Requirement	3
MGMT 3610 – Principles of Mgmt (3hrs) <i>OR</i>		MGMT 3610 – Principles of Mgmt (3hrs) <i>OR</i>	
MKT 3820 – Principles of Mkt (3hrs) <i>OR</i>		MKT 3820 – Principles of Mkt (3hrs) <i>OR</i>	
BCEN 2900 - Entrepreneurship (3hrs)		BCEN 2900 - Entrepreneurship (3hrs)	
Required Minor Hours	15-18	Required Minor Hours	15-
Electives	25-28	Electives	25-
TOTAL CREDITS REQUIRED FOR DEGREE	120	TOTAL CREDITS REQUIRED FOR DEGREE	120

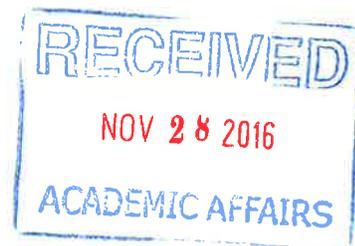


Term and Declared New Media Communication Majors

Fall 2010	58
Fall 2011	67
Fall 2012	70
Fall 2013	84
Fall 2014	81
Fall 2015	64
Fall 2016	60

Total New Media Communication Graduates per Academic Year

2010-11	-
2011-12	-
2012-13	10
2013-14	15
2014-15	15
2015-2016	19





Middle Tennessee State University

Board of Trustees

Tab 3



**Middle Tennessee State University
Board of Trustees**

MEETING: June Quarterly Board Meeting

SUBJECT: [Approval of Audit and
Compliance Committee Actions](#)

DATE: June 5, 2017

PRESENTER: Committee Member Andy Adams

ACTION REQUIRED: Voice Vote

STAFF RECOMMENDATION: Approval

BACKGROUND INFORMATION:

The Audit and Compliance Committee met in regular session on May 17, 2017.

Ms. Brenda Burkhart, Director of Audit and Consulting Services provided the Committee information from state law and the internal auditing standards pertaining to audit committees and the internal audit function.

The Committee approved the Audit Charter for the Office of Audit and Consulting Services and the 2018 Audit Plan.

The Committee approved the list of fourteen (14) proposed university policies for Board approval with the remaining proposed policies recommended to be approved by the President.

Report From The Audit And Compliance Committee

The Audit and Compliance Committee met in regular session on May 17, 2017 at Middle Tennessee State University. Trustee Christine Karbowskiak, Audit and Compliance Committee Chair, called the meeting to order at 2:00 p.m. (CDT). A quorum was present with the following Committee members in attendance: Chairwoman Christine Karbowskiak, Andy Adams, Tony Johnston, and Board Chairman Steve Smith. Also present were President Sidney A. McPhee (via phone); Brenda Burkhardt, Director of Audit and Consulting Services; Alan Thomas, Vice President for Business and Finance; Deb Sells, Vice President for Student Affairs; Andrew Oppmann, Vice President for Marketing and Communications; Mark Byrnes, Interim University Provost; Joe Bales, Vice President for University Advancement; Heidi Zimmerman, University Counsel and Board Secretary.

Chairwoman Karbowskiak thanked the Trustees for serving and attending. She noted that in addition to audit services, Ms. Burkhardt's office provides consultative services, and indicated that this is a helpful facet to that office.

The first two items on the agenda were for information and discussion: Tennessee Laws Pertaining to Audit Committees and Internal Audit (Attachment 1) and The Institute of Internal Auditors (IIA) *International Standards for the Professional Practice of Internal Auditing (Standards)* (Attachment 2). Ms. Burkhardt provided this as background information for the Committee. Ms. Burkhardt indicated that compliance with the statutes and standards is evidenced in the Board Bylaws, Board and institutional policies, and Charters for the Audit and Compliance Committee and the Office of Audit and Consulting Services.

Ms. Burkhart distributed the Fraud Awareness Brochure to each committee member and explained the same information was on the Audit and Consulting Services website. The current brochure and website will be updated to reflect the change in the governance structure of the university.

Discussions concerning the IIA *Standards* pertained to the independence of the Audit and Consulting Services staff.

The first action item on the agenda concerned the approval of the Audit Charter for the Office of Audit and Consulting Services required by the IIA *Standards* (Attachment 3). Trustee Johnston made the motion to approve the charter. The Motion was seconded by Trustee Adams. A voice vote was taken and the Motion carried.

The next action item on the agenda concerned the recommendation for approval of university policies. Prior to the meeting, Committee members were provided a list of policies indicating those recommended for approval by the Board of Trustees and those recommended for approval by the President. Trustee Adams made the Motion that the list of fourteen (14) proposed policies be recommended to the Board for approval with the remaining proposed policies recommended to be approved by the President. (See Attachments 4 and 5.) The Motion was seconded by Board Chairman Smith. A voice vote was taken and the Motion carried.

The final action item on the agenda concerned the approval of the 2018 Audit Plan (Attachment 6). Trustee Johnston made the Motion to approve the 2018 Audit Plan. The Motion was seconded by Trustee Smith. Discussion followed addressing the process used to prepare the audit plan, staff size of the Office of

Audit and Consulting Services, and the external audit process including prior year findings and audit recommendations. Ms. Burkhart indicated that she would provide benchmarks to the Committee during the year concerning the Audit Plan. Board Chairman Smith indicated he would like to see last year's State Audit report. There was discussion concerning whether a representative of the Committee should be present during exit meetings with State Audit and it was agreed that this would be a good idea. A voice vote was taken and the Motion carried.

The public meeting adjourned at 2:41 p.m. (CDT) and the Committee retired to executive session.

Respectfully submitted,

Audit and Compliance Committee

Introduction

Middle Tennessee State University is an institution within the Tennessee higher education community. Middle Tennessee State University is governed by the Board of Trustees, consisting of 10 members (the Board) as determined by state law. The Audit and Compliance Committee is a standing committee of the Board. In accordance with the “State of Tennessee Audit Committee Act of 2005,” the chief audit executive reports directly to the Audit and Compliance Committee of the Board and oversees the internal audit function. Middle Tennessee State University employs an audit staff of four professionals including the chief audit executive.

Purpose

Audit and Consulting Services is an independent objective assurance and consulting activity designed to add value and improve Middle Tennessee State University management systems. Audit and Consulting Services helps Middle Tennessee State University accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes. Audit and Consulting Services assists Middle Tennessee State University’s management in the effective discharge of their duties and responsibilities by evaluating activities, recommending improvements and providing other information designed to promote effective controls.

Assurance services involve the internal auditor’s objective assessment of evidence to provide an opinion or conclusions regarding an entity, operation, function, process, system, or other subject matters. The nature and scope of the assurance engagement are determined by the internal auditor. There are generally three parties involved in assurance services: (1) the person or group directly involved with the entity, operation, function, process, system, or other subject matter — the process owner, (2) the person or group making the assessment — the internal auditor, and (3) the person or group using the assessment — the user.

Consulting services are advisory in nature, and are generally performed at the specific request of an engagement client. The nature and scope of the consulting engagement are subject to agreement with the engagement client. Consulting services generally involve two parties: (1) the person or group offering the advice — the internal auditor, and (2) the person or group seeking and receiving the advice — the engagement client. When performing consulting services the internal auditor should maintain objectivity and not assume management responsibility.

Middle Tennessee State University's management has the primary responsibility for establishing and maintaining a sufficient system of internal controls.

Authority and Scope

Audit and Consulting Services review of operations may include the examination and evaluation of the effectiveness of all aspects of university operations at Middle Tennessee State University. In the course of its work, Audit and Consulting Services has full and complete direct access to all Middle Tennessee State University books, electronic and manual records, physical properties, and personnel information relative to the performance of duties and responsibilities. All documents and information provided to Audit and Consulting Services during their work will be handled in the same prudent manner that Middle Tennessee State University expects of the employees normally accountable for them.

Audit and Consulting Services has neither direct responsibility for, nor authority over, any of the activities, functions, or tasks it reviews nor shall their review relieve others of their responsibilities. The internal auditors must maintain a high degree of independence and not be assigned duties or engage in any operations or decision making in any activities they would normally be expected to review or evaluate as part of the normal audit function.

Responsibility and Role

MTSU Policy 70, *Internal Audit*, states the role of the internal audit function is to contribute to the improvement of the University's operations by providing objective and relevant assurance regarding risk management, control and governance processes to management and the Board. Meaningful internal auditing requires cooperation among Audit and Consulting Services, Middle Tennessee State University's administration, and the department under audit. In fulfilling their responsibilities, Audit and Consulting Services will:

- Comply with auditing standards established by the Institute of Internal Auditors to ensure the effectiveness and quality of the internal audit effort.
- Develop and implement audit plans and programs after consultation with the Audit and Compliance Committee, President and other university management who respond to both risk and cost effectiveness criteria.
- Review the reliability and integrity of information, and the information technology processes that produce that information.
- Verify compliance with applicable policies, guidelines, laws, and regulations.

- Suggest policies and procedures or improvements to existing policies and procedures where appropriate.
- Provide audit reports that identify internal control issues and make cost-effective recommendations to strengthen control.
- Facilitate the resolution of audit issues with administrators who have the most direct involvement and accountability.
- Review university operations (financial and other) on an advisory basis to inform and assist management in the successful execution of their duties.
- Assist with audits or perform certain agreed upon procedures for external parties. External parties include but are not limited to audit offices of federal and state governments and related agencies.
- Review management's risk assessment process and advise management on the reasonableness and propriety of the assessment.
- Promote and evaluate fraud prevention and identification programs and investigate allegations involving fraud, waste, and abuse.
- Demonstrate and promote appropriate ethics and values within the organization.
- Communicate activities and information among the board, internal auditors, external auditors and the administration.

Organizational Status/Reporting Structure

In accordance with T.C.A. 49-14-102 and MTSU Policy 70, *Internal Audit*, the chief audit executive reports directly to the Audit and Compliance Committee and the Board.

The internal auditing services provided by Audit and Consulting Services are reported directly to the President and the Audit and Compliance Committee. All audit work is summarized in timely written reports distributed to management to ensure that the results are given due consideration. In addition to management, reports or summaries are distributed to all members of the Audit and Compliance Committee and to the State of Tennessee Comptroller of the Treasury. Management is provided a discussion draft of the audit report prior to the issuance of the report. Audit and Consulting Services is responsible for the timely follow-up on audit findings and recommendations to ascertain the status of management's corrective actions.

Audit Standards and Ethics

Audit and Consulting Services adheres to The Institute of Internal Auditors' *International Standards for the Professional Practice of Internal Auditing (Standards)*, together with the Code of Ethics. The *Standards* consist of core requirements for the professional practice of internal auditing and for evaluating the effectiveness of the internal audit activity.

Periodic Review of Internal Audit Charter

This charter will be periodically assessed by the chief audit executive to determine whether the purpose, authority, and responsibilities defined in this charter are adequate to enable the internal auditing activity to accomplish its objectives. The results of the periodic assessment will be communicated to senior management and the Audit and Compliance Committee.

Brenda H. Burkhart, Director
Audit and Consulting Services
Middle Tennessee State University

Date

Dr. Sidney A. McPhee, President
Middle Tennessee State University

Date

Trustee Chris Karbowiak, Committee Chair
Audit and Compliance Committee
Board of Trustees
Middle Tennessee State University

Date

Middle Tennessee State University
 Audit and Compliance Committee
 Policies Recommended for Board of Trustees Approval

[A copy of the following policies is included in the attached meeting materials.](#)

Policy No.	Policy Name	Purpose
10	Ethics and Code of Conduct	Best practices calls for a policy such as this which establishes the commitment to conducting business in an ethical and law-abiding manner, and maintaining a business culture that builds and promotes compliance consciousness. The policy references and links to related policies, such as Policy 12 Conflict of Interest, and Policy 71 Preventing and Reporting Fraud, Waste and Abuse. It expresses professional values and employee performance accountability; discusses appropriate use of university resources; and, provides a fiscal code of conduct.
12	Conflict of Interest	This policy sets out the legal parameters for conflicts of interest to be avoided by MTSU employees, and provides examples and explanations of possible conflict of interest situations such as acceptance of gifts, gratuities or favors. References to other related policies are given, where appropriate. The policy provides for disclosure of real or perceived conflicts, and a mechanism for review of disclosures.
20	Diversity	This policy reflects MTSU's commitment to diversity which it deems a crucial element of the educational process. Programs, policies and practices will be designed to increase and sustain diversity. The President appoints a committee with broad campus representation to develop and enhance such programs.

25	Equal Opportunity, Affirmative Action, and Nondiscrimination	This policy concerns compliance with federal and state laws prohibiting discrimination, and is applicable to all aspects of the institution. It also prohibits discrimination based on sexual orientation or gender identity or expression. It is broad in scope and so contains references and links to other policies that detail the complaint and investigation process for complaints of discrimination or retaliation. The responsibilities of the Office of Institutional Equity and Compliance are provided. It contains information about the implementation of an affirmative action plan, and for recruitment, assignment, transfer and promotion of employees, as well as, compensation and training.
30	Policy Development and Review	The policy sets out the process for creating, revising or deleting policies. The process does not apply to Board of Trustee policies which only the Board has jurisdiction over. It provides for a multistep process to enable input from the various segments and constituencies on campus.
31	Faculty and Student Participation in Development of Campus Policies and Programs	SACSCOC requires a policy to provide that faculty and students have input in the development of campus policies and programs. This is a “statement policy” and also contains reference and links to 2 other policies that provide for this input: Policy 30 Policy Development and Review, and Policy 32 University Committees.
50	Timely Reporting of a Substantive Change for Accredited Institutions of the SACSCOC	SACSCOC requires member institutions to have a policy and procedure to ensure that all substantive changes are reported to the Commission in a timely fashion. The policy sets out the procedures for compliance with these requirements.

60	Appeals and Appearances before the Board	This policy sets the parameters for which matters may be appealed to the Board or not. If a matter is appealable, the process to do so is provided. Matters which are not appealable may still be reviewed by the Board at its discretion.
70	Internal Audit	This policy reflects state law which requires the Board to have an audit committee and an internal auditor who reports directly to the Board. It also contains internal auditing standards and the internal auditor's responsibilities.
71	Preventing and Reporting Fraud, Waste, and Abuse	This policy contains information on the aspects of preventing, reporting and investigating fraud, waste and abuse. The policy prohibits discrimination or retaliation against employees for reporting allegations, provides for confidentiality in reporting, and methods for reporting.
120	Public Records-Inspecting and Copying	State statute requires a policy regarding public records, and this policy complies with the model public records policy published by the Office of Open Records Counsel. It sets out the process for requesting inspection or copies of records maintained by MTSU.
605	Reports of Expenditures by the President	State statute requires a policy to require periodic reporting of discretionary expenditures made by, at the direction of, or for the benefit of the president. Statute also requires financial audits of the office of the president by the internal auditor.
606	Assignment of Motor Vehicle to the President	This policy establishes that the president may be issued a car and provided a vehicle allowance. The terms of the allowance are provided.

607 Expenditures for University-
Owned Residence of the President

The policy establishes operational and expenditure guidelines for expenditures on the University-owned resident.

Middle Tennessee State University
Audit and Compliance Committee
Policies Recommended for President Approval

The following policies can be found at the following website:

<http://mtsu.edu/FOCUSpoliciesandstandards/pending/post-comment-policies.php>

Policy No.	Policy Name
15	Legislative Proposals
21	Equal Opportunity: Internal Audit and Reporting Systems
26	Discrimination and Harassment Based on Protected Categories Other Than Sex
27	Misconduct, Discrimination, and Harassment Based on Sex including Pregnancy, Sexual Orientation, and Gender Identity/Expression
32	University Committees
80	Export Control
102	Animals on University Property
110	Cases Heard Pursuant to the Uniform Administrative Procedures Act
121	Privacy of Information
125	Litigation Holds
129	Records Retention and Disposal of Records
140	Intellectual Property

10 Ethics and Code of Conduct

Approved by Board of Trustees

Effective Date:

Responsible Division:

Responsible Office:

Responsible Officer:

I. Purpose

Middle Tennessee State University (MTSU or University) has a fiduciary responsibility to fulfill its overall mission in compliance with applicable policies, laws, regulations and rules, contracts, grants, and donor restrictions. As the University pursues its mission, it is committed to conducting its business in an ethical and law-abiding fashion; it will maintain a business culture that builds and promotes compliance consciousness.

The University is also committed to the core values of honesty, integrity, respect for diversity, engagement in the community, and commitment to non-violence. As part of the University's core values, employees are expected to promote the best interests of students; treat others with respect and civility; conduct University business with the highest level of ethical standards and integrity; utilize University resources in a manner that avoids waste, fraud, and abuse; and maintain a culturally rich and diverse environment in which to work and learn. This policy sets forth standards of conduct to support these core values and, in so doing, to protect the reputation, credibility, financial well-being, and legal obligations of the University.

II. Scope

This policy applies to all employees of the University to include faculty and staff, whether employed full-time, part-time, or temporarily.

III. Policy

All employees of the University are expected to maintain the highest standards of honesty and integrity in the performance of their employment duties. Accordingly, the following are general standards of conduct related to an employee's duty to the University.

- A. Employees must comply with [Policy 12 Conflict of Interest](#). Employees must refrain from using their position at the University, or any privileges obtained through

employment at the University, in a manner that would unduly influence or result in a personal advantage to the employee or to the employee's immediate family members. Employees shall not have any personal interest, financial or otherwise, or directly or indirectly engage in a business transaction or professional activity that conflicts with the proper performance and responsibilities of their duties in the course of University employment, or that provides the appearance of such conflict. As provided for in the Conflict of Interest policy, employees must disclose information on the nature and extent of any financial interests in entities that do business with the University.

- B. Employees must comply with [Policy 71 Preventing and Reporting Fraud, Waste and Abuse](#), and should become familiar with the reporting process.
- C. Employees must comply with [Policy 814 Outside Employment, Extra Compensation and Dual Services Agreements](#) as concerns employment outside of, and in addition to, the employee's responsibilities at the University.
- D. Employees shall not accept any compensation for their service as University employees from any source other than the University, except as may be otherwise provided in other policies such as [Policy 814 Outside Employment, Extra Compensation and Dual Services Agreements](#).
- E. An employee shall not disclose the confidential information of the University obtained during the course of his/her employment, except as required by law, statute, a valid subpoena, or request by a government entity for educational or investigatory purposes. An employee shall not use such information for his/her personal gain or benefit. Such confidential information includes, but is not limited to, student educational records under the Family Educational Rights and Privacy Act (20 U.S.C. § 1232g; 34 CFR Part 99); pharmacy records, treatment records, medical records, and other protected health information; University business and financial records; and University patents, licenses, inventions, research, or other University intellectual property.
- F. An employee shall not engage in conduct or actions that could provide the appearance or impression that improper influence over him/her could favorably affect the outcome of any University contract, award, rank, position, grant, or University-owned asset.
- G. Employees must comply with [Policy 816 Nepotism](#). An employee may not be in a direct supervisory line with his/her relative, nor may the employee participate in the process of review, recommendation, and/or decision making in any manner concerning hiring, opportunity, promotion, salary, retention, or termination of a relative.
- H. Professional Values. Employees should demonstrate the following behaviors in carrying out fiscal and other professional transactions by:
 - 1. According respect to self and others;

2. Exhibiting commitment to both the university and organizational unit;
3. Accepting responsibility; and
4. Striving to enhance one's own capabilities, and provide the highest quality of performance and counsel.

I. Employees shall, in the performance of their duties, be accountable for:

1. Knowing, supporting, and implementing the University's and functional area's operational plans;
2. Exercising prudence and integrity in the management of resources in their custody and in all fiscal transactions in which they participate;
3. Acting in a competent manner and in compliance with applicable policies, laws, regulations, and rules, and contracts, grants, and donor restrictions;
4. Not knowingly being a party to or condoning fiscal misconduct;
5. Reporting fiscal misconduct as required by University policy;
6. Not knowingly signing, subscribing to, or permitting the issuance of any financial statement or report that contains any material misstatement or that omits any material fact;
7. Knowing and fulfilling the fiscal responsibilities set forth in University policy;
8. Preparing or presenting financial information as required by University policies;
9. Protecting privileged or confidential information to which they have access by virtue of their position.

J. Appropriate Use of University Resources

University resources are an important part of the successful delivery of both academic and support services to MTSU's students and community constituents. All employees of the University are entrusted with the responsibility of preserving University resources and using those resources in a prudent manner for their designated purposes and are entrusted with fiscal responsibility for their functional area of responsibility. Accordingly, University resources should only be used in furtherance of the University's mission and operations. Inappropriate use of University resources includes:

1. Faculty or Staff utilizing students or other University employees to advance the faculty or staff member's personal, monetary, or political interests.
2. Granting external entities access to University services, information, technology, or resources for personal gain.

K. Fiscal Code of Conduct

1. All Banner Finance users, HRBanner users, Procurement Card users, and other specified employees shall demonstrate their awareness of and compliance with the

University's Fiscal Code of Ethics through the Acknowledgement Process that follows.

2. Acknowledgment Process. The applicable Fiscal Code of Ethics statement must be signed (as monitored by the responsible party identified in parentheses):
 - a. By employees upon signing their letter of offer for employment with the University (the respective department or college);
 - b. By individuals requesting access to the University's Finance System/MTSource as Finance System Users prior to receiving such access (the appropriate campus Finance System Access Security Coordinator);
 - c. By individuals requesting access to the University's HRBanner and by HRBanner users prior to receiving such access (the appropriate campus HRBanner Access Security Coordinator);
 - d. By individuals asking for authority as a Procurement Card user prior to receiving such authority (Procurement Services);
 - e. By all the Principal Investigators, Project Directors, and everyone associated with a grant, as may be required by the terms of the grant or relevant laws, regulations, or policies; and
 - f. By other employees as required by his/her vice president.
3. If an individual fails to sign the statement as required, the respective Finance System, HRBanner, or Procurement Card access will not be provided. If the individual already has access, then the access will be withdrawn. The failure to sign will be reported to the relevant supervisor for appropriate action. Employees who fail to sign as required will be deemed to have failed to meet a condition of their appointment/employment.

IV. Enforcement

Violations of this policy shall be reported to the Assistant Vice President for Human Resources and/or to the Office of Audit and Consulting Services for the University. An investigation of the allegations will be conducted and recommendations made concerning such disciplinary action as may be appropriate.

Forms: none.

Revisions: none.

References: Policy 12 Conflict of Interest; 71 Preventing and Reporting Fraud, Waste and Abuse; 814 Outside Employment, Extra Compensation and Dual Services Agreements; 816 Nepotism.

12 Conflict of Interest

Approved by Board of Trustees

Effective Date:

Responsible Division:

Responsible Office:

Responsible Officer:

I. Purpose

All employees of Middle Tennessee State University (MTSU or University) serve the interests of the State of Tennessee and its citizens and have a duty to avoid activities and situations that, either actually or potentially, put personal interests ahead of the professional obligations that they owe to the University. All employees serve a public interest role and thus have a clear obligation to conduct all affairs of the University in a manner consistent with this concept.

This policy is intended to (1) define the general principles that guide the actions of MTSU employees, (2) offer illustrations of activities that potentially constitute a conflict of interest, (3) make employees aware of disclosure requirements related to conflicts of interest, (4) provide a means of managing and resolving conflicts of interest, and describe the process by which those disclosures shall be evaluated and decisions rendered, and (5) describe the appeals process regarding such decisions.

II. Scope

This policy applies to all persons employed (either as full-time, part-time, or temporary employees) by MTSU.

III. Definitions

- A. **Conflict of Interest.** A conflict of interest occurs when the personal interests, financial or otherwise, of a person who owes a duty to MTSU actually or potentially diverge from the person's professional obligations to, and the best interests of, MTSU. For the purposes of this policy, a conflict of interest with a vendor or contractor also creates a conflict of interest with any sub-vendor or sub-contractor of the vendor or contractor.

- B. Conflict of Commitment. A conflict of commitment occurs when the personal or other non-University related activities of an employee impair the ability of that employee to meet his/her commitments of time and energy to the University.
- C. Family Member. The spouse and children (both dependent and non-dependent) of a person covered by this policy.

IV. Pertinent Laws

The following lists are intended to indicate sources of information that may provide additional guidance regarding conflict of interest situations. This policy is intended to be consistent with all pertinent federal and state laws, regulations, and policies, as well as, with MTSU policies. To the extent that conflicts arise, federal and state laws, regulations, and policies shall take precedence. The lists are not intended to be exhaustive, and additional laws, regulations, and policies may be implicated in a given conflict of interest situation.

- A. Federal regulations related to research. For information and guidance related to federal funded research and applicable federal regulations, see [Policy 404 Conflict of Interest for Externally Funded Projects](#).
- B. Other federal agencies (e.g., the Veterans' Administration or the Food and Drug Administration) may require, as a condition to a contract, disclosure and management of conflicts of interest (see, for example, Veterans' Administration Acquisition Regulation 852.209-70).
- C. Tennessee state laws. Various state statutes are pertinent to the issue of conflicts of interest at MTSU including, but not limited to, the statutes listed below. It is significant to note that violation of some of these statutes may lead to criminal penalties.
 1. T.C.A. § 8-50-501, Disclosure statement of conflicts of interest by the President of MTSU.
 2. T.C.A. § 12-2-208, Purchase by officer unlawful Penalty for violation.
 3. T.C.A. §§ 12-2-415 – 417, State surplus property disposition.
 4. T.C.A. § 12-4-106, Prohibition against receiving rebates, gifts, money, or anything of value – Conflict of interest.
 5. T.C.A. § 12-4-101 – 104, Personal interest of officers or employees prohibited; bidding prohibited.

V. Other Relevant Policies. The following non-exclusive list of policies and procedures deal with issues that implicate conflict of interest situations:

- A. Policies and procedures related to purchasing, including, but not limited to:
 - 1. [Policy 632 Purchasing Card \(P-Card\) Program](#)
 - 2. [Policy 637 Cash Purchases and Petty Cash Funds](#)

- B. Policies and procedures related to disposition of state property, including, but not limited to:
 - 1. [Policy 140 Intellectual Property](#)
 - 2. [Policy 404 Conflict of Interest for Externally Funded Projects](#)
 - 3. [Policy 685 Disposal of Surplus Property](#)
 - 4. [Policy 814 Outside Employment, Extra Compensation and Dual Services Agreements](#)
 - 5. [Policy 816 Nepotism](#)

VI. Conflict of Interest

- A. Employees should avoid situations where the self-interests of the employee diverge from the best interests of the University (conflicts of interests).

- B. The mere existence of either a potential or actual conflict of interest does not mean that such conflict must necessarily be eliminated. All actual and potential conflicts of interest must be disclosed and evaluated by the Conflicts Review Committee.

- C. In the following situations and activities, there is at least the appearance, and possibly the actuality, of an employee allowing his/her personal interests, and not the best interests of MTSU, to affect that employee's judgment. This list is illustrative rather than exhaustive.
 - 1. Self-dealing. Situations in which an employee can appear to influence or actually influence a University-related decision from which that person or a member of that person's family stands to realize a personal financial benefit is self-dealing and a conflict of interest. Examples of self-dealing activities are numerous and include those listed below.
 - a. Purchase of state-owned property by an employee absent fair and open bidding. It is unlawful for any state employee to purchase surplus state-owned property

absent a fair and open bidding process (T.C.A. § 12-2-208 and § 12-2-412; [Policy 685 Disposal of Surplus Property](#).)

- b. Institutional purchases from businesses in which an employee has a financial interest (T.C.A. § 12-4-103). Employees are prohibited from bidding on, selling, or offering to sell, any merchandise, equipment, material, or similar commodity to the State of Tennessee during their employment, or for six (6) months thereafter, or to have any interest in the selling of the same to the state. Violation of this provision is considered a Class E felony.
 - c. Certain bids on state contracts (T.C.A. § 12-4-106(b)). It is a conflict of interest for any employee or any company with whom such employee is an officer, director, or equity owner with more than 1% interest to bid on any public contract for products or services for the University if that person or his/her spouse, dependent children or stepchildren, or relatives related by blood or marriage is responsible for approving such contract for the University.
 - d. Use of educational materials from which a faculty member derives financial benefit. Any faculty member who wishes to use in his/her teaching activities educational materials (e.g. a textbook) that he/she has authored, or in which he/she otherwise stands to benefit financially from such use, has a conflict of interest that must be managed. The faculty member shall make a conflict of interest disclosure to the faculty member's department chair. The disclosure must adequately indicate the facts and circumstances that would support the particular textbook being used. Whether the use of such materials shall be permitted shall be evaluated by the chair along with the department text book committee. Such evaluation shall include consideration of suitable substitute materials and ensure that the needs of students are best served by use of the materials in which the faculty member has an interest.
2. Acceptance of gifts, gratuities, or favors.
- a. No employee shall knowingly solicit or accept, directly or indirectly, on behalf of himself/herself or any member of the employee's household, for personal use or consumption, any gift, including but not limited to, any gratuity, service, favor, food, entertainment, lodging, transportation, loan, loan guarantee, or any other thing of monetary value from any person or entity that:
 - (1) Has, or is seeking to obtain, contractual or other business or financial relations with the institution in which the individual is employed; or
 - (2) Has interests that may be substantially affected by the performance or nonperformance of the employees.

- b. Exceptions. The prohibition on accepting gifts in this section does not apply to:
- (1) A gift with a non-business purpose motivated by a close personal friendship and not by the employee's position with the University;
 - (2) Informational materials in the form of books, articles, periodicals, other written materials, audiotapes, videotapes, or other forms of communication;
 - (3) Sample merchandise, promotional items, and appreciation tokens, if they are routinely given to customers, suppliers, or potential customers or suppliers in the ordinary course of business, including items distributed at tradeshow and professional meetings where vendors display and promote their services and products;
 - (4) Food, refreshments, foodstuffs, entertainment, or beverages provided as part of a meal or other event, including tradeshow and professional meetings, if the value of such items does not exceed fifty dollars (\$50.00) per occasion; provided that the value of the gift may not be reduced below the monetary limit by dividing the cost of the gift among two or more persons or entities. The measure is the value of the gift received by each individual person;
 - (5) There may be circumstances where refusal or reimbursement of a gift (such as a lunch or dinner) may be awkward and contrary to the larger interests of the institution. In such circumstances, the employee is to use his/her best judgment, and disclose the gift including a description, estimated value, the person or entity providing the gift, and any explanation necessary within fourteen (14) days to his/her immediate supervisor;
 - (6) Food, refreshments, meals, foodstuffs, entertainment, beverages, or intrastate travel expenses that are provided in connection with an event where the employee is a speaker or part of a panel discussion at a scheduled meeting of an established or recognized membership organization which has regular meetings;
 - (7) Participation in institution or foundation fundraising and public relations activities, i.e. golf tournaments and banquets, where persons or entities provide sponsorships; or
 - (8) Loans from established financial institutions made in the ordinary course of business on usual and customary terms, so long as there are no guarantees or collateral provided by any person from whom the employee would normally be prohibited from accepting a gift.

3. Inappropriate use of students or support staff. Employees shall ensure that the activities of students or support staff are not exploited for the benefit of any non-University related activity of the faculty or staff member. Prior to assigning any such non-MTSU related task or a task not directly related to the employee's job duties (which is more than incidental or de minimis in nature) to a student or member of the support staff, an employee shall disclose such proposed activities and obtain approval through his/her supervisor and the Office of Human Resource Services. Under no circumstances shall students and support staff be used to perform personal activities for the faculty or staff member while the student's or support staff's time is being paid by the University.
4. Inappropriate use of state or MTSU owned resources. Employees may not make significant use of state or MTSU facilities, equipment, materials, or other resources, not otherwise available to the public, in the course of activities that are not related to MTSU, without prior disclosure and approval. Employees making more than incidental or de minimis use of MTSU owned resources must reimburse MTSU for such use at a fair market rental rate to be established by the Business Office at the time of the request or discovery of such use.
5. Failure to disclose intellectual property. [Policy 140 Intellectual Property](#) governs the rights and responsibilities which persons affiliated with MTSU have regarding intellectual property developed during the term of their affiliation with MTSU. Among the responsibilities enumerated in that policy is disclosure of inventions and those copyrightable works that they have jointly or solely developed or created during their affiliation with MTSU. The author/inventor has the responsibility to provide disclosures pursuant to both [Policy 140 Intellectual Property](#) and this policy.

VII. Conflict of Interest Disclosure Requirements

- A. Allowing a conflict of interest to exist without being addressed in an appropriate manner is a serious violation of an employee's duty to the University and can be a violation of state or federal law. Some conflicts of interests are even punishable as criminal offenses under state law.
- B. Unless a different procedure is specified by state statute or in this policy:
 1. New employees must read this policy and sign an acknowledgement that they have done so. The acknowledgement shall be maintained in the employee's personnel file.
 2. All employees will annually receive a Conflict of Interest Disclosure form. Employees must disclose the facts and circumstances surrounding a situation that might involve a conflict of interest, to include the nature and extent of their financial interest(s) in any entity that does business with MTSU.

3. Employees must submit the completed Conflict of Interest Disclosure form by the prescribed deadline, if they are, or believe they might be, in a conflict of interest position.
 4. At any time throughout the year, if an employee feels that a potential conflict of interest has developed since the annual report, the employee is responsible for completing and submitting an updated Conflict of Interest Disclosure form.
- C. Investigators seeking federal funding must make written disclosures as indicated in [Policy 404 Conflict of Interest for Externally Funded Projects](#) and related procedures. Disclosure of financial interests made pursuant to [Policy 404 Conflict of Interest for Externally Funded Projects](#) and related procedures notwithstanding, such disclosure does not eliminate the responsibility for making disclosures under this policy when specific conflict of interest situations arise.
- D. Special disclosure requirements for the President
1. The President is required to file a financial disclosure form within one month of his/her initial appointment and annually thereafter in January. Disclosure of financial interests made pursuant to this provision notwithstanding, such disclosure does not eliminate the responsibility for making disclosures when specific conflict of interest situations arise. In such cases, the President must make an appropriate disclosure to the University Counsel.
 2. The President's disclosure shall be in the form prescribed by and submitted as directed by the Tennessee Ethics Commission.
 3. Presidents Emeriti must submit any potential conflict of interest to the University Counsel.
- E. Review of Disclosures
1. The President's disclosure shall be evaluated by the Board of Trustees or a duly appointed committee thereof.
 2. Employee made disclosures shall be evaluated by MTSU's Conflict of Interest Committee.
- F. Conflict of Interest Committee
1. The Conflict of Interest Committee (Committee) is an advisory committee and resides under the President's Office. The primary members of the Committee shall

be representatives from the Offices of the University Counsel, Internal Audit, Compliance and Enterprise Risk Management, and Business and Finance. Other areas of the University, such as Human Resource Services, Academic Affairs, Student Affairs, etc., may be brought in to assist the Committee to provide additional insight and expertise depending on the nature of the disclosure submitted.

2. Consistent with this policy, the Committee will evaluate conflict of interest disclosures and situations, determine whether a conflict of interest exists, and advise on what actions may be required to manage, reduce, or eliminate an employee's conflict of interest.
3. If the Committee determines that an employee has a conflict of interest, the employee shall receive notice of the Committee's evaluation and be given an opportunity to appear before that Committee, before the Committee forwards its decision to the President.
4. Any disclosure that indicates an actual violation of law shall be forwarded to the President along with the Committee's findings.
5. The President will determine the appropriate action(s) to be taken.
6. For any conflict that is not a violation of federal or state law, the Committee is permitted: to make a determination that the conflict is de minimus and is permitted to continue; to place restrictions on the employee to manage the conflict; or, to instruct the employee to eliminate the conflict. The Committee will provide the employee its decision in writing.

G. Appeal

1. An employee may file an appeal with the President within ten (10) business days, absent good cause, of receipt of the Committee's decision.
2. The President shall notify the employee in writing of his/her decision within ten (10) business days, absent good cause.
3. The President's decision shall be final and binding.

H. Sanctions

1. Failure to follow any law or MTSU policy relating to conflicts of interest, including failure to observe restrictions imposed as a result of review of a conflict of interest disclosure or a knowing failure to disclose a conflict of interest, may result in disciplinary action, including but not limited to, termination.

2. The Committee will refer violations to the appropriate Vice President or Provost for appropriate action, if any.

VIII. Conflict of Commitment

The primary work-related commitment of an employee's time and energy should be to the University. Employees should avoid external commitments that significantly interfere with his/her performance of, or impair his/her independence of judgment in the performance of, the employee's duties to MTSU. See [Policy 814 Outside Employment, Extra Compensation and Dual Services Agreements](#). Disclosures of conflicts of commitment shall be made as required in that policy and be evaluated as indicated in that policy.

IX. Interpretation

The President or designee has the final authority to interpret the terms of this policy.

Forms: none.

Revisions: none.

References: Policies 140 Intellectual Property; 404 Conflict of Interest for Externally Funded Projects; 632 Cash Purchases and Petty Cash Funds; 632 Purchasing Card (P-Card) Program; 685 Disposal of Surplus Property; 814 Outside Employment, Extra Compensation and Dual Services Agreements; 816 Nepotism.

20 Diversity

Approved by Board of Trustees

Effective Date:

Responsible Division:

Responsible Office:

Responsible Officer:

I. Purpose

This policy defines and promotes diversity at Middle Tennessee State University (MTSU or University).

II. Introduction

- A. It is the intent of MTSU that it will model and promote diversity at all levels and in all sectors and, as a result of that diversity, will foster environments of equity and inclusive excellence.
- B. Diversity can be broadly defined as differences. When applied within the context of education and the educational community, diversity represents the inclusion and support of groups of people with a variety of human characteristics that go beyond the legally protected classes of race, color, religion, creed, ethnic or national origin, sex (including pregnancy), sexual orientation, gender identity/expression, disability, age (as applicable), status as a protected veteran, and genetic information, to include, but not be limited to, other categories such as socio-economic status, first generation college status, urban or rural upbringing, and other personal characteristics that shape an individual's identity and life experience in a substantive way.

III. Statement of Policy

- A. MTSU specifically finds that diversity of students, faculty, administrators, and staff is a crucial element of the educational process and reaffirms its commitment to enhancing education through affirmative actions to increase diversity at all levels.
- B. The creation and cultivation of programs, policies, and practices designed to increase and sustain diversity is essential in order to be responsive to:

1. Shifting demographics;
2. The need to prepare students to succeed in a global and interconnected world;
3. The need to utilize the talents, experiences, and ideas of a broad group of people in order to achieve excellence;
4. The needs of the corporate, civic, and educational environs for culturally competent individuals, and;
5. The unique mission and vision of the University.

IV. Administrative Responsibility

Duties of the President

- A. The President is responsible for the development and implementation of the diversity program at MTSU.
- B. In carrying out this responsibility, the President shall comply with the following:
 1. Provide positive and assertive leadership in the development and implementation of the campus diversity plan and ensure that appropriate attention is devoted to the plan and initiatives in staff and faculty meetings.
 2. Ensure that campus diversity plans are reviewed annually and progress towards meeting the goals and objectives is assessed.
 3. Appoint a campus committee with broad campus representation.
- C. The charge of the committee should include, but not be limited to:
 1. Gathering and reporting data.
 2. Recommending diversity related initiatives.
 3. Reviewing and assessing progress of diversity initiatives.

Forms: none.

Revisions: none.

References: none.

25 Equal Opportunity, Affirmative Action, and Nondiscrimination

Approved by Board of Trustees

Effective Date:

Responsible Division:

Responsible Office:

Responsible Officer:

I. Statement of Nondiscrimination

It is the intent of Middle Tennessee State University (MTSU or University) to fully comply with the applicable provisions of federal and state civil rights laws, including but not limited to, Executive Order 11246, as amended; the Rehabilitation Act of 1973, as amended; the Americans with Disabilities Act of 1990, as amended; the Vietnam Era Veterans Readjustment Act of 1974, as amended; the Equal Pay Act of 1963, as amended; Titles VI and VII of the Civil Rights Act of 1964, as amended; Title IX of the Educational Amendments of 1972, as amended; the Age Discrimination in Employment Act of 1967; the Age Discrimination Act of 1975; the Pregnancy Discrimination Act; the Genetic Information Nondiscrimination Act of 2008; Section 485(f) of the HEA, as amended by Section 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 and regulations promulgated pursuant thereto.

MTSU will promote equal opportunity for all persons without regard to race, color, religion, creed, ethnic or national origin, sex (including pregnancy), sexual orientation, gender identity/expression, disability, age (as applicable), status as a protected veteran, genetic information, and any other legally protected class. In doing so, MTSU affirms that it will not tolerate discrimination against any employee or applicant for employment and will not subject any student to discrimination or harassment under any educational program and no student shall be discriminatorily excluded from participation nor denied the benefits of any educational program on the basis of any of the protected categories listed above.

II. Procedures to Address Claims of Discrimination or Harassment

Because different legal requirements apply to claims of discrimination and harassment depending on the protected category claimed to have been violated, separate policies describe the different procedures applicable to claims based on particular protected categories.

- A. Allegations of discrimination and harassment based on sex (including pregnancy) and sexual orientation, gender identity/expression, and sexual misconduct will be addressed pursuant to the procedures set forth in [Policy 27 Misconduct, Discrimination and Harassment Based on Sex Including Pregnancy, Sexual Orientation, and Gender Identity/Expression](#).
- B. Allegations of discrimination and harassment based on categories other than sex, sexual orientation, and gender identity/expression (for example, harassment based on race or disability status) will be addressed pursuant to the procedures set forth in [Policy 26 Discrimination and Harassment based on Protected Categories other than Sex](#).

Complaints may be filed by any current or former student, applicant for employment, or current or former employee who believes he or she has been subjected to prohibited discrimination or harassment, or who believes he or she has observed such activities taking place. Complaints against students alleging discrimination or harassment under either of these policies shall be addressed by the Office of Judicial Affairs and Mediation Services pursuant to the procedures outlined in the applicable policy. Complaints against administrators, faculty, staff, contractors, or third parties alleging discrimination or harassment under either of these policies shall be addressed by the Office of Institutional Equity and Compliance pursuant to the procedures set forth in the applicable policy.

Complaints filed with any external agency, such as the Equal Employment Opportunity Commission, the Office for Civil Rights, or the Tennessee Human Rights Commission, must be forwarded to the Office of the University Counsel once received. This office will coordinate and submit a response on behalf of the University.

III. Statement of Policy

In accordance with the statement of nondiscrimination and letter of commitment from the President, set forth in Section II of the Affirmative Action Plan, MTSU shall not engage in practices which would discriminate against any individual or group for reasons of race, sex, sexual orientation, gender identity/expression, age (as applicable), color, religion, creed, ethnic or national origin, disability, status as a covered veteran, or genetic information. MTSU specifically finds that diversity of students, faculty, administrators, and staff is a crucial element of the educational process and reaffirms its commitment to enhancing education through affirmative action to increase diversity at all levels.

MTSU will take affirmative action to ensure that applicants for employment and employees are treated in a nondiscriminatory manner. Such action shall include, but not be limited to:

- A. Making employment decisions which further the principle of equal opportunity and affirmative action;

- B. Recruiting, hiring, training, and promoting persons in all job titles without regard to any of the foregoing prohibited factors;
- C. Ensuring that promotion decisions are in accord with principles of equal opportunity and affirmative action by imposing only valid requirements for job, educational, and other opportunities; and,
- D. Ensuring that all employment decisions are implemented without prohibited discrimination.

Similarly, in compliance with Title IX of the Educational Amendments of 1972, as amended, MTSU shall not, on the basis of sex, subject any student to discrimination under any educational program. No student shall be discriminatorily excluded from participation in or denied the benefits of any educational program on the basis of a protected status.

IV. Implementation

A. Administrative Responsibility

The President of MTSU has appointed the Office of Institutional Equity and Compliance (IE&C) as the area responsible for developing and implementing the University's Equal Opportunity and Affirmative Action Program and for ensuring fair practices in employment and education.

Pursuant to this appointment, IE&C shall:

1. Ensure that plans are prepared and administered effectively within the time frame established.
2. Promote the Equal Opportunity Program and Affirmative Action Plan and ensure compliance with federal, state, and local laws and statutes, and University policies.
3. Receive and investigate complaints alleging violation of federal, state or local statutes, or University policies that provide protection from discrimination, harassment, and retaliation on the bases of race, color, religion, creed, ethnic or national origin, sex (including pregnancy), sexual orientation, gender identity/expression, disability, age (as applicable), status as a protected veteran, genetic information, and any other legally protected class.
4. Assess the effectiveness of the program and recommend improvements.
5. Ensure that affirmative action plans are developed annually and implemented as a means of aggressively pursuing the principles of equal employment opportunity.

6. Ensure that affirmative action goals and timetables are developed to correct problem areas and situations contributing to the underutilization, underrepresentation, or inequitable treatment of protected class employees.
 7. Provide positive leadership in the implementation of affirmative action programs on the campus and ensure that appropriate attention is devoted to the program in staff and faculty meetings. This shall include informing all supervisors that their performance evaluation will include an assessment of the effectiveness of their participation in the equal opportunity programs and affirmative action plan in compliance with [Policy 810 Staff Performance Evaluations](#).
 8. Gather and report data related to the equal opportunity program and affirmative action plan.
 9. Ensure that policies and procedures are implemented to address all forms of harassment, including a procedure to receive and investigate complaints and recommend necessary action to the President.
 10. Develop and implement educational programs regarding all types of harassment.
- B. Supervisory Responsibility. Each Vice President and other supervisory personnel shall:
1. Disseminate this policy to the employees in the offices and operations for which he or she has immediate responsibility.
 2. Discuss this and other related policies directly with employees -- to answer questions about them, to support them, and to urge support and cooperation by employees.
 3. Seek the assistance of IE&C as necessary.

V. Plan for Affirmative Action

The Affirmative Action Plan is designed to promote and ensure equal opportunity at MTSU. Its goal is to ensure additional efforts to recruit, employ, and promote qualified members of groups and persons formerly excluded, even where exclusion cannot be traced to particular discriminatory actions on the part of the employer. Further, it is the intent of the Affirmative Action Plan to overcome the effects of systematic institutional forms of exclusion and discrimination, which in practice tend to perpetuate the status quo. This plan requires that MTSU determine the underutilization of minorities and women, set goals and timetables for remedy of underutilization of same, and describe plans and procedures for correcting said underutilization of minorities and women. Minorities are defined for this purpose by the Department of Labor as Native American, Asian, Black or African American, and Pacific Islander

or two or more races. In addition, for data collection purposes, provision shall be made to report the number of respondents who are Hispanic or Latino.

Underutilization, for the purpose of this plan, is defined as "having fewer women or minorities in a particular job than would reasonably be expected by their availability." Goals will be established considering availability and the results of the utilization analysis. The University shall adopt the straight parity or any difference measure in compliance with regulations of the Office of Federal Contract Compliance Programs (OFCCP). Specifically, percentage goals will be established by EEO-6 category and job group. Goals and objectives by organizational unit shall be established to correct identifiable deficiencies. Goals by organizational unit shall refer to action-oriented efforts rather than percentage goals. Where problem areas are identified by organizational units, the Affirmative Action Plan shall include a description of the efforts which the University has taken or will take to correct those problem areas in accordance with OFCCP requirement 41 CFR 60-2.13(d).

Underrepresentation, for purposes of this plan, is defined as having fewer minorities or females in a particular section of the contractor's work force, (e.g., Department, Job Title, etc.) than would be expected in terms of their overall representation in the contractor's work force or relevant sector of that work force.

Utilization Analyses

- A. An analysis of the utilization of minorities and women will be performed. This analysis will include, but not be limited to the following:
 1. Ensuring that the EEO-6 Report is completed for all categories of employees (executive/administrative/managerial, faculty, professional/non-faculty, clerical, technical/paraprofessional, skilled crafts, service maintenance).
 2. Considering the number of women and minorities employed by EEO-6 category and job group and the reasons for any underutilization.
 3. Comparing as necessary, the salaries and wages of men and women by job classification.
- B. The following factors must be considered in establishing goals:
 1. The percentage of minorities or women with requisite skills in the reasonable recruitment area, where "reasonable recruitment area" refers to the geographical area from which the contractor usually seeks or reasonably could seek workers to fill the positions in question; and
 2. The percentage of minorities or women among those promotable, transferable, and trainable within the contractor's organization, where "trainable" refers to

employees who could, with appropriate training, become promotable or transferable within the AAP year.

- C. In compliance with Title 41, Chapter 60 of the Code of Federal Regulations, MTSU will undertake one or both of the following steps:
 - 1. Determine which job groups are "feeder pools" for the job group in question. The feeder pools are job groups from which individuals are promoted.
 - 2. Ascertain which employees could be promoted or transferred with appropriate training.
- D. Distribution of Affirmative Action Plan. Copies of the Affirmative Action Plan shall be distributed to all major organizational units. These units shall ensure distribution to all personnel within the appropriate units who have responsibility for the implementation thereof. The Affirmative Action Plan shall also be made available upon request to any employee, applicant, recruitment source, minority and women's organizations, and equal employment opportunity monitoring authorities.

VI. Personnel Action, Policies and Procedures

The University will establish in reasonable detail and make available upon request the standards and procedures which govern all employment practices in the operation of the institution. Included in these standards and procedures shall be policies relating to the following:

- A. Recruitment, Assignment, Transfer, and Promotion
 - 1. Position announcements shall be distributed for consideration by all interested individuals. Announcements shall indicate the duties, responsibilities, and authorities of the position and the minimum qualifications needed by the applicant. Announcements shall carry a filing date, the method of filing an application, and the person to whom the application is to be made.
 - 2. Recruitment literature and vacancy announcements shall carry clear statements that the University is an equal opportunity/affirmative action employer and that positions are open to all applicants unless there is a bona fide occupational qualification requirement.
 - 3. Recruitment literature and vacancy announcements shall be sent to all recognized sources of candidates according to the type of position and in ways designed to solicit and encourage applications from qualified minority and female applicants.

4. Recruitment sources and advertising media utilized shall include relevant minority and women's organizations and community agencies. Each applicant's qualifications shall be evaluated by comparing him or her with realistic job standards developed on the basis of work requirement.
5. For professional positions such factors as education, professional experience, scholarly achievement, leadership ability, understanding of problems with which the position is to deal, demonstrated drive, tact, and initiative would be considered.
6. For non-professional positions such factors as education, experience, and demonstrated ability will be considered, and appropriate skills tests will be utilized.
7. The receipt and disposition of all applications shall be recorded, and all applicants shall be informed as to when their application will become inactive.
8. Employee qualifications shall be evaluated against position requirements. Consideration shall be given to past performance and recommendations of colleagues and others in a position to evaluate potential performance.
9. All personnel involved in recruiting, screening, selection, and promotion of employees shall be carefully selected and trained to ensure elimination of bias in all personnel actions.
10. If the use of any tests other than skills tests is contemplated in evaluating applicants or employees, they must be validated by a professional psychometrist prior to use as a screening device.

B. Compensation

1. Faculty, Administrative, and Professional Staff: Faculty salaries shall be determined by earned degrees, experience, academic rank, and other appropriate factors. Administrative and Professional staff salaries shall be determined by factors such as job responsibilities, level of training and experience, and demonstrated effectiveness.
2. Classified Staff: Job classifications and salary schedules will be established for clerical and support positions. The appropriate classifications and salaries shall be applied uniformly and equitably.
3. The average salaries of males and females within the same job classification shall be compared, and any noticeable discrepancies shall be analyzed to determine the reasons therefore. If differences cannot be accounted for in terms of relative merit and/or seniority, immediate action shall be taken to correct the discrepancy.

C. Training

1. When appropriate, training shall be provided to enable University personnel to increase their skill levels for more responsible positions. The University shall develop formal training programs to aid in the advancement of personnel.
2. The University shall consider the degree to which on-the-job training can be administered to minorities and women in job categories wherein they are underutilized, and where feasible, shall institute such training as a means of providing a greater opportunity for advancement.

D. Communication

1. Official equal opportunity signs shall be posted at appropriate places on campus and will be kept current.
2. The equal opportunity/affirmative action statement shall be placed on all appropriate university documents, including, but not limited to, stationary, bulletins, newsletters, contracts, purchase orders, advertisements, graduate and undergraduate catalogs, faculty, staff, and student handbooks, etc.
3. Recruitment sources, minority and women's organizations, community agencies, and community leaders shall be notified periodically and in writing of the University policy on equal opportunity.
4. The equal opportunity/affirmative action policy shall be distributed to all employees of the University and discussed in orientation programs.
5. Equal opportunity/affirmative action shall be a topic of regular discussion by managers at staff meetings.

E. Other Personnel Actions. All other personnel actions, i.e., discipline, discharge, layoff, demotion, etc., shall be conducted indiscriminately. The following criteria shall be applied without prohibited discrimination:

1. Establishment of testing criteria.
2. Establishment of evaluation criteria.
3. Establishment of professional qualifications (degrees, experience, etc.).
4. Establishment of criteria for promotion and tenure.

VII. Sexual Orientation and Gender Identity/Expression

It is the policy of MTSU that neither its students nor its employees be discriminated against on the basis of that individual's sexual orientation or gender identity/expression. Such a policy helps ensure that only relevant factors are considered, and that equitable and consistent standards of conduct and performance will be applied. For the purpose of this policy, sexual orientation concerns the emotional, romantic, sexual, or affectional attraction to members of the same sex, opposite sex, or both sexes. Gender identity/expression concerns how an individual perceives his or her own gender, which may or may not be consistent with his or her anatomic sex or gender role. Any individual who has a discrimination complaint based upon his or her sexual orientation or gender identity/expression should follow the procedures set forth in Section II, above.

This policy shall not be construed to (1) infringe upon the free exchange of ideas essential to the academic environment, (2) limit the freedom of religious association, or (3) establish a duty to engage in affirmative action measures on the basis of sexual orientation or gender identity/expression. Further, this policy shall not be construed to require the compliance of external government agencies, University programs governed by external government agencies, in which non-discrimination does not include sexual orientation (i.e., ROTC), or programs that discriminate as a matter of policy. Notwithstanding the language set forth in this policy, eligibility of employees for employment benefits is determined by the laws and regulations of the State of Tennessee, and is not affected by this policy.

Forms: none.

Revisions: none.

References: Executive Order 11246; Rehabilitation Act of 1973; Americans with Disabilities Act of 1990; Vietnam Era Veterans Readjustment Act of 1974; Equal Pay Act of 1963; Age Discrimination in Employment Act of 1967; Age Discrimination Act of 1975; Pregnancy Discrimination Act; Civil Rights Act of 1964; Title IX of the Education Amendments; Policies 26 Discrimination and Harassment Based on Categories Other than Sex; 27 Misconduct, Discrimination, and Harassment Based on Sex including Pregnancy, Sexual Orientation, and Gender Identity/Expression; 810 Staff Performance Evaluations.

30 Policy Development and Review

Approved by Board of Trustees

Effective Date:

Responsible Division:

Responsible Office:

Responsible Officer:

I. Purpose

This policy provides for an orderly process of creating, drafting, revising, reviewing, and adopting policies for the governance and management of the University. A policy advances our mission as an institution of higher education by providing for compliance with applicable laws, ethical norms, and accepted best practices; the promotion of operational efficiencies; the enhancement of opportunities to achieve the University's goals; and the reduction of institutional risks. Policies for Middle Tennessee State University (MTSU or University) will be classified as either Board policies or University policies.

II. Scope

The responsibility for the development and revision of Board policies, as defined below, rests solely with the Board of Trustees (Board). Therefore, this University policy and its procedures do not apply to Board policies.

III. Definitions

- A. Board of Trustees Policy (Board Policy). Board policies relate solely to the organization, administration, and responsibilities of the Board as the body that governs the University.
- B. University Policy. A statement of general principle, plan, or course of action that guides the University, its employees, and students in the management of duties and responsibilities, obligations, and expectations.
- C. Initiator. The budgetary head or University committee that creates a proposal for a new policy or changes in an existing policy. The Board or a Board committee may also be an Initiator by directing the Provost, a Vice President, or the University Counsel to draft or revise a policy.

- D. Responsible Office. The University unit responsible for developing, coordinating, and maintaining a University policy.
- E. Responsible Officer. The individual responsible for developing, coordinating, and maintaining the policy.

IV. Responsibility

The Provost and each Vice President have the overall responsibility for ensuring that policies falling within their area of responsibility are accurate and kept current. The Office of the University Counsel is similarly responsible for policies concerning governance and compliance, and general and miscellaneous policies not otherwise the responsibility of the Provost or a Vice President. The Office of the University Counsel is also responsible for maintaining the University policy website.

V. Procedure

- A. Initiating a New Policy or Policy Revision. The Initiator will initiate proposals for new policies or changes in existing policies (proposal) through the Provost, the appropriate Vice President, or the University Counsel. The Board or a Board committee may also direct that a policy be drafted or revised. Along with the draft, the Initiator should indicate the basis for, and explanation of, the proposal. Questions regarding the substance of the proposal should be directed to the Initiator through the Provost, Vice President, or the University Counsel, as appropriate.
- B. Review. It is the responsibility of the Provost, appropriate Vice President, or the University Counsel to make certain that proposals are in compliance with existing University policies and any applicable federal or state statutes. All proposals must be submitted by the Provost or appropriate Vice President to the Office of the University Counsel for initial review and proposed revision.

The draft of the proposal will then be provided to the Provost and Vice Presidents who may share the draft with other appropriate staff for review and comments. The Provost will solicit input from faculty on policies related to academic affairs by providing copies to the Faculty Senate or appropriate university committees for review. As deemed appropriate, the Vice President for Student Affairs will solicit input from the Student Government Association on policies related to student affairs. These comments will be taken into consideration during the review process.

The proposal will be revised and reviewed as needed and, once a final draft is reached, will be submitted to the Provost and the Vice Presidents for review and approval. After approval by the Provost and Vice Presidents, the proposal will be sent to the Office of the University Counsel which will then present the proposal to the campus for a thirty (30)-day comment period. Comments submitted will be considered and additional revisions

made as deemed appropriate. If additional revisions are made, the Provost and Vice Presidents will again review and approve the draft. If it is an academic affairs policy, the Provost will bring it to the attention of the Faculty Senate.

New policies or changes to existing policies may be implemented prior to the conclusion of the comment period where quick implementation is necessary. Comments submitted by the campus community will still be considered and, where needed, further revisions will be made.

- C. Review and Approval by the President. The Office of the University Counsel will prepare the final draft of the new or revised policy for review and approval by the President. If the policy relates to a responsibility that the Board has delegated to the President, the President's approval is the final step in the process. Once approved, the policy will be posted to the University policy website.
- D. Review and Approval by the Board. Certain policies will be designated by the Board to require the Board's review and approval prior to implementation. After the process provided above has been completed, the President will forward the new policy or policy revision to the appropriate Board committee for consideration and recommendation to the Board for approval.
- E. Publication. When a policy becomes final (or at a later-designated date), a notice will be provided to the campus community, and the policy will be posted to the University policy webpage.
- F. Policy Format. University policies will appear in a standardized format which will include, at a minimum: the policy name and number designation, the effective date of the policy, whether the policy requires Board approval, the Responsible Office and Responsible Officer, a list of dates the policy has been revised, a list of references found within the policy to include statutes and other University policies, and a list of any forms referenced in the policy.
- G. Exceptions
 1. Exceptions to this process may be made at the direction and discretion of the Board or the President.
 2. As stated above, new policies or changes to existing policies may be implemented prior to the conclusion of the thirty (30)-day campus comment period where quick implementation is necessary. Comments submitted by the campus community will still be considered, and, where needed, further revisions will be made to the policy.
 3. Non-substantive, editorial revisions such as correcting typographical errors, formatting changes, or updating position titles, will only require notice to the Vice

Presidents and Provost and will not require a comment period or the President's or Board's review and approval.

Forms: none.

Revisions: none.

References: none.

31 Faculty and Student Participation in Development of Campus Policies and Programs

Approved by Board of Trustees

Effective Date:

Responsible Division:

Responsible Office:

Responsible Officer:

I. Purpose

Faculty and students are vital components of the campus community, and the University embraces the concept of shared governance. This policy establishes that faculty and students be provided the means to effectively contribute to the progress and general welfare of Middle Tennessee State University (MTSU or University) concerning the formation of policies and programs relating to academic affairs and student affairs, respectively.

II. Student and Faculty Participation in Development of Campus Policies and Programs

- A. Students have a primary interest in matters of student life, including discipline and housing. Faculty have a primary interest in academic affairs, including curriculum, program changes and development, and admission and graduation requirements. Furthermore, both students and faculty have a direct interest in both student and academic affairs.
- B. The Faculty Senate serves as the principal representative body of the faculty at MTSU. It advocates for the faculty and academic policies within the University community at large.
- C. The Student Government Association serves as the official liaison between the student body and the administration of the University. It is the official channel of communication for all students. The Student Government Association is responsible for listening to the concerns of all students.
- D. [Policy 30 Policy Development and Review](#) sets out the means by which both faculty and students provide input into the creation and review of University policies.

- E. [Policy 32 University Committees](#) provides that both faculty and, as appropriate, students shall be members of committees that shape institutional culture, policy, and procedures.

Forms: none.

Revisions: none.

References: Policies 30 Policy Development and Review; 32 University Committees.

50 Timely Reporting of a Substantive Change for Accredited Institutions of the SACSCOC

Approved by Board of Trustees

Effective Date:

Responsible Division:

Responsible Office:

Responsible Officer:

I. Purpose

The Southern Association of Colleges and Schools Commission on Colleges (Commission or SACSCOC) requires its member institutions to have a policy and procedure to ensure that all substantive changes are reported to the Commission in a timely fashion. Middle Tennessee State University (MTSU or University), as an accredited member institution, adheres to the Commission's substantive change policy. **This timely reporting of substantive change policy and procedure is effective _____, 2017.**

II. Designated Responsibility

The MTSU SACSCOC accreditation liaison is responsible for timely reporting of a substantive change to the Commission On Colleges (COC) in accordance with the requirements of the COC. MTSU's academic (deans) and administrative (divisional vice presidents) officers are responsible for compliance with the COC substantive change policy and for informing MTSU's accreditation liaison of any institutional changes that fall under the COC's substantive change policy in a manner that ensures that the University can meet the required notification, review and approval processes of the COC. It is the responsibility of the MTSU SACSCOC accreditation liaison to keep the academic and administrative officers informed of any changes in the SACSCOC substantive change policy.

III. Procedures for Implementation

- A. An MTSU academic or administrative officer, initiating a substantive change, as defined by the SACSCOC Reporting the Various Types of Substantive Change chart must complete the Substantive Change Initiation Form. The completed form is submitted to the MTSU SACSCOC accreditation liaison to inform the liaison of an intended and/or proposed substantive change. The form must be submitted in accordance with the time-frame for contacting the COC and the COC approval process noted in the Reporting the

Various Types of Substantive Change chart.

B. The academic or administrative officer initiating the substantive change is responsible for:

1. Preparation of the substantive change letter of intent, proposal, prospectus, and/or other documentation associated with the specific type of substantive change being initiated per COC requirements, and
2. Submission of the substantive change letter of intent, proposal, prospectus, and/or other documentation associated with the specific type of substantive change being initiated per COC requirements to the MTSU SACSCOC liaison.

C. The MTSU SACSCOC accreditation liaison:

1. Tracks the timely reporting and completion of required SACSCOC notification and documentation for a substantive change upon receipt of the Substantive Change Initiation Form, and
2. Reviews the letter of intent, proposal, prospectus, and/or other documentation against SACSCOC policies and standards for completeness and appropriateness. Upon completion of this review, the liaison forwards the substantive change notification of intent, proposal, prospectus, and/or other documentation to the President for review and approval.

D. The President reviews the initiated substantive change, and if the President approves, the substantive change and supporting documentation is submitted to the SACSCOC by the MTSU SACSCOC accreditation liaison.

E. The MTSU SACSCOC accreditation liaison tracks SACSCOC actions related to substantive change requests submitted.

IV. Publication of SACSCOC Substantive Change Policy and Timelines

The SACSCOC Substantive Change Policy for Accredited Institutions of the Commission on Colleges Policy Statement, the SACSCOC Reporting the Various Types of Substantive Change chart, the Substantive Change Initiation Form, and a Timeline for Institutional Completion of Procedures is published on the Office of the University Provost website. The Timeline for Institutional Completion of Procedures is also published on the Selected List of Deadlines for Department Chairs maintained through the Office of the University Provost and distributed annually to department chairs and deans. The Office of the University Provost electronically distributes the Substantive Change for Accredited Institutions of the Southern Association of Colleges and Schools Commission on Colleges Policy to MTSU's academic and administrative officers annually at the beginning of the fall semester.

V. Annual Review of Policy

Reporting the Various Types of Substantive Change and Substantive Change Initiation Form to this policy will be reviewed and continually updated by the MTSU SACSCOC accreditation liaison to ensure continuing compliance with the Substantive Change Policy for Accredited Institutions of the Commission on Colleges Policy Statement and minimally will be reviewed and updated annually by the beginning of the fall semester.

Forms:

Reporting the Various Types of Substantive Change (Revised 11/4/15)

Substantive Change Initiation Form (Revised 5/20/15)

Timeline for Institutional Completion of Procedures (Effective 4/4/12)

Revisions: none.

References: none.

60 Appeals and Appearances before the Board

Approved by Board of Trustees

Effective Date:

Responsible Division:

Responsible Office:

Responsible Officer:

I. Purpose

This policy sets the conditions and procedures for appeals to, and appearances before, the Board of Trustees (Board).

II. Appeals to the Board

- A. Negative recommendations for tenure or promotion may be appealed to the Board. The faculty member must first have completed the appeal process set out in [Policy 206 Tenure and Promotion Appeals](#).

- B. Termination of employment due to a reduction in force resulting from a declaration of financial exigency made pursuant to [Policy 40 Financial Exigency](#) may be appealed to the Board. The employee must have exhausted the appeal process provided in [Policy 40 Financial Exigency](#).

- C. A student or employee may appeal a matter subsequent to a final adverse decision of the President in which it is alleged that the University violated state or federal law, or University policy. Any available institutional complaint and/or appeal procedure must be exhausted prior to consideration by the Board.

- D. Decisions resulting from hearings held pursuant to the Uniform Administrative Procedures Act, T.C.A. § 4-5-301, et. seq., are not appealable to the Board.

- E. Matters not appealable to the Board, absent an allegation of violation of state or federal law, shall include, but are not limited to:
 - 1. Termination of executive, administrative, professional, clerical, and support employees during, or at the end of, the initial probationary period, or pursuant to the terms of the contract of employment;

2. Non-renewal of a tenure-track faculty appointment during the first four (4) years of the probationary period;
 3. Denial of tenure unaccompanied by notice of termination in the fifth (5th) year of the probationary period;
 4. Non-renewal of a temporary faculty appointment;
 5. Salary determinations;
 6. Student academic matters such as grade appeals, failure to meet retention policies;
 7. Performance evaluations of faculty or staff; or,
 8. Residency classification of students for tuition and fee purposes.
- F. If, at any time during the pendency of the appeal, a lawsuit based on the same subject matter as the appeal is filed, the Board has the discretion to suspend consideration of the appeal or dismiss the appeal without further action. However, this discretion cannot be exercised in an appeal concerning discrimination or harassment.

Complaints from students or prospective students regarding accreditation or violation of state or federal law may be submitted for appropriate review and action, as required by 34 CFR 600.9(a)1), pursuant to this process: <http://www.mtsu.edu/stuaff/complaints.php>.

III. Appeal Process

A. Petition to Appeal

1. A student or employee who is dissatisfied with the decision of the President may petition the Board for permission to appeal that decision if the matter is appealable as specified in Section II.
2. The petition must be submitted in writing to the Secretary of the Board within twenty (20) days following the date of the President's written decision. Once received, the Secretary is responsible for coordinating the appeal process.
3. The petition for appeal must present:
 - a. The decision being appealed, the law and/or policy alleged to have been violated, and the redress desired;

- b. A brief statement of the facts relevant to the issues to be reviewed with appropriate reference to where such can be found in the record;
 - c. A statement of applicable law/policy;
 - d. A brief argument; and,
 - e. Citations of any applicable authorities such as policies, statutes, and cases.
4. The petition is limited to ten (10) pages, typed, 12 point font or larger, double spaced, on 8 1/2 X 11" paper.
 5. The appropriate standing committee of the Board shall review the petition for appeal and the decision of the President on the basis of the record submitted to the President, with any new evidence which for good cause shown was not previously considered, and determine whether the petition to appeal will be granted.
 6. The Board committee, in determining whether to grant an appeal, may consider the following:
 - a. Whether policy has been followed;
 - b. Whether or not there is material evidence to substantiate the decision appealed from; and/or,
 - c. Whether or not there has been a material error in the application of the law which prima facie results in substantial injustice;
 - d. The listing in a. - c. above is not exhaustive and, in the discretion of the Board committee, other considerations may be taken into account.

B. Hearing the Appeal

1. If the petition to appeal is granted, the committee shall hear the appeal at a subsequent regularly scheduled meeting of the committee and may request the person appealing to appear and present arguments on his/her behalf.
2. The committee shall recommend action on the appeal to the Board. The decision of the Board shall be final and binding for all purposes.

C. Record

1. The record on an appeal shall consist of all relevant documents, statements, and other materials submitted by the person appealing and by the President.

2. In the event that the person appealing does not submit sufficient information to allow review of the decision being appealed, the Board may require the person appealing to furnish additional information.

D. Review of the Appeal

1. A decision may be remanded for further consideration upon a finding that it was not made in accordance with applicable state or federal law or University policy. However, the matter should not be remanded if there was not material to the decision and, therefore, constituted harmless error;
2. A decision may be modified or reversed only upon a finding that the decision constituted an abuse of discretion, or was made in violation of applicable state or federal law, or University policy. However, the decision will not be modified or reversed if the violation of law or policy was not material to the decision, therefore, constituting harmless error;
3. A decision should be affirmed in the absence of a finding of abuse of discretion or material violation of applicable state or federal law, or University policy.
4. Notwithstanding any provision herein to the contrary, any decision may be remanded by the Board for a resolution of the matter which is mutually acceptable to the parties or which is, in the best judgment of the Board, a fair and equitable resolution.

IV. Appearances Before the Board on Non-Appealable Issues

- A. Individuals may be allowed to address the Board concerning issues that are not appealable but which are of broad concern to the University community.
- B. Requests to appear before the Board shall be submitted in writing to the Secretary of the Board at least seven (7) days prior to the scheduled meeting of the Board. The request must include the requestor's contact information and the issue to be addressed.
- C. After consultation with the President, the Chair of the Board may authorize appearances before the Board on any matter deemed appropriate for Board consideration. As directed by the Chair of the Board, the Secretary of the Board will either place the requested item on the agenda or notify the requestor in writing of the reason the request was rejected.

Forms: none.

Revisions: none.

References: T.C.A. § 4-5-301, et. seq.; Policies 40 Financial Exigency; 206 Tenure and Promotion Appeals.

70 Internal Audit

Approved by Board of Trustees

Effective Date:

Responsible Division:

Responsible Office:

Responsible Officer:

I. Purpose

This policy addresses responsibilities of the internal audit function, staffing, audit planning, and reporting on internal audit activities at Middle Tennessee State University (MTSU or University).

II. Definitions

- A. Internal Auditing. An independent, objective assurance and consulting activity designed to add value and improve an organization's operations. It helps an organization accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance processes.
- B. Risk. The possibility of an event occurring that will have an impact on the achievement of University goals and objectives. Risk is measured in terms of the impact an event may have and the likelihood that the event will occur. To optimize the achievement of the University's goals and objectives, the Board of Trustees (Board) and management act to minimize the related risks by implementing reasonable procedures to control and monitor the risks.
- C. Governance Processes. The combination of processes and structures implemented by the Board to inform, direct, manage, and monitor the activities of the organization toward the achievement of its objectives. Examples of such processes include the organizational structure within the University or a department; policies, standards and procedures instituted by the Board or management to direct and control a particular activity; and preparation and review procedures for preparing reports such as annual financial statements or federal grant or financial aid reports.

III. General Statement

- A. The internal audit function at MTSU is the responsibility of the office of Audit and Consulting Services which contributes to the improvement of the University's operations

by providing objective and relevant assurance regarding risk management, control, and governance processes to management and the Board.

- B. Management is responsible for evaluating the University's risks and establishing and maintaining adequate controls and processes.
- C. To provide relevant information, Audit and Consulting Services will consider the goals of the University, management's risk assessments, and other input from management in determining its risk-based audit activities.

IV. Internal Audit Standards

Audit and Consulting Services adheres to The Institute of Internal Auditors' (IIA) International Standards for the Professional Practice of Internal Auditing and Code of Ethics. T.C.A. § 4-3-304(9). The Institute of Internal Auditors International Professional Practices Framework (IPPF) incorporates the International Standards for the Professional Practice of Internal Auditing and Code of Ethics into one document.

- A. The IPPF includes attribute standards, which address the expected characteristics of organizations and individuals performing internal audit activities, and performance standards, which describe the nature of internal audit activities and establish criteria to evaluate the performance of internal audit activities.
- B. To assure compliance with the IIA Standards, Audit and Consulting Services must implement and maintain a quality assurance and improvement program that incorporates both internal and external review activities.
 - 1. Internal reviews include both ongoing and periodic review activities.
 - 2. External reviews must be performed at least every five (5) years by a qualified, independent reviewer.
 - 3. Results of quality assurance reviews will be communicated to the University President and the Audit and Compliance Committee of the Board.

V. Internal Audit Personnel

- A. Internal audit staff must possess the professional credentials, knowledge, skills, and other competencies needed to perform their individual responsibilities.
- B. The internal audit function collectively must possess or obtain the knowledge, skills, and other competencies needed to perform its responsibilities.

- C. The Director of Audit and Consulting Services must be licensed as a Certified Public Accountant or a Certified Internal Auditor, maintain an active license, and annually complete sufficient, relevant continuing professional education to satisfy the requirements for the professional certification held.
- D. Other University auditors should annually complete sufficient, relevant continuing professional education to satisfy the requirements for their related professional certification or, at a minimum, forty (40) hours of relevant continuing professional education.
- E. Appointments
 - 1. The appointment of the Director of Audit and Consulting Services is recommended by the President and approved by the Board. T.C.A. § 49-14-102.
 - 2. The Director of Audit and Consulting Services reports directly to, and shall have unrestricted access to, the Audit and Compliance Committee of the Board. T.C.A. § 49-14-102.
- F. Compensation. Compensation of the employees of the MTSU internal audit function is subject to review by the Audit and Compliance Committee of the Board.
- G. Termination or Change of Status
 - 1. The termination or change of status of the Director of Audit and Consulting Services requires the approval of the President and the Audit Committee of the Board.
 - 2. The Director of Audit and Consulting Services may be removed only for cause, which requires a majority vote of the Board. T.C.A. § 49-14-102.

VI. Internal Audit Role and Scope

- A. Reporting Structure. The Director of Audit and Consulting Services reports directly to the Audit and Compliance Committee of the Board and administratively to the University President. T.C.A. § 49-14-102. This reporting structure assures the independence of the internal audit function.
- B. The internal auditors' responsibilities include:
 - 1. Working with management to assess University risks and developing an audit plan that considers the results of the risk assessment.
 - 2. Evaluating University controls to determine their effectiveness and efficiency.

3. Coordinating work with external auditors, program reviewers, and consultants.
4. Determining the level of compliance with internal policies and procedures, state and federal laws, and government regulations.
5. Testing the timeliness, reliability, and usefulness of University records and reports.
6. Recommending improvements to controls, operations, and risk mitigation resolutions.
7. Assisting the University with its strategic planning process to include a complete cycle of review of goals and values.
8. Evaluating program performance.
9. Performing consulting services and special requests as directed by the Audit Committee or President.
 - a. The scope of internal auditing extends to all aspects of University operations and beyond fiscal boundaries. The internal auditors shall have access to all records, personnel, and physical properties relative to the performance of duties and responsibilities.
 - b. The scope of a particular internal audit activity may be as broad or as restricted as required to meet management needs.
 - c. Objectivity is essential to the internal audit function. Therefore, internal audit personnel should not be involved in the development and installation of systems and procedures, preparation of records, or any other activities that the internal audit staff may review or appraise. However, internal audit personnel may be consulted on the adequacy of controls incorporated into new systems and procedures or on revisions to existing systems.
 - d. Management is responsible for identifying, evaluating, and responding to potential risks that may impact the achievement of the University's objectives. Auditors continually evaluate the risk management, internal control, and governance processes. To facilitate these responsibilities, Audit and Consulting Services will receive notices or copies of external audit reviews, program reviews, fiscally related consulting reports, cash shortages, physical property losses, and employee misconduct.

VII. Audit Plans and Activity Reports

- A. Audit and Consulting Services shall develop an annual audit plan using an approved risk assessment methodology.
- B. At the beginning of each fiscal year, after consultation with the Audit and Compliance Committee, the President, and other University management, Audit and Consulting Services will prepare an annual audit plan. The audit plan must be flexible to respond to immediate issues and will be revised for such changes during the year.
- C. Audit plans and revisions will be reviewed by the President and approved by the Audit and Compliance Committee.
- D. At the end of each fiscal year, Audit and Consulting Services will prepare an annual activity report of all significant audit services performed.
- E. Annual activity reports and approved audit plans will be provided to the Comptroller's Office, Division of State Audit.

VIII. Audit Engagements

- A. Audit engagements will be planned to provide relevant results to management and the Audit and Compliance Committee regarding the effectiveness and efficiency of processes and controls over operations. To ensure management's expectations are met, auditors will communicate with management regarding the objectives and scope of the engagement.
- B. In planning and during the engagement, auditors should consider and be alert to risks that affect the University's goals, objectives, operations, and resources. Auditors should consider risks based on the operations under review, which include, but are not limited to, the risk of financial misstatements, noncompliance, and fraud.
- C. An audit work program will be designed to achieve the objectives of the engagement and will include the steps necessary to identify, analyze, evaluate, and document the information gathered, and the conclusions reached during the engagement.
- D. Working papers that are created, obtained or compiled by an internal audit staff are confidential and are not records subject to the Public Records Act. T.C.A. § 4-3-304(9).

IX. Communicating Audit Results

- A. A written report that documents the objectives, scope, conclusions, and recommendations of the audit will be prepared for audit engagements providing assurance to the Board and management. Management will include corrective action for each reported recommendation.

- B. Audit and Consulting Services will perform audits to follow-up on findings or recommendations included in internal audit reports, investigation reports, and State Audit reports. A written report will be prepared and for any findings that have not been corrected, management will be asked to include a revised corrective action plan. The President, along with the Audit and Compliance Committee, will be notified at the conclusion of a follow-up audit if management has not corrected the reported finding or implemented the corrective action.
- C. A written report that documents the objectives, scope, conclusions, and recommendations will be prepared for investigations resulting from allegations or identification of fraud, waste, or abuse. As appropriate in the circumstances, management will include corrective action for each reported recommendation. In a case where allegations are not substantiated by the review and there are no other operational concerns to report to management regarding the review, the case may be closed by a memo to the working paper file documenting the reasons for closing the case.
- D. Reports on special studies, consulting services, and other non-routine items should be prepared as appropriate, given the nature of the assignment.
- E. All internal audit reports will be signed by the Director of Audit and Consulting Services and transmitted directly to the President and appropriate levels of management in a timely manner.
- F. The Director of Audit and Consulting Services will present significant results of internal audit reports to the Audit and Compliance Committee quarterly or as appropriate.
- G. The Director of Audit and Consulting Services will provide a copy of each report to the Comptroller's Office, Division of State Audit.

X. Exceptions

Any exceptions to the policy established herein shall be subject to the approval of the Audit and Compliance Committee.

Forms: none.

Revisions: none.

References: T.C.A. § 4-3-304(9); § 49-14-102.

71 Preventing and Reporting Fraud, Waste, or Abuse

Approved by Board of Trustees

Effective Date:

Responsible Division:

Responsible Office:

Responsible Officer:

I. Purpose

Middle Tennessee State University (MTSU or University) is committed to the responsible stewardship of its resources. Management is responsible for maintaining a work environment that promotes ethical and honest behavior. Additionally, it is the responsibility of management to establish and implement internal control systems and procedures to prevent and detect irregularities, including fraud, waste, and abuse. Management at all levels should be aware of the risks and exposures inherent in their areas of responsibility and should establish and maintain proper internal controls to provide for the security and accountability of all resources entrusted to them.

II. Definitions

- A. Fraud. An intentional act to deceive or cheat, ordinarily for the purpose or result of causing a detriment to another and/or bringing about some benefit to oneself or others. Fraudulent activities may include, but are not limited to, the following:
 - 1. Theft, misappropriation, misapplication, destruction, removal, or concealment of any University assets or resources, including, but not limited to, funds, securities, supplies, equipment, real property, intellectual property or data.
 - 2. Improper use or assignment of any University assets or resources, including, but not limited to, personnel, services, or property.
 - 3. Improper handling or reporting of financial transactions, including use, acquisitions, and divestiture of state property, both real and personal.
 - 4. Authorization or receipt of compensation for hours not worked.
 - 5. Inappropriate or unauthorized use, alteration or manipulation of data, computer files, equipment, software, networks, or systems, including personal or private business use, hacking, and software piracy.
 - 6. Forgery or unauthorized alteration of documents.
 - 7. Falsification of reports to management or external agencies.

8. Pursuit of a personal benefit or advantage in violation of the University's Conflict of Interest Policy.
 9. Concealment or misrepresentation of events or data.
 10. Acceptance of bribes, kickbacks, or any gift, rebate, money, or anything of value whatsoever, or any promise, obligation, or contract for future reward, compensation, property, or item of value, including intellectual property.
- B. Waste. Involves behavior that is deficient or improper when compared with behavior that a prudent person would consider a reasonable and necessary business practice given the facts and circumstances. Waste is a thoughtless or careless act, resulting in the expenditure, consumption, mismanagement, use, or squandering of University assets or resources to the detriment or potential detriment of the University. Waste may also result from incurring unnecessary expenses due to inefficient or ineffective practices, systems, or controls. Waste does not necessarily involve fraud, violation of laws, regulations, or provisions of a contract or grant agreement.
- C. Abuse. Involves behavior that is deficient or improper when compared with behavior that a prudent person would consider a reasonable and necessary business practice given the facts and circumstances. Abuse also includes misuse of authority or position for personal financial interest or those of an immediate or close family member or business associate. Abuse does not necessarily involve fraud, or noncompliance with provisions of laws, regulations, contracts, or grant agreements. (U.S. Government Accountability Office, Government Auditing Standards, December 2011.)

III. Preventing Fraud, Waste, or Abuse

A. Maintaining an Ethical Work Environment

1. Management is responsible for maintaining a work environment that promotes ethical and honest behavior on the part of all employees, students, contractors, vendors, and others.
2. To do so, management, at all levels, must behave ethically and communicate to employees and others that they are expected to behave ethically.
3. Management must demonstrate through words and actions that unethical behavior will not be tolerated.

B. Implementing Effective Internal Control Systems

1. Management has the responsibility to establish and implement internal control systems and procedures to prevent and detect irregularities, including fraud, waste, and abuse.

2. Internal controls are processes performed by management and employees to provide reasonable assurance of:
 - a. Safeguards over University assets and resources, including, but not limited to, cash, securities, supplies, equipment, property, records, data, or electronic systems;
 - b. Effective and efficient operations;
 - c. Reliable financial and other types of reports; and
 - d. Compliance with laws, regulations, contracts, grants, and policies.
 3. To determine whether internal controls are effective, management should perform periodic risk and control assessments, which should include the following activities:
 - a. Review the operational processes of the unit under consideration.
 - b. Determine the potential risk of fraud, waste, or abuse inherent in each process.
 - c. Identify the controls included in the process (or controls that could be included) that result in a reduction in the inherent risk.
 - d. Assess whether there are internal controls that need to be improved or added to the process under consideration.
 - e. Implement controls or improve existing controls that are determined to be the most efficient and effective for decreasing the risk of fraud, waste, or abuse.
 4. Most managers will find that processes already include a number of internal controls, but these controls should be monitored or reviewed for adequacy and effectiveness on a regular basis and improved as needed. Typical examples of internal controls may include, but are not limited to:
 - a. Adequate separation of duties among employees.
 - b. Sufficient physical safeguards over cash, supplies, equipment, and other resources.
 - c. Appropriate documentation of transactions.
 - d. Independent validation of transactions for accuracy and completeness.
 - e. Documented supervisory review and approval of transactions or other activities.
 - f. Proper supervision of employees, processes, projects, or other operational functions.
- C. Reviews of Internal Control Systems. Audits or other independent reviews may be performed on various components of the internal control systems.
- D. Internal Audit
1. Audit and Consulting Services is responsible for assessing the adequacy and effectiveness of internal controls that are implemented by management and will often recommend control improvements as a result of this assessment.

2. During an audit of a department or process, Audit and Consulting Services will also perform tests designed to detect fraud, waste, or abuse that may have occurred.

E. External Audits

1. The Tennessee Department of Audit, Division of State Audit, performs periodic financial audits of public universities.
2. One purpose of this type audit is to evaluate the University's internal controls, which will often result in recommendations for control improvements.
3. State Audit will also perform tests designed to detect fraud, waste, or abuse that may have occurred.

F. Other Reviews

1. Various programs may be subject to audits or reviews by federal, state, or other outside agencies based on the type of program, function, or funding.
2. Although audits and reviews may include assessments of internal controls, the primary responsibility for prevention and detection of fraud, waste, or abuse belongs to management.
3. Therefore, management should take steps to review internal controls whether or not audits are to be performed.

IV. Reporting Fraud, Waste, or Abuse

A. Responsibility for Reporting Fraud, Waste, or Abuse. Any official of any agency of the state having knowledge that a theft, forgery, credit card fraud, or any other act of unlawful or unauthorized taking, or abuse of, public money, property, or services, or other shortages of public funds has occurred shall report the information immediately to the office of the Comptroller of the Treasury. T.C.A. § 8-19-501(a). To promote compliance with this statute, the University provides a means for University employees and others to report such matters to Audit and Consulting Services, who subsequently report these matters to the Comptroller's Office.

1. University administration with knowledge of fraud, waste, or abuse must report such incidents immediately.
2. Others, including university management, faculty, and staff with a reasonable basis for believing that fraud, waste, or abuse has occurred are strongly encouraged to immediately report such incidents. T.C.A. § 8-50-116.

3. Students, citizens, and others are also encouraged to report known or suspected acts of fraud, waste, or abuse.
4. Although proof of an improper activity is not required at the time the incident is reported, anyone reporting such actions must have reasonable grounds for doing so.
5. Employees with knowledge of matters constituting fraud, waste, or abuse who fail to report it or employees who knowingly make false accusations may be subject to disciplinary action.

B. Protection from Retaliation

1. State law T.C.A. § 8-50-116 prohibits discrimination or retaliation against employees for reporting allegations of dishonest acts or cooperating with auditors conducting an investigation.
2. The Higher Education Accountability Act of 2004 directs that a person who knowingly and willingly retaliates or takes adverse action of any kind against any person for reporting alleged wrongdoing pursuant to the provisions of this part commits a Class A misdemeanor.

C. Confidentiality of Reported Information

1. According to T.C.A. § 49-14-103, detailed information received pursuant to a report of fraud, waste, or abuse or any on-going investigation thereof shall be considered working papers of the internal auditor and shall be confidential.
2. Although every attempt will be made to keep information confidential, circumstances, such as an order of a court or subpoena, may result in disclosure.
3. If the University has a separate legal obligation to investigate the complaint (e.g. complaints of illegal harassment or discrimination), the University cannot ensure anonymity or complete confidentiality.

D. Methods for Reporting Fraud, Waste, or Abuse

1. Any employee who becomes aware of known or suspected fraud, waste, or abuse should immediately report the incident to an appropriate departmental official. Incidents should be reported to one of the following officials or offices:
 - a. A supervisor or department head;
 - b. a university official;
 - c. Audit and Consulting Services at 615-898-2914 or reportfraud@mtsu.edu; or
 - d. the Tennessee Comptroller of the Treasury's Hotline for fraud, waste, and abuse at 1-800-232-5454.

2. If the incident involves an immediate supervisor, the employee should report the incident to the next highest level supervisor or one of the officials or offices listed above. Employees should not confront the suspected individual or initiate an investigation on their own, since such actions could compromise the investigation.
3. A department official or other supervisor who receives notice of known or suspected fraud, waste, or abuse must immediately report the incident to the following:
 - a. President or Vice President for Business and Finance;
 - b. Audit and Consulting Services;
 - c. University Police (when appropriate).
4. The Director of Audit and Consulting Services will notify the Comptroller of the Treasury of instances of fraud, waste, or abuse.
5. After initial notification, [Policy 610 Reporting and Resolution of Institutional Losses](#), will be reviewed for additional reporting procedures.

V. Investigations/Actions

A. Cooperation of Employees

1. Individuals involved with suspected fraud, waste, or abuse should assist with and cooperate in any authorized investigation, including providing complete, factual responses to questions, and either providing access to or turning over relevant documentation immediately upon request by any authorized person.
2. The refusal by an employee to provide such assistance may result in disciplinary action.

B. Remedies Available

1. Audit and Consulting Services will evaluate the information provided and make a determination concerning external reporting obligations, if any, and the feasibility of pursuing available legal remedies against persons or entities involved in fraud, waste, or abuse against the institution.
2. Actions that may be taken against University employees include, but are not limited to;
 - a. terminating employment,
 - b. requiring restitution, and
 - c. forwarding information regarding the suspected fraud to appropriate external authorities for criminal prosecution.

3. In those cases where disciplinary action is warranted, Human Resource Services, University Counsel, and other appropriate offices shall be consulted prior to taking such action, and applicable university policies related to imposition of employee discipline shall be observed.

C. Resignation of Suspected Employee

1. An employee suspected of gross misconduct may not resign as an alternative to discharge after the investigation has been completed.
2. Exceptions to this requirement can only be made by the President, and require advance consultation with and approval by the Vice President for Business and Finance.
3. If the employee resigns during the investigation, the employment records must reflect the situation as of the date of the resignation and the outcome of the investigation (See [Policy 800 General Personnel](#)).

- D. Effect on Annual Leave. An employee who is dismissed for gross misconduct, or who resigns or retires to avoid dismissal for gross misconduct shall not be entitled to any payment for accrued but unused annual leave at the time of dismissal (See [Policy 825 Leave Policies](#), T.C.A. § 8-50-807).

- E. Student Involvement. Students found to have participated in fraud, waste, or abuse as defined by this guideline will be subject to disciplinary action pursuant to [Policy 540 Student Disciplinary Rules](#).

F. Confidentiality during Investigation

1. All investigations will be conducted in as strict confidence as possible, with information sharing limited to persons on a “need to know” basis.
2. The identities of persons communicating information or otherwise involved in an investigation or allegation of fraud, waste, or abuse will not be revealed beyond the offices of the President, University Counsel, Business and Finance and Audit and Consulting Services unless necessary to comply with federal or state law, or if legal action is taken.

G. Management’s Follow-up Responsibility

1. Administrators at all levels of management must implement, maintain, and evaluate an effective compliance program to prevent and detect fraud, waste, and abuse.

2. Once such activities have been identified and reported, the overall resolution should include an assessment of how it occurred, an evaluation of what could prevent recurrences of the same or similar conduct, and implementation of appropriate controls, if needed.

Forms: none.

Revisions: none.

References: T.C.A. § 8-19-501(a), § 8-50-116, § 8-50-807, § 49-14-103; Policies 540 Student Disciplinary Rules; 610 Reporting and Resolution of Institutional Losses; 800 General Personnel; 825 Leave Policies.



120 Public Records-Inspecting and Copying

Approved by Board of Trustees

Effective Date:

Responsible Division:

Responsible Office:

Responsible Officer:

I. Purpose

Pursuant to T.C.A. § 10-7-503(g), this policy, approved by the Middle Tennessee State University Board of Trustees (Board), establishes the process under Tennessee's Public Records Act for making and responding to requests to inspect and/or copy records, including redaction practices; the fees charged for copies of public records and the procedures for billing and payment; and, the name or title and contact information of the public records request coordinator. In accordance with T.C.A. § 10-7-503, all records made or received pursuant to law or in connection with the transaction of official Middle Tennessee State University (MTSU or University) business shall at all times during business hours be open for personal inspection by any citizen of Tennessee and those in charge of the records shall not refuse such right of inspection to any citizen, unless otherwise provided by state law. T.C.A. § 10-7-503(a)(2)(A).

Personnel of MTSU shall timely and efficiently provide access and assistance to persons requesting to view or receive copies of public records, and this policy shall not be used to hinder access to open public records. However, the integrity and organization of public records, as well as the efficient and safe operation of the University, shall be protected as provided by law. Concerns about this policy should be addressed to the Public Records Request Coordinator for MTSU or to the Tennessee Office of Open Records Counsel.

This policy shall be applied consistently within the various offices, departments and divisions of MTSU.

II. Definitions

- A. Records Custodian. The MTSU office or employee lawfully responsible for the direct custody and care of a public record. A Records Custodian is not

necessarily the original preparer or producer of the record. An entity such as MTSU has multiple Records Custodians.

- B. **Public Records.** All documents, papers, letters, maps, books, photographs, microfilms, electronic data processing files and output, electronic mail messages, films, sound recordings, or other material regardless of physical form or characteristics, made or received pursuant to law or in connection with the transaction of official University business and required to be open to inspection under the provisions of Tennessee law. It should be noted that the disclosure of student records is governed by the Family Educational Rights and Privacy Act (FERPA) and Policy 500 Access to Education Records and, therefore, such records are not subject to this policy.
- C. **Public Records Request Coordinator.** The individual responsible for ensuring that public records requests are routed to the appropriate Records Custodian and that requests are fulfilled in accordance with the Public Records Act. The University Counsel or designee is designated as the Public Records Request Coordinator and may be contacted at (615)898-2025 or in 209 Cope Administration Building, MTSU, 1301 East Main Street, Murfreesboro, Tennessee 37132.
- D. **Requestor.** A person seeking access to a public record, whether it is for inspection or duplication.
- E. **Employee Records.** All records related to current or former employees (faculty, staff, graduate assistants, etc.) or applicants to such positions, excluding that information deemed confidential by statute, that are maintained in the Human Resource Services Office, Payroll Office, Accounting Office, and any other department that may maintain records that include information on employees. Note that records pertaining to employment of student workers are confidential under FERPA.
- F. **Confidential Information.** Records or information in public records that shall not be open for public inspection under the Tennessee Public Records laws, include, but are not limited to, the following and any other information so defined by statute, T.C.A. § 10-7-504:
 - 1. **Employee Information.** The following records or information for any employee or former employee, or applicant to such position:
 - a. Home telephone and personal cell phone numbers;
 - b. Bank account information and individual health savings account, retirement account, and pension account information;

- c. Social Security number;
 - d. Residential information, including the street address, city, state, and zip code;
 - e. Driver's license information, except where driving or operating a vehicle is part of the employee's job description, job duties, or incidental to the performance of his/her job;
 - f. The information listed in items a. – e. above concerning immediate family members, whether or not the immediate family member resides with the employee or household members;
 - g. Medical information, sick leave documentation, documentation relating to the Americans with Disabilities Act, as amended, or the Family Medical Leave Act, and Employee Assistance Program (EAP) files;
 - h. Emergency contact information;
 - i. Personal, nongovernment issued, email address;
 - j. Job performance evaluations. For purposes of this policy, "job performance evaluations" includes, but is not limited to, job performance evaluations completed by supervisors, communications concerning job performance evaluations, self-evaluations of job performance prepared by employees, job performance evaluation scores, drafts, notes, memoranda, and all other records relating to job performance evaluations.
2. Confidential Sponsored Research or Service. For the purposes of T.C.A. § 49-7-120, "sponsored research or service" means any research, analysis, or service conducted pursuant to grants or contracts between the University and a person or entity. Sponsored research or service records and materials that contain such things as proprietary information, trade secrets, or patentable materials received, generated, ascertained, or discovered during the course of research or service shall not be open for public inspection. The University will, however, make available upon request, the title of a sponsored research or service project, names of the researchers, and amounts and sources of funding for the projects.
3. Audit Working Papers. Records of an audit may include paper documents and/or electronic documents. Working papers are prepared from the time auditors first launch their assignments until they write the final reports. The working papers include, but are not limited to, the records of planning and

surveys, the audit program, the results of field work, auditee records, intra-agency and interagency communications, draft reports, schedules, notes, memoranda, and all other records relating to the audit or investigation.

4. Donor Records. In accordance with T.C.A. § 49-7-140, Confidentiality of Gift Records, records and information that concern gifts to the University or the University Foundation that include name, address, telephone number, social security number, driver's license information, or any other personally identifiable information about the donor or members of the donor's family shall not be open for inspection. The University or the Foundation will, however, make available, upon request, an annual report of gifts with the amount of the gift and a general description of its use.
5. Pursuant to T.C.A. § 10-7-504(a)(11), records that are of historical research value that are donated or sold to the archives at the Albert Gore Research Center may be designated as confidential when the owner or donor of such records wishes to place restrictions on access to the records.

III. Procedures to Access Public Records

A. Generally.

1. Except for confidential records as prescribed by law, public records will be open for inspection by citizens of Tennessee in the office of record during business hours which shall be the business hours of the University's administrative offices.
2. Requests for inspection only may be made orally and cannot be required to be made in writing. Requests for copies, or requests for inspection and copies must be made in writing. The [Request to Inspect or Copy Public Records form](#) may be used, but a written request in any form or format will be acceptable. Requests may be made to the Public Records Request Coordinator, 209 Cope Administration Building, MTSU, 1301 East Main Street, Murfreesboro, Tennessee 37132, or publicrecords@mtsu.edu.
3. Persons requesting to inspect or copy records must show identification of Tennessee citizenship with a government-issued photo identification card including the person's address (i.e., driver's license, voter's registration, etc.).

B. Public Record Request Coordinator

1. The Public Record Request Coordinator or designee shall review public record requests and make an initial determination of the following:
 - a. if the requestor provided evidence of Tennessee citizenship;

- b. if the records requested are described with sufficient specificity to identify them; and
 - c. if MTSU is the custodian of the records.
2. The Coordinator shall acknowledge receipt of the request and take any of the following appropriate action(s):
- a. Advise the requestor of this policy and the determinations made regarding:
 - (1) proof of Tennessee citizenship;
 - (2) form(s) required for copies;
 - (3) fees and charges, including labor and programming costs;
 - (4) aggregation of multiple or frequent requests.
 - b. If appropriate, deny the request in writing using the [Public Records Request Response](#) which shall indicate the basis for the denial such as:
 - (1) the requestor is not, or has not presented evidence of being, a Tennessee citizen;
 - (2) the request lacks specificity;
 - (3) an exemption makes the record not subject to disclosure;
 - (4) the University is not the custodian of the requested records;
 - (5) the records do not exist.
 - c. If appropriate, contact the requestor to see if the request can be narrowed.
 - d. Forward the records request to the appropriate records custodian.
 - e. If the Coordinator knows that the requested records are in the custody of a different governmental entity, advise the requestor of the correct governmental entity and the Coordinator for that entity, if known.

3. The Coordinator shall annually report to the Board concerning the institution's compliance with the Tennessee Public Records Act and make recommendations, if any, for revisions to this policy.
- C. The University is not required to sort through files to compile information or create records or recreate records that do not exist, or compile information.
- D. Form or Format of Record to be Inspected/Copied. The public records laws require that actual records be produced or used for viewing and/or copying. The nature of certain records and applicable confidentiality requirements, however, may result in providing the requested record/information in a form or format other than the original records form or format. In such cases, the Records Custodian may coordinate with the requestor to find an alternate form or means of providing access to the same desired record or information as available under the open records laws.
- E. Redaction
1. With the exception of records which are confidential in their entirety (for example, student education records protected by FERPA) if a record contains confidential information or information that is not open for public inspection, the records custodian shall prepare a redacted copy prior to providing the records for inspection, or copies of the records.
 2. Whenever a redacted record is provided, the records custodian should provide the requestor with the basis for redaction. The basis given shall be general in nature and not disclose confidential information.
- F. Inspection of records. If the request is to inspect records, the Records Custodian will arrange a location for the requestor to do so and may, under reasonable circumstances, require an appointment for inspection. Inspection must be made in the presence of the Records Custodian. Custody of the original record is not to be relinquished.
- G. Time Required to Produce Records. The records custodian shall promptly make the requested public records available. If the record cannot be produced within seven (7) business days (e.g., time is needed to determine if the records exist; additional time is needed to search for, retrieve, or otherwise gain access to records; or it will take additional time to redact confidential information from the record), the requestor shall be advised when the record(s) will be available. All efforts will be made to provide the records within a reasonable period of time. A [Public Records Request Response](#) must be provided. If the request will be denied, a [Public Records Request Response](#) must be sent within seven (7) business days.

- H. Other Offices to be Notified. The Office of News and Media Relations should be notified when records are requested to be inspected/copied that may be deemed sensitive. This office may be required to assist in answering questions, coordinating release of any additional information, and ensuring correct understanding of the records. Further, these offices will be provided copies of inspected and/or copied records upon request or whenever the Records Custodian believes the circumstances warrant.
- I. Inspection of Employee Records.
 - 1. Personnel records of all faculty and staff, including former employees, are subject to inspection/copying under Tennessee's Public Records Law, unless designated as confidential by statute. Persons requesting to inspect/copy personnel records are requested to complete the [Request to Inspect or Copy Public Records form](#) and must show identification of Tennessee citizenship through a government-issued photo identification card. All confidential information must be redacted before inspection/copying. The current employee will be notified that such a request was made and who made the request.
 - 2. Medical records are maintained separately from personnel records and are considered to be confidential. Examples of medical records include, but are not limited to, sick leave documentation and employee assistance program (EAP) files.
- J. Question if Document is Open Record. If it cannot be readily determined whether or not the Tennessee Public Records Law covers a requested document, the Records Custodian shall refer the matter to the Office of the University Counsel.
- K. University Departments. This procedure shall not apply to University departments that request to inspect and/or receive copies of records for University business purposes or records of employees who report to that department. Notwithstanding, however, the Records Custodian may require the requesting department to certify the business purpose of the request.

IV. Copying of Public Records

- A. The Records Custodian will make copies or arrange for copies to be made as well as determine copy fees and charges, as stated below, in the most economic and efficient manner practicable. An itemized estimate of the charges to be assessed for copies and labor should be provided to the requestor using the [Request to Inspect or Copy Public Records form](#) prior to producing the requested copies. Payment of fees and charges are to be made in advance at the Cashier's Window in the Student Services and Admissions Center and the requestor shall present

the receipt to the Records Custodian. Payment will be credited to the Record Custodian's account or the account of the department responsible for preparing the records. A requestor will not be allowed to make copies of records with personal equipment.

B. Copy Format

1. Notwithstanding the form of the records, reproduction or copying of records shall be made in a form as best determined by the Records Custodian.
 2. Electronic data and documents should be copied in a printed format whenever possible. An actual reproduction of the computer tape, etc. should not be provided.
 3. No records shall be produced or copied in a form to further a commercial, business, or similar purpose - for example, mailing labels, envelopes, lists of telephone numbers, special format on computer disk, etc.
 4. If the requested records exist electronically, but not in the format requested; or a new or modified computer program or application is necessary to put the records in a readable and reproducible format; or it is necessary to access backup files, the Records Custodian shall charge the requestor the actual costs incurred in producing the records in the format requested, or in creating or modifying a computer program or application necessary to put the records in a readable and reproducible format, or in accessing backup files.
 5. Records should be produced electronically whenever feasible as a means of utilizing the most cost effective method of producing records.
 6. If electronic records are provided, they will be produced in read-only format.
- C. If a records custodian reasonably determines that production of records should be segmented because the records request is for a large volume of records, or additional time is necessary to prepare the records for access, the records custodian shall notify the requestor by using the [Public Records Request Response form](#) that production of the records will be in segments and that a records production schedule will be provided as expeditiously as practicable.
- D. If a records custodian discovers records responsive to a records request were omitted, the requestor should be contacted concerning the omission and the records produced as quickly as possible.
- E. Copies will be available for pickup at a location specified by the records custodian. At the requestor's request, and upon payment of postage, copies will be mailed to the requestor via USPS First-Class mail.

F. Fees and Charges.

1. No fees or charges may be imposed for inspection of records, even if copies of records were required to be made to allow for redaction of confidential information.
2. An itemized estimate of the fees and charges should be provided to the requestor. Payment of this amount must occur prior to copies being made. Payment in full of the actual costs must be made prior to release of the requested copies. Both the estimated charges and the actual charges may be included on the [Request to Inspect or Copy Public Records form](#).
3. Fees.
 - a. \$0.15 per page for letter- or legal-size black and white copies.
 - b. \$0.50 per page for letter- or legal-size color copies.
 - c. The price per copy for larger documents (such as blueprints and other specialized documents) is the actual cost.
 - d. Documentation establishing the amount of the actual cost should be maintained.
 - e. If producing copies utilizing the front and back of a single piece of paper, a charge for two separate pages may be imposed for each single piece of paper.
 - f. If a record is maintained in color but can be produced in black and white, the requestor shall be given the option of receiving black and white or color copies.
 - g. If the determined format of the copy is other than paper photocopy, the requestor shall be charged a reasonable fee. Under special circumstances and depending on how best to reproduce/copy the records, the Records Custodian, with the approval of the Office of the University Counsel, may negotiate with the requestor the fee to be paid. Documentation establishing the basis of the fee should be maintained.
 - h. Actual out-of-pocket costs for flash drives or similar storage devices on which electronic copies are provided may be charged. If a record is produced in electronic form, a per page fee is allowed to be charged if the custodian was required to print or produce a paper version of the record in order to create the electronic copy; for example, if a paper copy is printed in order to redact information.

- i. Any actual delivery costs incurred by the University, such as postal fees, will be added to the final bill for records.

4. Labor Charges.

- a. A records custodian shall utilize the most cost efficient method of producing requested records. Accordingly, the records custodian should strive to utilize employees at the lowest practicable hourly wage to fulfill the records request.
 - b. Labor is the time (in hours) reasonably necessary to produce requested records and includes the time spent locating, retrieving, reviewing, redacting, and reproducing the records. Labor also includes the time reasonably necessary to extract information requested from a database.
- F. The labor threshold is the first hour of labor reasonably necessary to produce requested records. The cost of labor exceeding the labor threshold will be charged to the requestor.
- G. Labor charges must be paid by the requestor to obtain copies of the records. A receipt upon payment of the fees and charges will be provided.
- H. In calculating the labor charge, the Records Custodian shall determine the number of hours each employee spent producing a request. The hourly wage of an employee is based upon the base salary and does not include benefits. If an employee is not paid on an hourly basis, the hourly wage shall be determined by dividing the employee's annual salary by the required hours to be work per year.
- I. The records custodian should determine the total amount of labor for each employee and subtract the labor threshold from the highest paid employee spent producing the request. The records custodian should then multiply the amount of labor for each employee by each employee's hourly wage to calculate the total amount of labor charges associated with the request. The form to record and calculate the labor cost is located at [Calculation of Labor Costs](#). This form is used to tally these charges, and the totals are provided to the requestor on the [Request to Inspect or Copy Public Records form](#).
- J. If the requested records exist electronically, but not in the format requested, or a new or modified computer program or application is necessary to put the records in a readable and reproducible format, or it is necessary to access back up files, the requesting party shall be charged the actual costs incurred in producing the records in the format requested or in creating or modifying a computer program or application necessary to put the records in a readable and reproducible format or in accessing back up files.

- K. If the total amount of fees, labor/programming charges, and postage is less than \$5.00, the cost will be waived.

V. Aggregation of Frequent and Multiple Requests

- A. MTSU will aggregate record requests in accordance with the Frequent and Multiple Request Policy promulgated by the Office of Open Records Counsel when more than four (4) requests are received within a calendar month either from a single individual or a group of individuals deemed working in concert.
- B. The level at which records requests will be aggregated is by office.
- C. The Coordinator is responsible for making the determination that a group of individuals are working in concert. The Coordinator or records custodian must inform the individuals of this determination and that they have the right to appeal the decision to the Office of Open Records Counsel.

VI. Documentation of Records Requests.

The Records Custodian should maintain the following documentation regarding the request to include, as appropriate:

- A. The [Request to Inspect or Copy Public Records form](#), or other documentation used to request copies of records.
- B. Labor Cost form(s) and any documentation necessary to substantiate the charges.
- C. Copies of receipts for payment of fees and charges.
- D. Correspondence with the requestor.

Forms:

[Request to Inspect or Copy Public Records](#)

[Public Records Request Response](#)

[Calculation of Labor Cost](#)

Revisions: none.

References: T.C.A. § 10-7-503; § 10-7-504; Family Educational Rights and Privacy Act (FERPA); § 49-7-120; § 49-7-140 Confidentiality of Gift Records; Policy 500 Access to Education Records.

605 Reports of Expenditures by the President

Approved by Board of Trustees

Effective Date:

Responsible Division:

Responsible Office:

Responsible Officer:

I. Purpose

This policy is established to comply with T.C.A. § 49-14-104, which requires a policy establishing at least annual reporting of discretionary expenditures made by, at the direction of, or for the benefit of the president and T.C.A. § 49-7-3001, which requires an annual internal financial audit of the office of the President.

II. Definitions

Discretionary Expenditures. T.C.A. § 49-14-104 states that it is the legislative intent that the policy require the report of discretionary expenditures, which shall include, but not be limited to, those made from unrestricted gifts, foundation funds, athletic funds, sponsorship fees, licenses and royalty funds, and other such funds that would not be included in the operating budget for the president's office.

III. Expenditure Exceptions

The President shall not have the authority to grant himself/herself exceptions to fiscal, spending, or travel policies established by the Board or by statute.

IV. Reports of Expenditures

- A. The President shall provide a quarterly report of the expenditures made by, at the direction of, or for the benefit of the President, in a format provided by Audit and Consulting Services.
- B. The report will include expenditures from any source of funds, including but not limited to, institutional funds, foundation funds, unrestricted gifts, athletic funds, sponsorship fees, licensing revenue, royalty funds, and any third-parties.
- C. The report will be submitted following the end of each quarter to Audit and Consulting Services.

- D. An annual report of expenditures made by, at the direction of, or for the benefit of the President will be presented to the Audit and Compliance Committee of the Board of Trustees (Board).

IV. Results of Internal Financial Audit

- A. The results of the annual internal financial audit of the office of the President will be reviewed by the Audit and Compliance Committee of the Board.
- B. The results of the annual internal financial audit of the office of the President will be provided to the Comptroller of the Treasury by December 1.

Forms: none.

Revisions: none.

References: T.C.A. § 49-7-3001; § 49-14-104.



606 Assignment of Motor Pool Vehicle to the President

Approved by Board of Trustees

Effective Date:

Responsible Division: Business and Finance

Responsible Office:

Responsible Officer:

I. Purpose

This policy establishes that Middle Tennessee State University (MTSU or University) Motor Pool vehicles may be assigned to the University President for his/her official use.

II. General

- A. At the time of employment, the President may elect to receive:
 - 1. Assignment of an institutional motor vehicle for his/her use; or
 - 2. A motor vehicle allowance.
- B. This election should be made at either:
 - 1. The time of employment, or
 - 2. As assigned motor vehicles are replaced.
 - a. This replacement should occur as needed based on the useful life of the vehicle and accumulated mileage.
 - b. In no circumstances should the replacement cycle be less than three (3) years.
- C. Once the President elects to take the motor vehicle allowance, he/she cannot change to an assigned vehicle.

III. Vehicle Assignment

- A. An appropriate motor vehicle is defined as a late model (no more than five [5] years old) four (4)-door passenger sedan. Operating and maintenance costs of the assigned Motor Pool vehicle shall be the responsibility of the President's office. In recognition that use of the assigned motor vehicle may include non-business use, the President is required to maintain appropriate types and amounts of insurance to cover any non-business use of the motor vehicle.
- B. To the degree that the Motor Pool vehicle assigned is used for non-business purposes, MTSU will report on the employee's W-2 Form the value of such personal use in the employee's income as compensation subject to withholding for federal income taxes and applicable FICA taxes. Additionally, these amounts shall be considered as compensation for employee benefit purposes.

IV. Vehicle Allowance

- A. The President shall receive a monthly cash allowance from MTSU should this option be selected. In recognition of this payment, the President shall be responsible for all expenses attendant to the:
 - 1. Purchase or lease (and replacement as needed) of a motor vehicle appropriately suited for the conduct of institutional business. An appropriate motor vehicle is defined as a late model (no more than five [5] years old) four (4)-door passenger vehicle.
 - 2. Operation, insurance, maintenance, and repair cost of said motor vehicle.
- B. The monthly automobile allowance amount shall be set in the President's employment agreement. The allowance consists of two components:
 - 1. A capital component based on the estimated monthly lease value of an appropriately suited motor vehicle; and,
 - 2. An operating component that applies a mileage rate that considers only the marginal operational cost of a vehicle and assumes 12,000 business miles are driven annually.
 - a. It is the responsibility of the Business and Finance area of MTSU to initially calculate and periodically update the monthly automobile allowance amount.

- b. The monthly automobile allowance will be reviewed and adjusted periodically in conjunction with future compensation studies for the President.

- C. The monthly automobile allowance, under Internal Revenue Service (IRS) Regulations, must be included in the compensation on the employee's W-2 Form and is subject to federal withholding and applicable FICA taxes. Additionally, automobile allowance payments are considered compensation for employee benefit purposes.

- D. The President is eligible to be reimbursed for business related mileage exceeding 12,000 miles annually. If requesting such reimbursement, the President must provide MTSU with a log that documents that the vehicle, for which the allowance is paid, has been used for 12,000 business related miles. The log submitted should comply with IRS guidance for documentation of business usage of a motor vehicle. Once this annual 12,000-mile threshold is achieved, the President may submit mileage reimbursement requests for any business related miles that exceed 12,000 miles. The reimbursement rate shall equal the current approved mileage rate, less the then current IRS standard mileage rate attributed to depreciation. Mileage reimbursement paid under this item is not considered compensation for income tax purposes and is not subject to federal withholding and applicable FICA taxes.

Forms: none.

Revisions: none.

References: IRS Regulations.

607 Expenditures for University-Owned Residence of the President

Approved by Board of Trustees

Effective Date:

Responsible Division: Business and Finance

Responsible Office:

Responsible Officer:

I. Purpose

This policy establishes the operational guidelines for expenditures on the Middle Tennessee State University (MTSU or University) owned residence furnished to the President.

II. Residence

The University furnishes to the President a residence in recognition of the role he/she must play in official entertainment and other official functions in this residence.

III. Expenditures

Expenditures are required to furnish, maintain, repair, renovate, and operate this residence. The following guidelines apply to expenditures on this residence by the University for the President:

- A. The University will pay all utility bills for the residence.
- B. The University will pay for necessary repairs and maintenance to keep the residence in an acceptable state of repair and operation.
- C. The University will finance any major renovations and expansions of the residence, subject to approval by the Board of Trustees.
- D. The University will purchase and replace furniture and furnishings used in public and/or official entertainment areas in the residence. Occupants will provide furniture used in private or family areas. Carpets or rugs and wall and window coverings will be purchased through normal University purchasing procedures and will be in a cost range in keeping with the quality of the residence and for long wear and service.

- E. Occupants will be expected to purchase any furniture or furnishings which are for their own personal convenience and may take them when they or their heirs leave the residency.
- F. The University will provide the necessary grounds keeping and custodial personnel to maintain the grounds and residence at an acceptable level of cleanliness and attractiveness along with required cleaning and grounds keeping supplies and equipment.
- G. Occupants are expected to use appropriate judgment and discretion in the expenditures of money for operation, maintenance, repairs, and furnishings.

Forms: none.

Revisions: none.

References: none.

**Middle Tennessee State University
Internal Audit Plan
Fiscal Year Ended June 30, 2018**

Rank	Type	Audit	Estimated Hours	Cumulative Hours	Estimated Completion Date
Brought forward	I	Projects in Progress at Year-end	1000	1000	Dec. 2017
Requested by Management	R	Cash Counts FY2017	75	1075	Aug. 2017
Requested by Management	R	Year-End Inventory FY2017	150	1225	Sept. 2017
Required by State	M	Risk Assessment	75	1300	Sept. 2017
Required by State Law	R	Audit of President's Office	200	1500	Sept. 2017
Required by NCAA	R	Football Attendance Fall 2017	250	1750	Feb. 2018
	F	State Audit Assistance/Follow-Up	50	1800	June 2018
Consulting	C	General Consultation	150	1950	June 2018
Follow-up	F	Follow-up, Prior Recommendations	100	2050	June 2018
Special Request	I	Unscheduled Investigations	500	2550	June 2018
Requested by Management	R	Cash Counts FY2018	75	2625	Aug. 2018
Requested by Management	R	Year-End Inventory FY2018	100	2725	Sept. 2018
	A	Risk-based audits to be scheduled	1500	4225	June 2018

Estimated Hours Available For Audits = 4,200 (4 audit staff)

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



Middle Tennessee State University

Board of Trustees

Tab 4



**Middle Tennessee State University
Board of Trustees**

MEETING:	June Quarterly Board Meeting
SUBJECT:	Approval of Finance and Personnel Committee Actions
DATE:	June 5, 2017
PRESENTER:	Committee Chair Joey Jacobs
ACTION REQUIRED:	Voice Vote
STAFF RECOMMENDATION:	Approval

BACKGROUND INFORMATION:

The Finance and Personnel Committee met in three regular sessions on April 24, May 9, and May 22, 2017, over the past five weeks.

The Committee approved a list of seventeen (17) proposed university policies for Board approval with a recommendation the remaining proposed policies be approved by the President.

Mr. Alan Thomas, Vice President for Business and Finance, provided the Committee first with an overview of the prior budget, a summary of the Governor's 2017-18 Budget, and the University's existing tuition and student fee rates. The following budget and tuition items were approved by the Committee:

- Estimated Budget for 2016-17
- Proposed Budget for 2017-18
- A 3.5% increase in in-state maintenance fees and out-of-state tuition for undergraduate and graduate courses for 2017-18
- Mandatory and Non-Mandatory Fees for 2017-18
- Housing Rates for 2017-18

Lastly, the Committee approved the following compensation items:

- Renewal of Dr. Sam Ingram's President Emeritus contract for 2017-18
- Salary increase for the University's Chief Audit Executive
- Revision in the University's current compensation plan
- A 3% Across-the-Board salary increase with a \$1,000 minimum payment for all regular employees, both full and part-time, on the payroll as of June 30, 2017. This increase is effective July 1, 2017.

REPORT FROM THE FINANCE AND PERSONNEL COMMITTEE

The Finance and Personnel Committee met in regular session on Monday, April 24, 2017, at Middle Tennessee State University. Chairman Joey Jacobs called the first meeting of this Committee to order at 1:30 p.m. (CDT). A quorum was present with the following Committee members in attendance: Joey Jacobs, J.B. Baker, Darrell Freeman, Tony Johnston, Pete Delay and Lindsey Weaver. Also present were Sidney A. McPhee, President; Alan Thomas, Vice President for Business and Finance; Bruce Petryshak, Vice President for Information Technology and Chief Information Officer; Andrew Oppmann, Vice President for Marketing and Communications; and, Heidi Zimmerman, University Counsel and Board Secretary.

Chairman Jacobs expressed his appreciation for being requested by Board Chairman, Steve Smith, to lead the Committee. He thanked the Trustees for their willingness to serve on the Committee.

The first item for discussion concerned dates for additional committee meetings: Tuesday, May 9, and Monday, May 22 with both meetings to begin at 1:30 p.m. (CDT). Mr. Thomas explained that information on topics will be provided at one meeting and then these issues will be placed on the subsequent meeting agenda to be voted upon. The Committee agreed with these meeting dates and times.

Chairman Jacobs recognized Dr. McPhee who expressed his appreciation to the Trustees for their willingness to serve on the Committee, acknowledging the significant work the Committee will perform. He also commended Mr. Thomas and his staff for the great work done in the Business and Finance division.

The only item on the agenda for action by the Committee concerned review of proposed institutional policies. Prior to the meeting, Committee members had been provided a list of policies indicating those recommended for approval by the Board of Trustees and those

recommended for approval by the President. Chairman Jacobs requested that Mr. Thomas provide explanations for the policies recommended for Board approval. Ms. Zimmerman briefly explained the policy review process and indicated that some of the policies are Tennessee Board of Regents policies that have been revised to be applicable to MTSU. During Mr. Thomas' explanations of these policies, questions were asked for clarification and examples were provided concerning how the policies would operate. Mr. Thomas then drew the Committee's attention to the proposed policies recommended for approval by the President. Trustee Freeman made the Motion that the list of sixteen (16) proposed policies be recommended to the Board for approval with the remaining proposed policies recommended to be approved by the President. See Attachments 1 and 2. The Motion was seconded by Trustee Delay. A voice vote was taken and the Motion carried.

Mr. Thomas presented information to the Committee on the following discussion matters:

- Budget Orientation and Review of 2017-2018 Governor's Budget
- Overview of Current Tuition and Fee Structure
- FOCUS Act Impact on Setting Fees
- Review of Indicated Student Revenue Increase

Trustee Baker requested a chart of salaries, wages and benefits from the past five (5) years, both as total dollar amount and as the percentage amount of the budget, be provided to the Committee members.

The meeting adjourned at 3:30 p.m. (CDT).

Respectfully Submitted,
Finance and Personnel Committee

Middle Tennessee State University
Finance and Personnel Committee
Policies Recommended for Board of Trustees Approval

A copy of the following policies is included in the attached meeting materials.

Policy No.	Policy Name	Purpose
40	Financial Exigency	This policy establishes the criteria and process regarding financial exigency at Middle Tennessee State University providing for emergency procedures, including reduction-in-force, should the University experience a condition of financial emergency or other situation.
100	Use of Campus Property and Facilities Scheduling	This policy provides a uniform basis upon which Middle Tennessee State University can regulate and facilitate the use of campus property and/or facilities. This policy is intended to operate consistent with MTSU's purpose and mission, through the implementation of reasonable content and viewpoint neutral regulations. This policy shall be implemented and construed so as to ensure no undue disruption of that mission; promote an educational atmosphere on campus; prevent commercial exploitation of students; preserve residential tranquility; and prevent use of campus property and/or facilities contrary to federal, state or local law or the rules and policies of MTSU.
101	Minors Participating in University Sponsored Programs or Programs Using University Facilities	This policy shall provide for appropriate supervision of minors who are involved in Middle Tennessee State University sponsored programs, programs held at MTSU and/or programs housed in MTSU facilities.
130	Foundations	The purpose of this policy is to assure that the relationship of the MTSU Foundation, Inc., (Foundation) to Middle Tennessee State University is clearly defined and is set forth in a formal, written manner that (1) defines the legal authority and operating control of the University with respect to the Foundation; (2) describes the relationship of the Foundation to the University and the extent of any liability arising out of that relationship; and (3) demonstrates that the fund-raising activities of the Foundation further the mission of the University.
135	Solicitation and Acceptance of Gifts	While the primary responsibility for soliciting and accepting gifts for Middle Tennessee State University lies with the MTSU Foundation, the MTSU Board of Trustees also has the power to receive donations of money, securities, and property from any source on behalf of the University. TCA §49-8-203(a)(2). The purpose of this policy is to establish responsibilities and procedures regarding the solicitation and acceptance of gifts to the University.
160	Naming Buildings and Facilities	The naming of buildings, grounds, organizational units and other identifiable physical features of institutions (facility/facilities) for individuals or groups who have made significant contributions to society is an honored tradition of higher education with the prerogative and privilege of naming facilities vested with the MTSU Board of Trustees.

Middle Tennessee State University
 Finance and Personnel Committee
 Policies Recommended for Board of Trustees Approval

A copy of the following policies is included in the attached meeting materials.

Policy No.	Policy Name	Purpose
610	Reporting and Resolution of Institutional Losses	The purpose of this policy is to establish the process for reporting and resolution of institutional losses at Middle Tennessee State University.
611	Financial Performance Review	It is the policy of Middle Tennessee State University to have a sound financial base that demonstrates financial stability sufficient to support the mission of the University over the long term. A sound financial base and a pattern of financial stability provide the foundation for accomplishing the University's mission, regardless of changing economic conditions. Financial and physical resources should be managed in a manner that permits the University to fulfill its mission long term.
612	Debt Management	Debt management policies provide written guidance about the amount and type of debt issued by governments, the issuance process, and the management of the debt portfolio. A properly developed debt management policy (1) identifies policy goals and demonstrates a commitment to long-term financial planning, (2) improves the quality of decisions; and (3) provides justification for the structure of debt issuance. Adherence to a debt management policy signals to rating agencies and the capital markets that the University is well-managed and should meet its obligations in a timely manner. Debt levels and their related annual costs are important long-term obligations that must be managed within available resources.
615	Budget Principles	As a public entity, Middle Tennessee State University is responsible for the prudent management of resources entrusted to its care by the citizens of Tennessee. Ensuring that budgets developed by the University and considered by the MTSU Board of Trustees are prepared in accordance with sound budget principles is fundamental to good stewardship of financial resources. The budget principles included in this policy are intended to respond to the expectations of various stakeholders relating to the generation and expenditure of funds. All University officials responsible for budgeting processes are directed to adhere not only to the specific requirements of this policy, but to also act within the spirit of this policy and in a manner that evidences forthrightness and engenders public trust.

Middle Tennessee State University
 Finance and Personnel Committee
 Policies Recommended for Board of Trustees Approval

A copy of the following policies is included in the attached meeting materials.

Policy No.	Policy Name	Purpose
616	Budgetary Accounting Controls	Middle Tennessee State University operates under the authority of a Board of Trustees and follows the fiscal policies and procedures set by that Board. Although the University receives its state appropriation as a direct item from the State Legislature, the Tennessee Board of Regents has authority over, and shall give final approval to, the operating budget for MTSU pursuant to TCA §49-8-203 (a)(1)(C). The University develops budgets for three types of funds: Current Unrestricted Funds, Current Restricted Funds, and Capital Funds.
617	Allocation of Maintenance Fees for University Athletics	The purpose of this policy is to establish the process and procedures for the allocation of maintenance fees for university athletics at Middle Tennessee State University.
630	Procurement and Contracts Policy	To ensure efficiency, fairness, transparency and maximum level of competition in the procurement of goods and services, and to establish the framework for contracts of the University.
641	Student Fees-Incidental Charges and Refunds	This policy outlines significant provisions for the administration of fees, fines, charges, and refunds at Middle Tennessee State University.
730	Campus Crisis and Emergency Management	Middle Tennessee State University considers emergency preparedness and planning activities essential for maintaining the safety and security of the campus and our community. The purpose of this policy is to ensure that the University develops and maintains plans and procedures utilizing emergency mitigation, preparedness, response and recovery criteria consistent with the National Incident Management System and the Tennessee Emergency Management Plan. These plans and procedures will help ensure that the University is able to respond appropriately in the case of emergencies or disasters which could occur within or around the University in order to mitigate risks to students, faculty, staff and property.
808	Compensation Reporting and Approvals	The goal of Middle Tennessee State University is to provide all employees compensation consistent with market data and satisfactory job performance. This goal is reflected within MTSU's budget and will be dependent upon budget availability.



40 Financial Exigency

Approved by Board of Trustees

Effective Date:

Responsible Division: Business and Finance

Responsible Office:

Responsible Officer:

I. Purpose

This policy establishes the criteria and process regarding financial exigency at Middle Tennessee State University (MTSU or University) providing for emergency procedures, including reduction-in-force, should the University experience a condition of financial exigency.

II. Definitions

- A. Financial Exigency. The formal declaration by the Middle Tennessee State University Board of Trustees (Board) that the University faces an imminent financial crisis, that there is a current or projected absence of sufficient funds (appropriated or non-appropriated) for the campus as a whole to maintain current programs and activities at a level sufficient to fulfill its educational goals and priorities, and that the budget can only be balanced by extraordinary means which include the termination of existing and continuing academic and non-academic appointments.
- B. Reduction-in-force. The termination of employment of faculty or staff resulting from a budgetary crisis reflected in a declared state of financial exigency.
- C. Academic or administrative unit. An academic department or other similar account-level unit.
- D. Faculty Senate. The major representative faculty body devoted to governance.
- E. Primary budgetary sub-unit. A major budgetary area of the University (e.g., Academic Affairs, Student Affairs, Business and Finance) headed by the Provost or a vice president reporting directly to the President.

III. Actions Required Prior to the Declaration of Financial Exigency

- A. Financial exigency results from an imminent fiscal crisis characterizing the entire University; thus, the condition of financial exigency may not be declared at an academic or administrative level.
- B. In light of the gravity of consequences resulting from a declaration of financial exigency, the process leading to a recommendation to the Board that financial exigency be declared must be cautious, fair, well informed, and as responsive as possible to the interests of various segments of the University.
 - 1. The responsibility for initiating the proposal for declaration of financial exigency resides with the President. Since recommending the declaration of financial exigency is an extreme measure, that responsibility requires the President to provide all appropriate assurances and documentation that available and reasonable procedures to reduce the expenditure levels of the University are exhausted and that no efforts have been spared to enhance revenues.
 - 2. Prior to proposing the declaration of financial exigency, the President shall share with the Faculty Senate and representatives of other University personnel constituencies all pertinent analysis and documentation that, in his/her opinion, demonstrate an imminent fiscal crisis for the entire University that would warrant a declaration of financial exigency. That analysis and documentation should be shared promptly and with sufficient notice to the Faculty Senate and representatives of other personnel constituencies. Opportunities should be provided for discussions with, and advice from, those bodies, along with providing answers to appropriate questions, and general deliberations befitting an educational institution.
 - 3. After discussion and review of any advice from the Faculty Senate and representative of other personnel constituencies, the President shall - if he/she remains convinced that conditions warrant a recommendation for declaration of financial exigency - present the recommendation with full documentation to the Board.
 - 4. The documentation presented to the Board shall include at least the following:
 - a. A description of the current fiscal condition of the University, including the projected amount of deficit that would result from failure to declare financial exigency.
 - b. A projection of the fiscal condition that would result, in the opinion of the President, from general types of action anticipated to be taken subsequent to a declaration of financial exigency.

- c. An analysis of the reason for the current imminent fiscal crisis characterizing the entire University, specifying with appropriate documentation those identifiable factors contributing to the crisis.
- d. A statement of assurance, with supporting evidence, that available and reasonable procedures to reduce expenditure levels of the University are exhausted, that further retrenchment within existing policies is not compatible with the objective of assuring maximum protection for the academic programs of the University and the educational needs of students, and that efforts to enhance revenues have been carried out in a responsible manner.
- e. A transmittal of any advice, alternatives, or information in writing by any University personnel constituencies and the Faculty Senate.

IV. Actions Required Subsequent to the Declaration of Financial Exigency

- A. Should the Board formally declare a state of financial exigency, the President shall, in a reasonable time and with appropriate documentation, initiate a proposed plan to allocate necessary funding reductions among the primary budgetary sub-units within the University.
- B. The following procedures shall be followed:
 - 1. The President shall convene the University's Financial Exigency Committee (Committee), which shall be comprised of the following: University Provost, Divisional Vice Presidents, Director of Athletics, Faculty Senate President, a staff representative, Assistant Vice President for Human Resources Services and University Counsel.
 - 2. The President's proposed plan for allocating necessary funding reductions to primary budgetary sub-units shall be reviewed by the Financial Exigency Committee.
 - a. The Committee shall review the amounts of proposed reductions, evaluate proposed reductions in the light of University priorities, and consider administrative organization and academic priorities.
 - b. It shall also consider the magnitude of proposed reductions in each primary budgetary sub-unit in light of factors prescribed by applicable state or federal laws regarding fair employment practices.
 - c. The Committee shall submit in writing within thirty days to the President its response to the President's plan, which shall include either an endorsement or a recommendation of alternatives.

- (1) The President shall consider any alternatives recommended by the Committee and - within thirty days - shall indicate to the Committee a final decision relative to the internal allocation of necessary funding reductions.
 - (2) This final plan should be communicated broadly to all personnel constituencies.
3. Heads of primary budgetary sub-units, with broad and clearly defined faculty and staff consultation, shall recommend to the President plans for effecting their designated budget reductions. Those recommendations from heads of primary budgetary sub-units shall include proposed reductions in programs or personnel, shall achieve the designated reductions, and shall respond to any inquiries the President or the Committee may direct.
 4. As a primary component of his/her review of plans submitted by heads of primary budgetary sub-units, the President shall - prior to accepting them - submit the plans for review by the Committee.
- C. The Committee will consider all plans submitted to the President by heads of primary budgetary sub-units.
1. While policies may include other principles, the Committee must consider at least the following general principles:
 - a. Retrenchment other than reduction-in-force should reflect as its major priority, maximum protection for the academic programs of the University and the educational needs of students.
 - b. When an academic or administrative unit undergoes reduction-in-force, the principal consideration in determining which persons to retain and which to terminate should be the maintenance of viable academic or support programs within that unit.
 - c. Personnel of affected academic or administrative units should have clearly defined advisory involvement relative to determining specific persons and minimal personnel needs or areas of specialization essential to a unit's viability.
 - d. To avoid the possibility of compromising the quality of highly productive programs within the institution and to recognize the best interests of continued academic excellence, reduction-in-force cannot normally be accomplished on a strictly across-the-board basis.
 - e. Affirmative action plans should be carefully considered in all personnel decisions.

- f. Unless an exception is made to maintain a viable academic or support program or for reasons of affirmative action, decisions as to the order of personnel terminations in academic or administrative units should be made in light of factors clearly defined in University policies.
 - g. Any financial exigency plan should specify clearly and in rank order, the role of defined factors in determining order of personnel terminations in academic or administrative units under conditions of financial exigency. Those factors shall include - but are not limited to - tenure status, rank, seniority within rank, local seniority within rank, length of service, performance evaluations.
2. The Committee shall submit in writing to the President its response to the plans for recommended reductions submitted by heads of primary budgetary sub-units.
 - a. That response shall include either an endorsement or a recommendation of alternatives.
 - b. After appropriate review of the Committee's response, the President shall indicate his/her acceptance, rejection, or amendments to reduction plans submitted by heads of primary budgetary sub-units.
 3. The President shall communicate his/her composite plan for reducing expenditures to the entire campus community.
 4. The President shall submit for approval by the Board his/her composite plan for effecting budgetary reductions as required by the fiscal condition of the University. That transmittal must include the written response by the Committee to both:
 - a. The President's plan for allocating necessary funding reductions to primary budgetary sub-units; and
 - b. Plans for the primary budgetary sub-units for effecting their designated budget reductions.

V. Procedures for Termination of Personnel under Conditions of Financial Exigency

- A. Following declaration by the Board that a condition of financial exigency exists, the President, having complied with those actions required subsequent to the declaration of financial exigency, is authorized to carry out those actions, including reduction-in-force.
- B. Reduction-in-force under this policy may include any personnel classification, including tenured faculty members or tenure-track faculty members prior to the end of their terms of appointment.

- C. The procedures for termination described in this policy are in force only during a period in which the Board has declared the University to be in a condition of financial exigency.
- D. An individual selected for termination shall receive prompt written notification from the President. That notification shall include the following:
 - 1. A statement of the basis on which the individual was selected for termination;
 - 2. An indication of the data or reasons supporting the choice if it is not a clearly defined factor such as rank or tenure status;
 - 3. The date the termination is effective;
 - 4. A copy of the declaration of financial exigency adopted by the Board; and
 - 5. Such other information as the President may deem appropriate.
- E. An individual who receives notice of termination may appeal the decision under the conditions indicated in this section.
- F. At the time of declaration of a state of financial exigency, the President shall appoint a Faculty Hearing Committee and a Staff Hearing Committee. The committees shall ensure prompt hearings that are thorough and fair but will not be judicial in nature. Strict rules of procedure (e.g. confrontation, cross-examination, and formal rules of evidence) will not be required.
- G. The following conditions constitute grounds for appeal by an individual of notice of termination:
 - 1. That established procedures or provisions of this policy were not followed, resulting in the termination.
 - 2. That appropriate criteria were not applied, including but not limited to, the allegation that his/her selection constituted a violation of the individual's academic freedom or was based on unfounded or arbitrary assumptions of fact.
- H. The Hearing Committees shall not review the decision concerning the declaration of financial exigency or the President's plan for the amount of reduction to be assumed by each primary budgetary sub-unit.
- I. A recommendation will be sent from the Faculty or Staff Hearing Committee to the President recommending that he/she uphold or reverse the action of termination, and the President will inform the appropriate Hearing Committee and the individual of his/her final decision.

- J. The final decision of the President may be appealed to the Board pursuant to **Policy 60 Appeals and Appearances before the Board**.

VI. Continuing Rights of Persons Terminated Under Conditions of Financial Exigency

- A. No vacancy caused by a termination under conditions of financial exigency shall be filled for a period of three years from the time of notice of termination without first offering the position to the person terminated (academic or non-academic), provided that the person terminated keeps the University informed of his/her current mailing address.
- B. If the person previously terminated is offered the position and accepts, he/she will be returned in the same rank (and tenure status, if applicable) as at the time of termination with any unfunded salary increases that occurred in the interim.

VII. Termination of Declaration of Financial Exigency

- A. If the financial health of the institution improves sufficiently, the President shall initiate a proposal for the termination of a declared state of financial exigency.
- B. Procedures established by this policy shall continue in effect during the period of a state of financial exigency.
- C. At the termination of a declared state, that action by the Board shall cause all policies, procedures, and bodies created in this policy for the sole purpose of making and implementing exigency decisions to cease to exist.

Forms: none.

Revisions: none.

References: Policy 60 Appeals and Appearances before the Board.



100 Use of Campus Property and Facilities Scheduling

Approved by Board of Trustees

Effective Date:

Responsible Division: Business and Finance

Responsible Office:

Responsible Officer:

I. Purpose

This policy provides a uniform basis upon which Middle Tennessee State University (MTSU or University) can regulate and facilitate the use of campus property and/or facilities. This policy is intended to operate consistent with MTSU's purpose and mission, through the implementation of reasonable content and viewpoint neutral regulations. This policy shall be implemented and construed so as to ensure no undue disruption of that mission; promote an educational atmosphere on campus; prevent commercial exploitation of students; preserve residential tranquility; and prevent use of campus property and/or facilities contrary to federal, state or local law or the rules and policies of MTSU.

In establishing this policy, MTSU recognizes the importance to the educational process and environment for persons affiliated with MTSU, including officially recognized student organizations and other groups, to have reasonable access to and use of MTSU's educational facilities to hear various views. Simultaneously, MTSU also makes clear that its campus property and facilities are not open public forums, but are instead intended solely for use consistent with the advancement and orderly administration of its educational mission for the benefit of its students, staff, and affiliated entities. As such, MTSU does not ordinarily make its buildings or other facilities available to outside individuals or outside groups. Exceptions may be made only if the proposed use is consistent with this policy and MTSU's mission.

II. Scope

This policy applies to proposed uses of property and/or facilities owned by and/or leased to MTSU for non-official reasons. The application procedures required by this policy do not apply to:

- A. Use of perimeter sidewalks adjoining public streets. A map depicting the perimeter sidewalks adjoining public streets is provided on the [Event Coordination Forms website](#).

These facilities may be used for lawful activities by all persons and/or entities provided that the flow of vehicular or pedestrian traffic is not impeded.

- B. Use of property and/or facilities by MTSU for official institutional, administrative and/or normal educational purposes, including University Academic Activities, Official University Events and other official MTSU functions (such as meetings, academic needs, conferences, events).
- C. Property that is not owned by or leased to MTSU. For instance, the Tennessee Miller Coliseum and the MTSU Foundation Reception House are not owned by MTSU or leased to MTSU and, thus, are not covered by this policy.
- D. Events that are mandated by MTSU pursuant to contract.

III. Definitions

For the purposes of this Policy, potential users and uses of University property fall into the following general categories, which are defined as follows:

- A. Affiliated Entities. An officially registered student, student group, or student organization.
- B. Affiliated Individuals. Persons officially connected with MTSU including students, faculty, and staff.
- C. Non-affiliated Entities. Any person, group, or organization that is not an "Affiliated Entity" or "Affiliated Individual."
- D. Non-affiliated Individual. Any person who is not an "Affiliated Individual."
- E. Non-University/External Events. Programs and activities organized by any Non-affiliated Entity or Individual.
- F. Student. A person who is currently registered for a credit course or courses, non-credit course or program at MTSU, including any such person during any period which follows the end of an academic period which the student has completed until the last day for registration for the next succeeding regular academic period.
- G. University Academic Activities. Activities directly related to the instructional mission of MTSU. Examples include MTSU academic credit bearing classes and courses related events resulting from academic course work.
- H. University Sponsored Events. Activities directly related to the life of the campus community beyond the classroom. Examples include athletics, recreation, student

programming activities, and academic camps/conferences/workshops. There are two sub-categories of such events.

1. **Official University Events:** Programs that are scheduled or sponsored by faculty, staff, administrative offices and departments that are planned primarily for members of the MTSU community. Affiliated Entities, Affiliated Individuals, Guests, Non-affiliated Entities, Non-affiliated Individuals, and Students may attend these programs.
 2. **Student Events:** Programs, activities, and services that are scheduled or sponsored by student clubs or organizations that are officially recognized by MTSU and planned primarily for members of the campus community. It is recognized that Affiliated Entities, Affiliated Individuals, Guests, Non-affiliated Entities, Non-affiliated Individuals, and Students may attend these programs.
- I. **University Related Events.** Match the same criteria as a University Sponsored Event, but also include a charge for registration and/or admission.
 - J. **University Co-sponsored Events.** Academic programs, conferences, and/or meetings involving two entities – a MTSU school, academic department, administrative unit, or student organization and an outside organization such as a professional association in which MTSU holds membership or maintains a relationship that directly benefits the MTSU community.

IV. Access to Campus

In carrying out its mission, MTSU desires to ensure that space is readily available for University activities and functions as well as the functions and activities of its Affiliated Entities and Individuals. In certain, more limited circumstances, MTSU also desires to allow Non-affiliated Entities and Individuals to use certain portions of its property and/or facilities.

- A. **Identification of property/facilities available for use:** A listing of all available MTSU properties and/or facilities, including a designation of entities and/or individuals eligible to request use of those properties and/or facilities, is provided on the [Event Coordination Forms website](#). This list also includes the type of events that are suitable for the property (i.e. concerts, athletic events, theatrical presentations, etc.) and any conditions required to obtain permission to use the properties and/or facilities. Any property/facility not specifically identified as available for use on the [Event Coordination Forms website](#) is specifically unavailable for use other than for normal administrative or educational purposes.

After consultation with the appropriate Responsible Office, the [MTSU Event Coordination Department](#) is authorized to make changes to this listing.

- B. Use of MTSU property and facilities: The use of MTSU property and facilities is limited by the type and location of the property and the status of the proposed user. Access generally reserved for University and Affiliated Individuals/Entities: The campus, facilities, and property of MTSU is restricted to use by MTSU, MTSU administration for official functions, Affiliated Individuals/Entities, and invited or sponsored guests of MTSU except as specifically provided by this policy or when part or all of MTSU campus, buildings, or facilities are open to the general public for a designated time and purpose.
1. Use of property by MTSU for MTSU functions: The application procedures required by this policy do not apply to use of property and/or facilities by MTSU for official institutional, administrative and/or normal educational purposes, including University Academic Activities, Official University Events and other official MTSU functions (such as meetings, academic needs, conferences, events). Depending on the type of event, the cost procedures set forth in Section VII may apply. When assigning space, MTSU functions shall take precedence and have priority over all other proposed uses. Although individuals or entities seeking to use space under this paragraph are not required to follow the formal application procedures set forth in this policy, the University entity responsible for scheduling of any particular space may implement certain scheduling procedures to ensure that the space is effectively reserved.
 2. Use of property by Affiliated Individuals/Entities:
 - a. Indoor space: Available indoor space may be reserved by affiliated individuals and entities pursuant to the procedures set forth herein. Reservations of space by Affiliated Entities/Individuals shall have priority over all uses by Non-affiliated Entities/Individuals.
 - b. Regular membership meetings: Affiliated Entities/Individuals may submit an application to use MTSU property and/or facilities for its regular membership meetings only if the meetings are limited to members of the organization. Affiliated Entities/Individuals also may request authorization for the repeated use of the particular campus facility or space to conduct such meetings subject to the provisions of Section IV E below.
 - c. Outdoor space: Except as set forth below, Affiliated Entities/Individuals may gather and use the outdoor University spaces designated as “standard” on the [Event Coordination Forms website](#) on a space available basis without submitting an application pursuant to this policy. Even if not required, Affiliated Entities/Individuals who wish to reserve space may do so pursuant to the procedures set forth herein.

Any use of “standard” space by an Affiliated Entity/Individual without an approved application may be terminated if:

- (1) The space has been reserved for use by another group;
- (2) The affiliated entity/individual violates any of the applicable General Conditions for Use of Property as set forth in Section VI, below;
- (3) The use causes a material and substantial disruption to the learning environment;
- (4) The use impedes pedestrian or vehicular traffic; or
- (5) The event involves 25 or more participants (including participants and audience).

Affiliated Entities/Individuals are required to submit an application pursuant to this policy for the following uses of outdoor space:

- (1) Large Events: Any use of outdoor space that will involve 25 or more participants (including expected participants and audience).
 - (2) An event where food will be served, provided, or distributed by the user;
 - (3) An event that will involve the use of particular equipment (e.g., tables, stages, etc.) or utilities (e.g., water, electricity, etc.);
 - (4) Events involving amplified sound.
- d. Activities involving non-members: Access to or use of campus facilities or property by Affiliated Entities and Individuals for an event other than a regular meeting of its membership that will either include an invited Non-affiliated guest speaker and/or be open to persons outside group membership will be considered a use by a Sponsored Non-affiliated Entity as set forth below.
- e. Repeated or Intermittent Events: Affiliated Entities/Individuals may request permission for the repeated or intermittent use of a particular campus facility or space to conduct regular meetings using campus property and/or facilities without requiring repeated application and approval for each occurrence of the event only if the meetings are limited to members of the organization. Approval for repeated or intermittent use of any facility or property pursuant to this policy may not exceed one semester in length and may only be renewed or repeated after review to determine that such use does not conflict with an institutional need, or another request for access/use of the facility/space by another eligible person/entity. For purposes of this paragraph, the summer term shall count as

one semester beginning on the first day of the May summer term and ending on the last day of the June/July summer term.

A listing of all facilities and/or property that are eligible for repeated or intermittent use is provided on the [Event Coordination Forms website](#).

3. Use of property by Sponsored Non-affiliated Individuals/Entities: Affiliated Entities/Individuals may, subject to the provisions below, sponsor Non-affiliated Individuals/Entities to use MTSU facilities or property. Uses by Sponsored Non-affiliated Entities shall take priority over uses by Non-sponsored, Non-affiliated Entities.
 - a. Sponsor's Responsibilities: In the event that a Non-affiliated Entity or Individual is permitted use of MTSU property and/or facilities, in conjunction with a University-affiliated group, the sponsoring individual/group will be held responsible for ensuring: (1) that the Non-affiliated Individual/Entity complies with the terms of this policy, other MTSU policies, and all local, state, and federal laws; (2) that any and all costs or fees associated with the event are paid; and (3) that in all advertising or reporting of the event or meeting, the name and/or mark of MTSU is used only to indicate location and in no way implies sponsorship or endorsement of the activity or the individual's/group's objectives or candidacy. In addition, the sponsor is responsible for all communication including reservation and event arrangements with the venue scheduling staff and must be present at and actively participate in the event.
 - b. Enforcement: Any violation of the above could result in canceling of any scheduled use and the right of the individual/group to schedule future use. In such cases the manager of each facility will be responsible for enforcing all facilities use policies, ensuring that an appropriate investigation takes place into any alleged violations, determining if a violation has occurred, and making a recommendation to the appropriate University official, as designated below:
 - (1) Vice President for Student Affairs – events sponsored by students and/or student organizations;
 - (2) Provost – events sponsored by faculty;
 - (3) Assistant Vice President for Human Resource Services – events sponsored by classified employees; or
 - (4) Appropriate division head – events sponsored by administrative employees.
 - c. Activities of Affiliated Entity/Individual that Involve Non-members: Access to or use of campus facilities and/or property by Affiliated Entities and Individuals for

an event other than a regular meeting of its membership that will either include an invited guest speaker and/or be open to persons outside group membership must be made through the procedures set forth in this policy and subject to the following provisions:

- (1) A separate application must be submitted for each event under this paragraph (i.e., no recurring events);
 - (2) The sponsoring individual or entity will be responsible for the conduct of both the non-affiliated speaker and non-affiliated guests at the event as well as compliance with all laws, MTSU policies and rules; and
 - (3) The application for such access or use of campus property and/or facilities must clearly set forth the identities of both the Affiliated Individual/Entity that is sponsoring/filing the application as well as the Non-affiliated Entity being sponsored.
4. Use of Property by Non-affiliated Entities/Individuals: MTSU has opened the property and/or facilities designated on the [Event Coordination Forms website](#) for application for use or access by a Non-affiliated Entity/Individual without sponsorship from an Affiliated Individual or Entity. As indicated on the [Event Coordination Forms website](#), the Student Union Commons is available for use by a Non-sponsored, Non-affiliated Entity without payment of a rental or lease fee. To facilitate adequate availability for other affiliated and non-affiliated users (including spontaneous student use), Non-sponsored/Non-affiliated users can reserve the Student Union Commons for no more than four hours in any calendar week without payment of a rental or lease fee.

All other facilities designated as available for Non-sponsored, Non-affiliated Entities on the [Event Coordination Forms website](#) are available to such entities only by rental or lease. Use by Non-sponsored, Non-affiliated Entities shall have the lowest priority. Non-sponsored/Non-affiliated users and entities can rent facilities up to four (4) times per semester.

- C. Facilities designated as restricted: Certain properties and/or facilities on MTSU's campus may be made available for use under this policy on a "restricted" basis when certain restrictions are necessary to protect the health, safety and welfare of the campus community and property. For instance, a science lab may be made available for an event by an MTSU science department, but due to the nature of the lab and its contents, may be inappropriate for use by an entity or individual without the necessary scientific training.
- D. Applicability of Rules and Regulations: All persons on the campus of MTSU shall be subject to all rules and regulations of MTSU that are applicable to the conduct of

students on campus and to all applicable federal and state laws and regulations. In addition, all persons who operate motor vehicles shall be subject to MTSU rules, regulations, policies and procedures on traffic and parking, which can be located on [MTSU Parking Services website](#) and [Policy 775 Traffic and Parking](#). MTSU shall have the right to terminate the use of campus property and/or facilities by any group, organization or individual which violates any provision of MTSU policy, local, state, or federal law or regulation.

- E. Access pursuant to T.C.A. § 8-50-1001: Access to and use of facilities consistent with the requirements of T.C.A. § 8-50-1001 is permitted. Meetings or gatherings conducted pursuant to this section are subject to the application procedure set forth in this policy for the sole purpose of ensuring that administrative, educational, and/or workplace functions are not interrupted.
- F. Identification: All persons on the campus of MTSU shall provide adequate identification to appropriate officials and security personnel of MTSU upon request. Personnel and students of MTSU who refuse to provide such identification may be subject to disciplinary action. Other persons who refuse to provide such identification shall be requested to leave the campus, and if they refuse, may be subject to lawful removal and prosecution.

V. Application and Permitting Process

Application for access to/use of MTSU properties and/or facilities where required shall be through the application process set forth below:

- A. Where to Make Request: Individuals and/or entities seeking to access/use MTSU property facilities shall complete an application. Applications may be obtained from and all completed applications shall be submitted to:

MTSU Event Coordination Department
 1403 East Main Street (Parking Services Building)
 Murfreesboro, TN 37132
 Website: <http://www.mtsu.edu/eventcoordination/index.php>
 Email: evtcoord@mtsu.edu
 Phone: 615-898-5002

The [Event Coordination Department](#) will route the application to the appropriate Responsible Office for the requested venue. A list of the Responsible Offices for all available MTSU properties and/or facilities is provided on the [Event Coordination Forms website](#).

In the event that a request to use space is made to the Responsible Office instead of Event Coordination, the Responsible Office shall immediately inform Event Coordination

of the request. The Responsible Office may proceed to process the request per the terms of this policy.

- B. Timeframe for Scheduling Requests: Generally, all applications for use of space must be submitted in writing at least 5 working days in advance of the proposed use. Notwithstanding the above, applications for the following uses of space must be submitted at least twenty (20) working days prior to the proposed use.
1. MTSU-funded speakers: To allow necessary time for approvals of space and funding, as well as to have checks prepared for payment of the speaker, all applications for events involving an outside speaker that involves the payment of a total fee and/or expenses to the speaker in excess of \$500 from MTSU funds.
 2. Large Events in Restricted Areas: Applicants requesting use of a space designated “restricted” on the [Event Coordination Forms website](#), to hold an event for more than 250 attendees.

If the applicant also wishes to obtain ancillary services from the University (e.g., equipment, tables, [food services](#), etc.), use [amplified sound](#), or serve [alcohol](#), appropriate requests should be included with the application. Any deadlines set forth in policies relating to the above must also be met.

A blank application form may be obtained from the [Event Coordination Department](#).

A Responsible Office may establish a scheduling calendar prohibiting reservations for a particular facility or group of facilities until a certain date. (For example, a Responsible Office may decline to accept reservations more than 90 days in advance of the event). Occasional special events of significant positive impact to the University may require consideration of an exception to the normal scheduling calendar. If a specific event of special importance to the University (i.e. keynote speaker, conference host proposal, etc.), requires approval in advance of the standard calendar for accepting normal reservations, the event sponsor must seek preliminary approval from their own Vice President/Provost. If preliminary approval is granted by their own Vice President/Provost, then the approving Vice President/Provost will bring the request forward to the entire Vice President/Provost group for final approval, assuming space is available.

- C. Disposition of Application: Within 72 hours after receiving any request for use of MTSU facilities or property, the Responsible Office shall notify the applicant that the application has been either:
1. Approved;
 2. Disapproved and the reasons for the disapproval;

3. Conditionally approved provided that the applicant fulfills specified conditions. Once the conditions have been fulfilled, a notice of final approval will be provided.

Notices of approval/disapproval will be made available at the Responsible Office and Event Coordination. It shall be the responsibility of the applicant to obtain notice of the approval/disapproval of any application submitted pursuant to this policy. As a courtesy, however, once a decision to approve/disapprove an application has been made, the Responsible Office will attempt to notify the applicant of the decision through the means indicated on the application.

A notice of approval shall state the time and location in which the activity is allowed. A notice of disapproval of the proposed use shall also state the grounds for disapproval.

- D. Written agreement required: In all cases where an application for access or use of MTSU properties or facilities is approved, such use will be subject to the execution of an appropriate written agreement regarding the conditions applicable to the approved access/use, which shall include, but not be limited to, the terms and conditions set forth in this policy.
- E. Considerations: Any denial of a request to access/use MTSU properties and/or facilities shall be based solely on factors related to reasonable regulations in light of MTSU's mission and the nature of the facility or property requested. Decisions to approve/disapprove any application shall be rendered in a content/viewpoint neutral manner. The Responsible Office shall consider and may deny an application based on the following criteria:
 1. The application was untimely;
 2. The property and/or facilities have been previously reserved by another group, organization or individual with equal or higher priority;
 3. The proposed use is in excess of the frequency of use limitations set forth herein;
 4. The applicant or sponsor of the activity has not provided accurate or complete information required on the application for registration;
 5. The applicant or sponsor of the activity has been found responsible for violation of MTSU policy during a previously registered use of campus property or facilities;
 6. The applicant has previously violated any conditions or assurances specified in a previous registration application;

7. The property and/or facility requested has not been designated as available for use for the time/date;
 8. The anticipated size or attendance for the event will exceed building/fire codes, established safety standards, and/or the attendance or other limitations for the facility or property requested;
 9. The activity conflicts with existing contractual obligations of MTSU;
 10. The activity presents a clear and present danger for physical harm, coercion, intimidation, or other invasion of lawful rights of MTSU's officials, faculty members, or students, the damage or destruction, or seizure and subversion, of MTSU's buildings, other property, or for other campus disorder of a violent or destructive nature. In determining the existence of a clear and present danger, the Responsible Office shall consider all relevant factors;
 11. A determination that the requested use would be contrary to local, state, or federal law, regulation, or the policies or regulations of MTSU.
- F. Appeal of Denial of Application: If an applicant is dissatisfied with the decision of the Responsible Office to deny his/her/its request for use of space, the applicant may appeal that decision to the President of the University or designee.
1. The appeal shall be in writing and shall be submitted to the Office of the University Council within 24 business hours after the issuance of the denial. If the written appeal is not received within 24 business hours, the Responsible Office's denial decision is final.
 2. The appealing applicant must explain why it is believed that denial was inappropriate under the standards set forth in this policy. The President or designee shall determine whether the application for use of space should have been granted pursuant to the criteria set forth in this policy.
 3. The applicant will be informed in writing of the outcome of the appeal within 24 business hours after receipt. If additional time is needed to resolve the appeal, the President or designee, shall inform the applicant of the need for the extension. The decision by the President or designee will be MTSU's final decision on the application.

VI. General Conditions for Use of Property or Facilities

The following conditions, which seek to preserve MTSU's mission and take into account the nature of its facilities or property, shall govern activities conducted pursuant to approved applications for access to or use of campus property and/or facilities. These conditions shall be

enforced uniformly to all uses of campus facilities and/or properties in a content and viewpoint neutral manner. MTSU shall have the right to terminate the use of campus facilities and/or property by any group, organization or individual which violates any provision of this policy, other MTSU policy, local, state, or federal law or regulation.

- A. At the conclusion of any use of facilities or property (including personal property), the property and facilities must be returned or relinquished to the University in the same condition as when they were provided. Any user of University facilities and property that fails to do so will be responsible for all expenses incurred by the University to remedy the condition of the University property and facilities.
- B. Events involving minors shall comply with [Policy 101 Minors Participating in University-Sponsored Programs or Programs Using University Facilities](#).
- C. Users of MTSU properties and/or facilities shall comply with the limitations as to the number of persons that may attend in accordance with appropriate building and fire codes and safety standards applicable to particular facility and/or property at issue. These limitations are specified for each property on the [Event Coordination Forms website](#).
- D. Users of MTSU properties and/or facilities shall comply with state and federal law and all MTSU regulations, policies, or rules for the conduct of assemblies, meetings and demonstrations.
- E. MTSU Student Events, as defined above, must comply with all guidelines set forth by [Policy 560 Student Organizations](#) and [Policy 540 Student Disciplinary Rules](#).
- F. Use of the requested facility and/or property shall be limited to the declared purpose in the application for use/access to campus facilities and/or property.
- G. MTSU may deny the use of its property and/or facilities to any applicant who has an outstanding debt to MTSU.
- H. Sound amplification equipment may be used only when prior approval has been requested and granted by the Responsible Office taking into account MTSU's mission and the nature of the facility and/or property requested, location, time of day, etc. A copy of MTSU's sound amplification guidelines can be obtained [here](#).
- I. Users of facilities and/or property and/or their sponsor(s) are responsible for all activities associated with the event.
- J. Users of facilities and/or property and/or their sponsor(s) are responsible for all fees and costs assessed by MTSU for the event as set forth in Section VII below (entitled "Fees and Costs").

- K. All groups, organizations and individuals, by applying for registration of an activity and by subsequent use after approval by MTSU, agree to indemnify MTSU and hold it harmless from any and all liabilities arising out of such use of the property and/or facilities of MTSU, including, but not limited to, personal injury, property damage, court costs and attorney's fees. In addition, in certain situations as set forth in Section VIII below (entitled "Insurance and Bonds") certain users may be required to provide additional bonds and insurance.
- L. All persons operating motor vehicles in conjunction with an approved use/access of campus facilities and/or property shall be subject to MTSU rules, regulations, policies and procedures regarding traffic and parking. The MTSU rules regulations and procedures can be obtained from the [Parking Services](#) and [Policy 775 Traffic and Parking](#).
- M. The hours in which facilities are generally available are listed on the [Event Coordination Forms website](#). Notwithstanding the hours set forth on the [Event Coordination Forms website](#), students, student organizations, and non-affiliated individuals/entities using the Student Union Commons as set forth in Section IV. B. 4. above, are not permitted to reserve space for use during University holidays, final exam weeks, and "Connection Point" dates.
- N. Events sponsored by registered student organizations and national Greek letter organizations may not conflict with official Connection Point activities commencing with the Friday before fall classes begin through September 5 of each year. All events that occur during this period must be approved by the Assistant Vice President for Student Affairs or his/her designee. Student organization events or meetings taking place on study days or during final examination periods will not be approved, unless they are academically related (i.e., study halls, presentations, recitals, etc.) and approved by the Assistant Vice President of Student Affairs or designee.
- O. Except as provided in Section IX G below (entitled "Camping"), access to, or use of, campus facilities and/or properties shall not be permitted overnight.
- P. All persons on MTSU's campus in conjunction with an approved application for use/access shall provide adequate identification upon request to appropriate officials and security personnel of MTSU. Persons or groups who refuse to provide such identification may be subject to immediate removal from campus and/or disciplinary action. In appropriate circumstances, such persons may become subject to arrest and/or prosecution.
- Q. Fronting is prohibited. Fronting is defined as permitting a non-University individual or organization to use University property and/or services under the guise that the activity is a University-Sponsored or University Co-Sponsored Event in order to avoid fees.

Fronting is prohibited by University policy. Anyone wanting to schedule MTSU property must follow the instructions and guidelines (as outlined by the [MTSU Event Coordination Department](#)) to request usage, follow the solicitation and fundraising guidelines and pay all fees as outlined by University policy.

- R. All persons shall be subject to all MTSU, Tennessee Department of Environment and Conservation and Environmental Protection Agency rules and regulations related to environmental protection, including illicit spills covered by MTSU's MS4 stormwater permit. Questions related to these rules and regulations can be directed to MTSU's environmental engineer in [Environmental Health and Safety Services](#).

VII. Fees and Costs

MTSU will assess certain fees or charges for specific costs and/or services provided to campus users (e.g., maintenance, janitorial, utilities, and/or security). These fees will be assessed as set forth below. All fees and costs shall be assessed to all similar uses on a content/viewpoint neutral basis.

In addition, for properties that are available for rent/lease, facility use fees will be established by the Facility/Venue Manager, in association with the appropriate Department Chairperson, Dean, or Director. The amount of facility use fees will be based on the type of space, the length of usage, and the competitive market rates for comparable square footage.

Notwithstanding any fee obligations designated below, the evening and weekend charge at the Foundation House shall apply to all users.

All fees and rates shall be presented for approval to the MTSU Vice President Council and will be reviewed and adjusted annually prior to the start of the fiscal year.

- A. Fee Definitions and Amounts: The following fees, which are defined below, may be assessed to users of MTSU property and/or facilities.
 1. Support Services Fees: Any cost that is incurred as a direct result of the event occupying the facility. These fees include but are not limited to Additional Set-Ups, Security, Custodial, Food Services, Building Attendant, Technical Attendant, and Production Services. The amounts of these fees (flat rates and/or hourly rates) are set forth on the [Event Coordination Forms website](#).
 2. Facility Use Fee: Is a room occupancy fee (i.e., rental or lease rate). The amount of these fees are set forth on the [Event Coordination Forms website](#).
 3. Administrative Fee: Is a fee for the University Event Coordinator's time spent processing/facilitating each request.

- B. Events subject to fee assessment: Not all events/activities occurring on MTSU property will be subject to a fee. Fees will be assessed in accordance with the following:

Event Type/Fee Required	Support Services	Facility Use	Administrative
University Academic Activities	Yes	No	No
Official University Events	Yes	No	No
Student Events	Yes	No	No
University Co-Sponsored	Yes	No	Yes
University Related	Yes	No	Yes
Non-University/External	Yes	Yes	Yes

Pursuant to [Policy 600 Approval of Agreements-Delegation of Authority](#) and [Policy 623 Lease Standards](#), a lease agreement will also be required for Non-University/External Events.

- C. Additional Services: In addition, users who require additional services shall use services provided by MTSU or its affiliates, unless written permission is granted in advance. Absent such written permission, outside services are absolutely prohibited. These services include, but are not limited to: Production Services, Custodial Services, Grounds Services, University Police, and Parking Services. The user will be required to execute a separate agreement applying to this use and shall pay the fees and costs associated with such services. A schedule of fees for certain commonly-used services is provided on the [Event Coordination Forms website](#).
- D. Security: Event security shall be provided in a manner consistent with the security staffing requirements of the University Police Department.
- E. Food Service: Food and Catering shall be permitted for all event type definitions and is subject to the provisions of [Policy 661 Purchasing of Meals and Refreshments for Both on and Off-Campus](#) and [Policy 662 Food Service Self Catered or Off-Campus Vendor](#).
- F. Payment of Fees: Unless stated otherwise on the [Event Coordination Forms website](#), the following shall apply to all fee payments under this policy.
1. University Sponsored, Related, and Co-sponsored events: The MTSU department/organization sponsoring the event/activity will accept responsibility for all applicable fees. A security deposit to ensure fiscal responsibility will be required by the facility manager utilizing these general guidelines.
 - a. Estimated support services charges under \$50 are due at receipt of confirmation to hold reservation and are non-refundable.

- b. Estimated support services charges under \$500 require a non-refundable reservation deposit of \$50 due at receipt of confirmation to hold reservation.
 - c. Estimated support services charges more than \$500 require a non-refundable reservation deposit of 10% of charges due at receipt of confirmation to hold reservation.
2. Non-University/External Events: A non-refundable 10% deposit is required at receipt of confirmation to hold the reservation. All User Fees and estimated Support Services Fees, and Administrative Fees must be paid prior to the beginning of the event.

VIII. Insurance and Bonds

Insurance may be waived for any non-University/external group using a campus facility if the use is for a meeting such as a conference, dinner, presentation, speaker, etc., lasting no longer than one day. MTSU reserves the right in its sole discretion to require insurance and/or a performance bond if it determines there may be a concern for personal or public health or safety. Factors used to determine the requirement of insurance and/or a performance bond include, but are not limited to, the nature and uses of particular facilities, the age of event participants, and the anticipated event size or attendance for any use of campus facilities and/or property. If insurance and/or a performance bond will be required, appropriate levels of coverage and minimum limits shall be enumerated pursuant to contract. Proof of compliance with this provision may be required in advance of an event. This provision shall be applied and enforced in a content/viewpoint neutral manner.

IX. Particular Uses

A. Distribution of Literature or Advertising Material

1. Any literature that is distributed or sold and any advertisement shall comply with all applicable local, state, and federal laws and regulations, as well as the rules and policies of MTSU;
2. No obscene literature or material, as defined by law, shall be distributed on any property owned or used by MTSU;
3. Campus property and/or facilities may not be used for the conduct of commercial activities (including distribution of commercial advertising material) except when engaged in a business relationship, pursuant to a contract, with MTSU and/or when a rental or lease agreement is in place specifically for such temporary purpose;
4. No literature, advertising material or other printed matter shall be distributed in the following locations:

- a. Classrooms, library, or other academic building or facilities;
- b. Administrative and employee offices and work areas;
- c. Student residence halls, dormitories, or apartment buildings;
- d. By placing it on vehicles parked on the MTSU campus; or
- e. By affixing it to utility poles, trees, walls, buildings, sidewalks, streets, or other objects on campus.

This shall not restrict a faculty member from distributing within the classroom non-commercial material related to the particular course or subject matter.

5. Upon approval of an application to use MTSU property and/or facilities, MTSU will permit the sale or distribution of literature, non-commercial solicitations, or advertising in designated locations within the lobbies or other general use areas of the above-noted buildings or other campus facilities designated for placement of literature for distribution or sale.
6. MTSU shall have the right to terminate the distribution or sale of literature by any group, organization or individual that violates the provisions of this policy.
7. Nothing in this section should be construed to limit the rights of access to state employees set forth in T.C.A. CODE ANN. § 8-50-1001.

B. Solicitations

Unless otherwise provided, solicitation for the purpose of entering or consummating a commercial transaction on any property owned or used by MTSU is prohibited. Solicitation for other than a commercial purpose is prohibited unless expressly provided for by MTSU policy or approved by the President or designee.

1. General Requirements:

- a. MTSU may require any group, organization or individual to verify the use, application or disposition of funds solicited on campus property.
- b. Solicitations shall be permitted only in those areas designated for such activity by MTSU.

2. Permitted Activities: Subject to the application and approval process set forth above, the following solicitations are permitted on MTSU's property and/or facilities.

- a. Fundraising by Affiliated Individuals/Entities: Activities or events engaged in by Affiliated Entities/Individuals or by registered student organizations for the purpose of raising funds to meet expenses of the group, organization, or individual are permitted, provided that funds raised by such activities or events shall be used for the benefit of the group, individual, or organization, and no funds shall be distributed to the officers, members, or any individual for personal profit or use. Fundraising by students and student organizations shall also be subject to **Policy 540 Student Disciplinary Rules** and **Policy 560 Student Organizations**.
- b. Solicitation of Membership by Affiliated Individuals/Entities: Solicitation of dues and/or membership in an organization by affiliated groups or individuals or by registered student organizations. Solicitation by students and student organizations shall also be subject to the student rights and responsibilities handbook.
- c. Distribution of Literature by Non-affiliated Individual/Entity: Distributing literature by a non-affiliated group containing general information about their organization. Such distribution shall be in compliance with the provisions of Section IX A above (Distribution of Literature or Advertising Material).
- d. Sales and Solicitation by Non-affiliated Individual/Entity: MTSU property and/or facilities may not be used by any Non-affiliated Entity or Individual for the conduct of commercial solicitation, on-site sales, or other profit-making activities except when (1) a license or lease agreement exists; (2) the activity is conducted in accordance with any other valid contract or agreement with MTSU; (3) the commercial solicitation, on-site sales or other profit-making activity takes place pursuant to an agreement and (4) is sponsored by a registered student organization for the purpose of raising funds to support the organization's activities. No sales or solicitation will be approved under this policy if activity conflicts with any contractual obligations of MTSU.

Agreements between non-affiliated vendors sponsored by MTSU, or a registered student organization to engage in commercial solicitations, on-site sales, or other profit-making activities are subject to the following conditions:

- (1) No student organization will be permitted to sponsor the same non-affiliated vendor more than two days per month.
- (2) Requests from student organizations to sponsor a non-affiliated vendor must be approved by the Assistant Vice President for Student Affairs, or designee.

- (3) Permission to sponsor a non-affiliated vendor may be denied if the presence of such vendor would be disruptive, would interfere with any aspect of MTSU's operation, or would detract from the orderly and aesthetic appearance of the campus.
 - (4) All non-affiliated vendors sponsored by a student organization will be charged a per diem fee to be paid at the time the activity is registered. This fee will be assessed apart from any financial arrangement made between the sponsoring student organization and the non-affiliated vendor. Any fee associated with these activities is provided on the [Event Coordination Forms website](#).
 - (5) Non-affiliated vendors sponsored by MTSU or a student organization are strictly prohibited from engaging in conduct that is unduly intrusive in their interactions with students, staff, or faculty, or otherwise harasses, disturbs, or interferes with the rights of students, staff, and faculty to the use and enjoyment of institutional facilities or property.
 - (6) Non-affiliated vendors sponsored by student organizations may be required to show proof of compliance with all state and local laws and ordinances governing their activities.
- e. Solicitation of charitable funds shall be governed by the provisions [of Policy 170 Charitable Solicitations](#).

C. Advertising

1. No advertising signs, posters, or other material may be placed on any campus property or facility by any Non-affiliated Individual/Entity, except that MTSU may permit advertising on specifically designated bulletin boards, digital signage, and other designated locations on campus. Affiliated Entities/Individuals may place advertising materials on campus property but only in such places as are designated by MTSU.
2. MTSU may authorize the inclusion of advertisements in appropriate campus publications or on other campus property (i.e., scoreboards, busses, etc.) for a reasonable fee.
3. MTSU may permit limited advertising by groups, organizations or individuals when incidental to a donation of property or services to MTSU or pursuant to a contract with MTSU.

D. Bulletin Boards/Digital Signage

All postings of advertising or other material on utility poles, trees, walls, buildings, or other objects on campus is strictly prohibited. To facilitate posting of information and material where permitted, MTSU has installed certain bulletin boards designated as "Community Bulletin Boards" across campus that may be used by members of the campus community for postings unrelated to official MTSU business. All other bulletin boards are reserved for official MTSU business and are not available for postings by any other individual or entity. Designated digital signs in certain campus multiple-use locations may be available to post event announcements.

The specific rules applicable to a Community Bulletin Board will be conspicuously posted on each board and will control all postings on that board. Any posting that does not comply with the stated rules is subject to immediate removal without warning.

1. At a minimum, each Community Bulletin Board shall comply with the following:
 - a. Prominently display a sign above the board indicating that it is a "Community Bulletin Board."
 - b. 2017-3-3 Email to Campus Prominently display on a sheet of paper at least 8 ½" by 14" the Rules for Posting on the Community Bulletin Board, including, at a minimum, the following:
 - c. A listing of the specific individuals and/or entities that are permitted to post on that bulletin board;
 - d. Whether permission is required in advance of posting on that board and, if so, from whom;
 - e. Any limitations of the types of messages that may be posted on the board;
 - f. The maximum size of any message that may be posted on that board;
 - g. That no obscene material or material that violates state, federal or local law, or MTSU policy may be posted on the board;
 - h. A regularly scheduled date on which all material will be removed from the board. For instance, the individuals/offices authorizing the use of the board may wish to remove all material from the board on the first day each month or the day following Graduation, etc.
2. All individuals/offices requiring prior permission to use a Community Bulletin Board may deny a request on the basis of one or more of the following. The denial of the request shall be in writing and shall state the reason for the denial.

- a. The person or group is not authorized to use the board in question;
- b. The material is not the type authorized to be on the board in question or fails to meet any of the rules for posting on the board;
- c. The material is obscene or otherwise violates any federal or state law or regulation of MTSU; or
- d. There is insufficient space for the material on the board due to the previous posting of other materials.

The individual/office responsible for any bulletin board on campus, in conjunction with the MTSU Fire Marshal, shall confirm that the placement of the bulletin board complies with the local fire code.

3. Digital signage in certain campus locations is available to be used in conjunction with meetings/events. Specifics of digital signage use guidelines are located at www.mtsu.edu/digital-signs.
4. Nothing in this section should be construed to limit the rights for access to state employees set forth in T.C.A. § 8-50-1001.

E. Banners

Except as specified below, banners or other large printed material may not be placed or hung on any MTSU property or structure.

1. Keathley University Center: MTSU has made a limited amount of space on the patio rails and the columns at the Keathley University Center (“KUC”) available for Affiliated Entities and MTSU Departments to hang banners for limited purposes of advertising their events and/or promoting their organization. No other groups will be allowed to hang banners on MTSU’s property or facilities. The following restrictions shall apply to all banners displayed under this policy:
 - a. Banners may be displayed a maximum of two (2) consecutive weeks unless additional time is approved by the Dean of Students or designee.
 - b. Banners are limited to one per organization unless approved by the Dean of Students or designee.
 - c. Banners made for the KUC patio rails will be hung and taken down by MT Unions staff. Please drop off banners to the KUC Information Desk (located on the 2nd floor of the KUC) no later than the day before your reservation.

- d. Banners for SGA Elections and Homecoming must be displayed horizontally in front of the KUC and may not exceed 3' x 5' (feet). Check the SGA Election Packets for more information.
 - e. Banners made for the KUC columns must be professionally made and have metal grommets. A University account must be provided in order to get the banner hung. The organization/department will incur a cost from Facilities Services to hang and remove the banner. Banners to be hung on the columns must be turned into MT Unions staff no later than 5 business days prior to the first date of the reservation so that a work order can be placed with Facilities Services to provide the banner hanging service. Bungee cords are provided by MT Unions for the purpose of hanging banners. Banners that do not meet this criterion will not be hung. Please note: The banner hanging service provided by Facilities Services is weather dependent, so the banner may or may not be hung by the first day of the reservation. Banners must be no bigger than 12 ft. in width for the main column and 6 ft. for the side columns.
 - f. Banners hung at the KUC must be retrieved from the KUC Information Desk no later than five (5) business days following the removal date. MT Unions is NOT responsible for banners left after 5 days, and is not responsible for the loss or damage to any banner.
 - g. Banner space is available on a first come, first serve basis.
2. Greek Row: Subject to approval by the appropriate MTSU office, residents of the houses located on MTSU's Greek Row may hang appropriate exterior banners, posters, and signs (collectively "banners") that promote student organization or campus events. The dimensions of banners on the exterior of Greek Row houses may not exceed 8 feet by 6 feet. Houses that are leased from MTSU by Greek organizations must obtain approval from the Office of Fraternity and Sorority Life prior to hanging the banner. Houses that are occupied by individuals pursuant to a Housing License Agreement with the Office of Housing and Residential Life must obtain approval from this office prior to hanging the banner.

In evaluating a request for approval, the appropriate office shall confirm that the sign promotes student organization or campus events and that it is of a quality that does not detract from the appearance of Greek Row. In addition, the appropriate office can also determine if safety concerns require that Facilities Services hang and remove the sign. All charges for the hanging and removal of the sign shall be paid in advance by the applicant.

F. Speakers

Faculty and/or Affiliated Entities are authorized to extend invitations to uncompensated, unaffiliated guest speakers for regular class sessions and/or meetings, without prior application as set forth in this policy as long as the following conditions are met:

1. Attendance at the class session or meeting will be limited to members of the class or Affiliated Entity; and
2. No fee or compensation from state funds will be paid to the speaker.

G. Camping

Except in the circumstances provided below, all individuals or groups engaging in activities covered under this policy are prohibited from constructing or erecting any permanent or semi-permanent structure(s) on MTSU property and from erecting, maintaining, or occupying any temporary sleeping equipment, including but not limited to tents, sleeping bags, hammocks, and other non-permanent structures, sleeping quarters, or apparatus.

The above prohibitions shall not apply in the following circumstances:

1. Erecting, maintaining, and occupying temporary sleeping equipment between the hours of 7:00 a.m. and 11:00 p.m.;
2. Maintaining or occupying a motor vehicle or trailer equipped with living space and amenities found in a home, such as a recreational vehicle, camper van, motor home, or the like, provided that: (1) the vehicle or trailer is licensed for use and operation and a license plate demonstrating this fact is affixed to the vehicle; (2) the use of the vehicle or trailer has been approved in advance by either the Blue Raider Athletic Association, Tennessee Livestock Center, or the Tennessee Miller Coliseum (collectively the "approving entity") in a manner consistent with the existing policies of the approving entity and all required fees have been paid; and (3) the vehicle or trailer is parked in a space for such vehicles or trailers as designated by the approving entity;
3. Maintaining or occupying motor vehicles or trailers equipped with office space or living space and amenities found in a home, such as a recreational vehicle, camper van, motor home, or the like, on MTSU property that has been leased by MTSU to another entity or on property assigned to, and under the control of, a contractor of MTSU. Activities under this paragraph must specifically be permitted by contract and/or lease and be conducted in accordance with the terms of the contract or lease;

4. Participants in events being held in unsecured or open buildings or structures, including specifically the animal barns at the Tennessee Livestock Center and the Tennessee Miller Coliseum, may erect, maintain or occupy overnight sleeping equipment to stay overnight with belongings, including livestock, for purposes of protecting or securing said belongings. Participants shall notify the organizer of the event of their intent to remain on the premises overnight.

X. Notice of Policy

The MTSU Event Coordination Department and all Responsible Offices set forth in this policy shall maintain a copy of this policy for inspection by groups, organizations, and individuals interested in the use of campus property and/or facilities and shall provide a copy of such policy upon request.

Forms: none.

[Properties/Facilities Available for Use](#)

[User Fees](#)

[Sidewalks and Right of Ways](#)

Revisions: none.

References: Policy 101 Minors Participating in University-Sponsored Programs or Programs Using University Facilities; 170 Charitable Solicitations; 540 Student Disciplinary Rules; 560 Student Organizations; 600 Approval of Agreements-Delegation of Authority; 623 Lease Standards; 661 Purchasing of Meals and Refreshments for Both on and Off-Campus; 662 Food Service Self Catered or Off-Campus Vendor; 775 Traffic and Parking; T.C.A. § 8-50-1001.



101 Minors Participating in University-Sponsored Programs or Programs Using University Facilities

Approved by Board of Trustees

Effective Date:

Responsible Division: Business and Finance

Responsible Office:

Responsible Officer:

I. Purpose

This policy provides for appropriate supervision of minors who are involved in Middle Tennessee State University (MTSU or University) sponsored programs, programs held at MTSU and/or programs housed in MTSU facilities.

II. Scope

- A. This policy applies to programs involving minors offered by an academic or administrative unit of MTSU, or by non-MTSU individuals or groups using MTSU property or facilities subject to **Policy 100 Use of Campus Property and Facilities Scheduling**. Examples include, but are not limited to, athletic camps, academic camps, recreational camps, workshops, competitions, clinics and conferences.
- B. This policy does not apply to:
 - 1. Events where parents/guardians are expected to provide supervision of the minor children, or events where the minor is accompanied by his/her parent/guardian;
 - 2. Events designed primarily for students enrolled at MTSU;
 - 3. An event open to the general public that is not targeted toward minors (e.g., athletic events, plays, concerts);
 - 4. Orientation programs for prospective students, including prospective student-athletes. However, orientation programs involving overnight stays in residence halls must be registered/have entered into a use agreement with the Office of Housing and Residence Life;

5. Campus tours and visitation programs for prospective students, including prospective student-athletes. However, pre-enrollment visit programs for high school students housed overnight in residence halls must be registered/have entered into a use agreement with the Office of Housing and Residential Life;
 6. Events, such as field trips and athletic events, sponsored and supervised by a minor's school;
 7. Licensed daycare centers or pre-schools affiliated with MTSU; or,
 8. Single day events that begin and end between the hours of 8:00 AM and 4:30 PM. Nonetheless, requirements of **Policy 100 Use of Campus Property and Facilities Scheduling** may apply. Additionally, and particularly for events sponsored by MTSU, the sponsor should consider Section IV.A. and B. to be best practices and, as applicable to the specific event, is urged to implement those requirements. It should be noted that the mandatory reporting of assault or abuse as set out in Section IV.A.7. is applicable to all program staff.
- C. Notwithstanding its duration, events, programs or activities held at the Rec Center are subject to that facility's requirements, such as completion of releases of liability.
- D. The Office of Events Coordination retains the discretion to impose requirements in addition to those mandated by this policy as it deems reasonable based on the type of program.
- E. Requests for Exemption.
1. The sponsor of a program may submit a request for exemption from this policy or from any of the requirements and responsibilities set out in Section IV by filling out the Request for Exemption from Certain Requirements form.
 2. The sponsor must indicate which requirements or responsibilities the request concerns, the basis for the request, and information about what procedures will be substituted.
 3. The form should then be sent to the Office of the University Counsel. The University Counsel will forward the request, along with any additional information and/or recommendations, to the Vice Presidents and the Provost who will make the determination as to whether the request should be granted or denied.

III. Definitions

- A. Minor. A person under the age of eighteen (18) who is not enrolled in for-credit courses at MTSU. Students who are dually enrolled in MTSU for-credit courses while also enrolled in high school are not covered by this policy. As used in this policy, participant shall also refer to a minor.
- B. MTSU Property or Facilities. Property or facilities under the control of MTSU.
- C. Program. Programs, events or activities offered by academic or administrative units of MTSU, or by non-MTSU individuals or groups using MTSU property or facilities subject to [Policy 100 Use of Campus Property and Facilities Scheduling](#).
- D. Sponsor. The academic or administrative unit of MTSU which offers a program, or a non-university individual or entity that contracts with MTSU to provide a program using institutional property or facilities. The sponsor is responsible for ensuring compliance with this policy. The sponsor must designate at least one adult as the program director who will be the contact point for the program.
- E. Program Director. The individual designated by the sponsor who acts as the contact person with MTSU for the program.
- F. Authorized Adult. Individuals, age 18 and older, paid or unpaid, who interact with, supervise, chaperone, or otherwise oversee minors in program activities, using academic, recreational, and/or residential facilities. This includes, but is not limited to, faculty, staff, volunteers, graduate and undergraduate students, interns, employees of temporary employment agencies, and independent contractors. The authorized adults' roles may include positions as counselors, chaperones, coaches, instructors, etc. Collectively, authorized adults may also be referred to as program staff. Authorized adults are considered to be mandatory reporters of child abuse as defined by Tennessee law.
- G. Direct Contact. Responsibilities of authorized adults including, but not limited to, the care, supervision, guidance, teaching, coaching, or control of participants.
- H. One-on-One Contact. Personal, unsupervised interaction between any authorized adult and a minor without at least one other authorized adult or parent/guardian being present.

IV. Program Requirements and Responsibilities

- A. Applicable to all programs. The following requirements and responsibilities shall apply to all programs whether sponsored by MTSU or a non-MTSU individual or entity:
1. The sponsor, program director, program staff and participants are expected to abide by all federal and state laws, and all rules, regulations and policies of MTSU. Failure of an individual to do so may result in disciplinary action if the individual is an MTSU employee; and/or, removal from the program and the campus for non-compliance. MTSU reserves the right to terminate a program if, in its discretion, it is being run in an unsafe manner and/or is not complying with applicable laws, rules, regulations and policies.
 2. Sponsors, program directors and authorized adults must make all reasonable efforts to maintain a reasonably safe environment for minors participating in programs and activities covered by this policy, including removal of minors from dangerous or potentially dangerous situations, irrespective of any other limitation or requirement.
 3. A sponsor offering a program that involves minors shall provide adequate and appropriate care and supervision of participants associated with the program at all times. Some of the factors to consider in determining adequate supervision are the number and age of participants, the activity(ies) involved, type of housing, if applicable, and age and experience of the authorized adults.
 4. It is recommended that one-on-one contact between an authorized adult and a minor be avoided to the extent possible. If the program will include activities involving one-on-one contact, the sponsor must ensure that the parent/legal guardian is specifically made aware of this fact.
 5. Authorized adults involved in programs covered by this policy shall not:
 - a. Have any direct electronic contact of a personal nature with minors without another adult being included in the communication.
 - b. In the case of supervising minors overnight, to the extent practical, enter a minor's room, bathroom facility, or similar area without another authorized adult in attendance. In these circumstances, the adults should be of the same gender as the minor(s).

- c. Engage in abusive conduct of any kind toward, or in the presence of, a minor.
 - d. Strike, hit, administer corporal punishment to, or touch in an inappropriate or illegal manner, any minor.
 - e. Pick up minors or drop off minors at their homes, other than the driver's child(ren), except as specifically authorized in writing by the minor's parent/guardian and the program director.
 - f. Provide alcohol, tobacco, tobacco products (including e-cigarettes) or illegal drugs to any minor. Authorized adults shall not provide prescription drugs or any medication to any minor unless specifically authorized in writing by the parent/legal guardian as being required for the minor's care or the minor's emergency treatment.
 - g. Make sexual materials in any form available to minors or assist them in any way in gaining access to such materials.
6. If an allegation of inappropriate conduct has been made against an authorized adult involved in a program, he/she shall discontinue any further participation in the program until such allegation has been resolved to the satisfaction of the University.
 7. Reporting assault or abuse: Each authorized adult who will be participating in a program covered by this policy shall complete [annual mandatory training](#) on the conduct requirements of this policy, on protecting participants from abusive emotional and physical treatment, and on appropriate or required reporting of incidents of improper conduct to the proper authorities including, but not limited to, appropriate law enforcement authorities and the Tennessee Department of Children's Services.
 - a. Reporting allegations of assault or abuse. If a participant discloses any type of assault or abuse occurring at any time previously or during the program, or an authorized adult has reason to suspect that the participant has been subject to such assault or abuse, the authorized adult, as a mandatory reporter, must inform the program director immediately, unless the authorized adult believes the program director may be involved in the allegations of assault or abuse.
 - b. Together, the program director and the authorized adult must then call the Tennessee Department of Children's Services Child Abuse Hotline 1-877-237-

0004 if the situation requires an emergency response. If the program director is unavailable, is suspected to be involved in the allegations of assault or abuse, or if the program director or designee does not call 1-877-237-0004, the authorized adult should immediately call that number.

- c. If a situation presents immediate danger to a minor, University Police should be called as soon as possible, followed by a call to the Tennessee Department of Children's Child Abuse Hotline 1-877-237-0004.
 - d. If the report relates to a past event where there is no immediate threat to a minor (e.g., the report is based on a past event and the alleged abuser is not known to be currently in contact with minors), the program director or the authorized adult must provide written notification within 48 hours of filing the oral report to the Department of Children's Services at this site: <https://www.tn.gov/dcs/article/report-child-abuse>. In addition, the program director will immediately contact University Police if that has not already occurred.
 - e. The program director should notify the appropriate senior administrator, Office of the University Counsel, and Title IX Coordinator as soon as practical but this notification should not unreasonably delay the notification requirements outlined in the sections above.
8. The program director must provide the contact information for the MTSU University Police (615-898-2424) to each authorized adult.
 9. Whenever it is learned that a participant is a victim or perpetrator of a crime, University Police (615-898-2424) must be contacted as soon as possible.
 10. Appropriate safety measures approved by the Environmental Health and Safety Office as outlined in the [MTSU Employee Safety Handbook](#) must be followed.
 11. If MTSU residential facilities are being used, a list of all participants and all program staff must be maintained and a copy provided to the Office of Housing and Residence Life. The list shall include the participant's name, local room assignment, gender, age, address, and phone number(s) of parent/guardian, as well as emergency contact information.

12. If applicable, the program will be required to adopt and implement rules and regulations for proper supervision of minors in MTSU housing. The following must be included:

- a. Written permission signed by the parent/legal guardian for the minor to reside in MTSU housing.
 - b. A curfew time which is age-appropriate for the participants, but in no case shall it be later than midnight.
 - c. In-room visitation is restricted to participants of the same gender.
 - d. Separate accommodations for adults and minors are required other than the minors' parents or guardians.
 - e. Guests of participants (other than a parent/legal guardian and other same gender program participants) are restricted to visitation in the building lobby and/or floor lounges, and only during approved hours specified by the program.
 - f. The program must comply with all security measures and procedures specified by the MTSU Office of Housing and Residential Life and University Police.
- B. Applicable to only MTSU-sponsored programs. In addition to the requirements and responsibilities listed in IV.A. above, the following shall apply to programs sponsored by MTSU. It is suggested that non-MTSU sponsors consider complying with or implementing these requirements as a best practice:
1. A list of all participants and all program staff must be maintained by the sponsor and program director. The list shall include the participant's name, local room assignment (if applicable), gender, age, address, and phone number(s) of parent/guardian, as well as emergency contact information. The list of program staff shall include the individual's M number, if applicable, and contact information, and must be provided to the MTSU Office of Human Resource Services as specified in 11.f. below. The list shall be maintained by the sponsor for a period of one year following the conclusion of the program (maintaining copies in electronic format is permitted).

2. The [Agreement Regarding Participation in Event](#) form, which includes provisions regarding acknowledgement of risk, release of liability and hold harmless, medical release, permission to use university housing, and image consent must be completed and signed by the parent/legal guardian of each participant as part of the program registration process. Sponsor must obtain the executed form prior to a minor's participation in the program, and must maintain the document for a period of one year following the conclusion of the program (maintaining copies in electronic format is permitted). No such information gathered shall be disclosed, except as may be required by law.
3. The sponsor must establish a procedure for the notification of the minor's parent/guardian in case of an emergency, including medical or behavioral problems, natural disasters, or other significant program disruptions. Authorized adults with the program, as well as participants and their parents/guardians, must be advised of this procedure in writing prior to the participation of the minors in the program.
4. Participants' parents/guardians must be provided information detailing the manner in which the participant can be contacted during the program.

Parents/guardians must be provided with information related to storage of participants' medication and the administration of any such medicine.

- a. Personal epi pens and inhalers may be carried by the participant during activities.
 - b. If an issue arises related to the need for access to medications, the program director must consult with MTSU's Health Services and/or Disability Access Center to discuss the possibility of reasonable accommodations.
5. The sponsor must arrange for access to emergency medical services at all locations. Medical care appropriate for the nature of the program activities, expected attendance and other variables should be considered.
 6. Guidance from MTSU Health Services concerning communicable diseases must be followed.
 7. Rules and disciplinary measures applicable to the program must be developed and provided to the participants and their parents/guardians. Participants and program staff must abide by all MTSU policies and procedures and may be removed from the

- program for non-compliance with rules. The following must be included in program rules:
- a. The possession or use of alcohol, drugs, tobacco or tobacco products including e-cigarettes, fireworks, guns and other weapons is prohibited.
 - b. The parking of staff and participant vehicles must be in accordance with MTSU parking regulations.
 - c. Rules and procedures governing when and under what circumstances participants may leave MTSU property during the program.
 - d. No violence, including sexual misconduct or harassment, will be tolerated.
 - e. Hazing of any kind is prohibited. Bullying including verbal, physical, and cyber bullying is prohibited.
 - f. No theft of property, regardless of owner, will be tolerated.
 - g. Misuse of, or damage to, MTSU property is prohibited. Charges will be assessed against those participants who are responsible for damage to or misuse of MTSU property.
 - h. The inappropriate use of cameras, imaging, and digital devices is prohibited including use of such devices in showers, restrooms, or other areas where privacy is expected by participants.
8. An authorized adult must be accessible to participants at all times. The authorized adult must reside in the housing unit, if applicable. Additional authorized adults will be assigned to ensure appropriate levels of supervision are implemented. See Item 10. below.
 9. Require the program to provide authorized adults to provide on-site supervision throughout the duration of the program in accordance with the following:
 - a. The minimum ratio of authorized adults to participants should meet the following:

One authorized adult for every eight participants ages 4 and 5;

One authorized adult for every ten participants ages 6 to 14;

One authorized adult for every twenty-five participants ages 15 to 17.

- b. In addition to the requirements in Section IV.A.7. concerning reporting assault or abuse, training for authorized adults provided by the sponsor must include, at a minimum, information about responsibilities and expectations; applicable policies and procedures; appropriate crisis/emergency responses; safety and security precautions; and, confidentiality issues for the specific program or activity.
 - c. Responsibilities of the authorized adults must include, at a minimum, informing participants about safety and security procedures, MTSU rules, rules established by the program, and behavioral expectations. The program director is responsible for following and enforcing all rules and must be able to provide this information to participants and be able to respond to emergency(ies).
10. All authorized adults are required to have current background checks on record with MTSU at the time of hire and/or prior to beginning work with minors. The background checks shall be paid for by the sponsor. This background check must be reviewed and approved by the Office of Human Resource Services prior to being hired and/or working with minors. No individual with a criminal history relating to children or violence, including, but not limited to, child abuse, neglect or sex offenses may be an authorized adult.
- a. When there are high school students, including prospective athletes, participating in pre-enrollment visitation, the hosting MTSU student(s) will not be required to undergo a background check.
 - b. Newly hired MTSU employees are required to complete the MTSU background check process at the time of hire.
 - c. With the exception indicated in e. below, all other individuals must complete the background check process through MTSU's Office of Human Resource Services. This includes current MTSU employees who have not previously had a background check completed or do not have a current background check, as well as all other individuals, paid or unpaid. For the purposes of this policy, a current background check means a background check that is no more than four years old on the date it is submitted to Office of Human Resources Services for review.

- d. Authorized adults are required to notify the Office of Human Resources Services of an arrest (misdemeanor or felony) or conviction for an offense enumerated in the [MTSU Criminal History Attestation](#) within 72 hours of knowledge of the arrest or conviction. The MTSU Criminal History Attestation form provides the list of arrests and/or convictions that must be disclosed. This form must be used to provide the information in writing to the Assistant Vice President of Human Resources. This includes any arrests or convictions that occur between the date of disclosure for a MTSU-run background check and the date work begins.
 - e. Authorized adults employed by a K-12 educational system who have undergone the State of Tennessee's required background and fingerprint process will be deemed to be in compliance with these background check requirements. It is the responsibility of the sponsor to verify that such individuals have met the state's K-12 requirements for supervision, oversight and protection of minors.
 - f. A roster including the names of the sponsor and all program staff for a particular program must be provided to the Office of Human Resources Services which will confirm that background checks have been done as required by this policy.
11. A [Volunteer form](#) must also be completed and submitted to the Office of Human Resources Services when utilizing unpaid and/or non-MTSU employees as program staff. Use of MTSU employees as unpaid staff must be reviewed and approved by the Office of Human Resources Services prior to the start of the program.
12. The program director must provide satisfactory evidence of compliance with the requirement of this policy at least fourteen (14) days prior to the scheduled use of MTSU property or facilities.
- C. Applicable only to non-MTSU entities or individuals. In addition to the requirements and responsibilities listed in IV.A. above, the following requirements and responsibilities shall apply to programs sponsored by non-MTSU entities or individuals:
- 1. The sponsor must agree to indemnify MTSU and hold it harmless from any and all liabilities arising out of its use of institutional property and/or facilities, including, but not limited to, personal injury, property damage, court costs and attorney fees. Such indemnity agreement shall specifically include any and all claims brought against the University for any injury to the participants including, but not limited to, child abuse and child sexual abuse/molestation.

2. In addition to any other insurance required pursuant to [Policy 100 Use of Campus Property and Facilities Scheduling](#), sponsors shall obtain an appropriate amount of sexual abuse and molestation insurance, and must name MTSU as an additional insured. Proof of such coverage shall be provided to MTSU along with the certificate of insurance.
3. The program director must provide satisfactory evidence of compliance with all of the requirements of this policy at least fourteen (14) days prior to the scheduled use of MTSU property or facilities, as well as, sign an approved agreement for use of MTSU facilities, as may be required by [Policy 100 Use of Campus Property and Facilities Scheduling](#), if applicable.

V. Interpretation

- A. Requests to amend any forms required by this policy must be approved by the Office of the University Counsel prior to distribution or use.
- B. The President or designee has the final authority to interpret the terms of this policy, and to approve exceptions to the policy.

Forms:

[Annual Mandatory Training for Authorized Adults: Minors on Campus](#)
[Agreement Regarding Participation in Event](#)
[Arrest and Conviction Self-Disclosure Form](#)
[Volunteer Form](#)
[Requests for Exemption from Certain Requirements](#)

Revisions: none.

References: Policy 100 Use of Campus Property and Facilities Scheduling; MTSU Employee Safety Handbook.



130 Foundations

Approved by Board of Trustees

Effective Date:

Responsible Division: Business and Finance

Responsible Office:

Responsible Officer:

I. Purpose

This policy assures that the relationship of the MTSU Foundation, Inc., (Foundation) to Middle Tennessee State University (MTSU or University) is clearly defined and is set forth in a formal, written manner that:

- A. defines the legal authority and operating control of the University with respect to the Foundation;
- B. describes the relationship of the Foundation to the University and the extent of any liability arising out of that relationship; and
- C. demonstrates that the fund-raising activities of the Foundation further the mission of the University.

II. Definitions

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

III. The Foundation's Relationship to the University

- A. The Foundation is not an operational function of the University; it is a separate legal entity. The Foundation's identity must be maintained separate from the University.
- B. The Foundation's relationship to the University is based upon a shared interest in the University's development and success of the University's mission. Therefore, University

participation in and support of Foundation operations and activities are appropriate and desirable.

- C. The accountability of the Foundation and of the University as it relates to the Foundation is a concern common to the Foundation, the University, and the Board of Trustees (Board). The University should not promote, encourage or agree to use the Foundation in ways that are, or appear to be, abusive, inappropriate, or do not follow sound business practices.

IV. General Requirements

- A. The governance structure of the Foundation must be determined by the Foundation. To ensure an appropriate level of University participation in the Foundation governance, the University's President or designee, the Vice President for Business and Finance and the Vice President for University Advancement should hold an ex-officio, non-voting membership on the Foundation's governing body. In order to assure that the Foundation acts as a separate entity, a quorum of its governing body may not consist of a majority of members who are employed by the University.
- B. The University shall enter into a written agreement with the Foundation that documents their understanding of their relationship and describes their respective responsibilities.
- C. The Foundation shall adopt an annual budget. In order to assure that the Foundation's objectives are aligned with those of the University, the University shall advise the Foundation of its needs and priorities for the fiscal year in question.
- D. The Foundation shall develop policies and procedures concerning its operations, including, but not limited to, the following:
 1. Policies that address the solicitation and acceptance of contributions to the Foundation. The policies must incorporate sound business principles and safeguard compliance with donor intent and conditions. Such policies shall provide that, prior to acceptance of any gift to the Foundation that will require substantial University support such as staff, financial assistance, storage, on-going maintenance, etc., approval must be obtained from the President of the University
 2. Policies and procedures that address the management and investment of contributions to the Foundation, shall be subject to the requirements of the Uniform Prudent Management of Institutional Funds Act, T.C.A. §§35-10-201, et seq.
 3. Policies and procedures that address the Foundation's procurement and contracting activities.

- a. Such policies and procedures shall implement sound business practices and prudent use of Foundation funds, including encouragement of the use of competitive procurement of goods and services, when practicable.
 - b. Such policies and procedures must include a process for determining authority for authorizing contracts on behalf of the Foundation and for authorizing expenditure of Foundation funds. Authority for these functions cannot be delegated solely to an employee of the University.
4. Policies that, in accordance with T.C.A. § 49-7-107(c), establish and adopt a code of ethics that apply to and govern the conduct of all members of the Foundation's governing body shall require that members review and acknowledge the code of ethics annually.
5. Policies must identify who may release the Foundation's records upon receipt of a request.
- E. No University funds, excluding philanthropic contributions to the University, may be transferred directly or indirectly to the Foundation; provided, however, this shall not prohibit the University from providing in-kind services to the Foundation, such as office space and the use of support staff. It is understood that instances may occur where a donor inadvertently directs a contribution to the University which is intended for the Foundation. Procedures shall be established to clarify donor intent.
- F. The Foundation must respect Board and University authority over personnel administration. Foundation expenditures for compensation and other payments to or for the benefit of University personnel and reportable as income to the recipient, such as salary, expense accounts, automobiles, club or other organization memberships and dues, etc., must be approved in advance, annually, by the University President, unless the salaries funded by the Foundation are in accordance with University's compensation plan and included in the University's personnel budget. This provision does not apply to reimbursement of business expenses incurred by University employees or to non-taxable recognition awards given to University employees.
- G. The Foundation's governing body shall issue reports, at least annually, on the activities of the Foundation, which shall be submitted to the President of the University. An annual financial report shall be issued, prepared in accordance with generally accepted accounting principles, including all required note disclosures.
- H. In accordance with T.C.A. § 49-7-107(b), all annual reports, books of account and financial records of the Foundation shall be subject to audit by the Comptroller of the Treasury of the State of Tennessee. Records and accounts maintained by the Foundation shall be audited on the same cycle as the University audit performed by the Comptroller, or, with the prior approval of the Comptroller, an independent public

accountant may perform such an audit. The contract between the independent public accountant and the Foundation shall be approved in advance by the Board and the Comptroller and shall be on forms prescribed by the Comptroller. All annual reports, books of account and financial records of a Foundation shall be available for audit by the internal auditors of the University.

- I. Copies of the initial and amended Foundation charters and bylaws filed with the Secretary of State shall be maintained by the President of the University.
- J. The Board shall have the authority to grant exceptions to this policy when deemed appropriate and necessary. An exception must be requested and granted in writing.

Forms: none.

Revisions: none.

References: T.C.A. Title 35, Chapter 10, Part 2; T.C.A. § 49-7-107(c); T.C.A. § 49-7-107(b).



135 Solicitation and Acceptance of Gifts

Approved by Board of Trustees

Effective Date:

Responsible Division: Business and Finance

Responsible Office:

Responsible Officer:

I. Purpose

While the primary responsibility for soliciting and accepting gifts for Middle Tennessee State University (MTSU or University) lies with the MTSU Foundation, (Foundation) the MTSU Board of Trustees (Board) also has the power to receive donations of money, securities, and property from any source on behalf of the University. Tennessee Code Annotated (T.C.A.) § 49-8-203(a)(2). The purpose of this policy is to establish responsibilities and procedures regarding the solicitation and acceptance of gifts to the University.

The solicitation and acceptance of gifts is deemed an administrative responsibility and is delegated by the Board to the President who, as Chief Executive Officer of the University, is charged with the responsibility of establishing policies and procedures for institutional development and for promoting efforts to advance that development through private support. The need to generate private funds for the University is critical and the University's executive, athletic and academic leadership shall participate in these endeavors. Coordination of efforts to achieve that support is essential to ensure effectiveness.

The Foundation is the sole legal entity authorized by the State of Tennessee to accept gifts on behalf of the University, serve as the receiver of private support and is the primary fundraising entity for the University.

Within the authority granted by the President, the Vice President for University Advancement will serve as the executive officer responsible for the planning and coordination of all programs and activities designed to secure private sector support of the University, its colleges, units and programs. The Vice President for University Advancement will carry out this responsibility in cooperation with the Foundation Board of Trustees.

Procedures for the implementation of this policy are available in the Development and Foundation Office. Solicitations made by anyone for the benefit of MTSU or any affiliated or associated entity require approval through established channels. It is the expectation that

these policies and procedures will increase success in the attainment of substantial private funding for MTSU.

II. Policy

- A. The Board recognizes the vital importance of gifts to institutional development.
- B. Gifts of real and personal property from individuals and organizations often benefit the University by making possible the accomplishment of objectives for which support from other sources is limited or unavailable.
- C. Gifts also often represent a means by which the donor may contribute to an aspect of postsecondary education that is of particular interest to the donor.
- D. All activities related to the solicitation and acceptance of gifts shall be implemented in a manner which serves the mutual interests of the donors and the University.
- E. To this end, the University shall maintain policies and procedures which incorporate the following provisions.
 1. Solicitation of Gifts
 - a. The President shall designate the campus official(s) authorized to approve and conduct activities for the purpose of soliciting gifts to the University.
 - b. Criteria and procedures for soliciting gifts shall be established which clearly define appropriate activities and the campus approval process.
 - c. Solicitation of gifts which may require a commitment of institutional resources must be approved by the President.
 2. Acceptance of Gifts
 - a. The President is authorized to accept gifts on behalf of the University, subject to the following conditions:
 - (1) Only the Board may accept a gift if Board acceptance is a condition set by the donor.
 - (2) Only the Board may accept gifts of real property or any permanent interest in real property, and title must be conveyed to the University for the use and benefit of the University.

- (3) Any acquisition of real property by gift or devise which obligates the University or State of Tennessee to expend State of Tennessee funds for capital improvements or continuing operating expenditures shall be approved by the State Building Commission in accordance with T.C.A. § 4-15-102(d)(2) prior to acceptance by the Board. Any such Deed transferring title to the University shall not be recorded until the State Building Commission has approved the acceptance of the gift property.
 - (4) Gifts with conditions (e.g., gifts to support the initiation of a new academic program or capital improvement project); must be approved by the President prior to acceptance.
 - (5) Gifts of property subject to an indebtedness must be approved by the Board prior to acceptance.
 - (6) The cost of accepting or keeping a gift in accordance with donor restrictions should not cost more than the benefit of the gift.
- b. The President may delegate to a campus official or officials his/her authority to accept gifts on behalf of the University; however, the University must identify the specific types of gifts that may be accepted by the designated official(s).
 - c. Corporate stock given to the University may be sold through or in consultation with a registered security broker within 60 days of receipt by electronic transfer or by receipt of the stock certificate, and the sale may be executed by the President or a designated representative.
 - d. Appropriate procedures must be established for acknowledging acceptance of gifts and for ensuring compliance with conditions set by the donors and in compliance with IRS regulations.
3. Records and Reporting
 - a. Adequate records of all gifts shall be maintained by the University in accordance with accepted accounting procedures to allow a proper audit trail.
 - b. A summary of all gifts to the University during a fiscal year shall be included in the University's annual report to the Board.
 4. Foundations. For purposes of distinguishing institutional gifts and related procedures from those of gifts to the Foundation established pursuant to **Policy 130 Foundations**:

- a. The University may not accept gifts specifically intended for the Foundation, and only gifts specifically intended for the Foundation may be accepted by the Foundation.
- b. As part of a separate agreement outlining the relationship between the University and the Foundation, the Foundation shall serve as the repository and manager of gifts to the University, unless otherwise specified by the donor. Gifts held in this manner shall remain property of the University.
- c. In general, University resources may not be used to meet conditions of gifts to the Foundation; however, exceptions may be approved by the President in accordance with the provisions of this policy on acceptance of gifts.
- d. The University must maintain records of gifts to the University separate from those of gifts to the Foundation.
- e. The University shall report gifts to the Foundations in the summary of gifts during a fiscal year to be included in its annual report, as provided in this policy in under Records and Reporting.

Forms: none.

Revisions: none.

References: T.C.A. § 49-8-203(a)(2); § 4-15-102(d)(2) ; Policy 130 Foundations.



160 Naming of Facilities and Building Plaques

Approved by Board of Trustees

Effective Date:

Responsible Division: Business and Finance

Responsible Office:

Responsible Officer:

I. Purpose

This policy establishes the criteria and process for naming of buildings and facilities governed by the Middle Tennessee State University Board of Trustees (Board).

II. General Statement

The naming of buildings, grounds, organizational units and other identifiable physical features of institutions (facility/facilities) for individuals or groups who have made significant contributions to society is an honored tradition of higher education.

The prerogative and privilege of naming facilities are vested in the Board. Authority to name identifiable sub-units or components of facilities, however, is delegated to the University President (the President), subject to this policy and the criteria and process set forth therein.

Middle Tennessee State University (MTSU or University) will utilize the following guidelines for determining recommendations for naming all University other facilities. The guidelines also apply to organizational units which the University wishes to dedicate in the name of an individual or group.

Facilities designated by their general purpose or functions are not subject to this policy.

III. Process

The Building Naming Advisory Committee shall consider and make recommendations to the President for naming purposes. The committee shall consider all suggested naming which satisfies the criteria set forth herein. Any individual or group associated with the University may suggest a name for consideration by the committee.

The committee shall submit a report to the President, which includes a recommendation for the naming, documentation of all suggestions considered, and justification of its recommendation.

For namings that require Board approval, the President shall submit a recommendation, along with the committee's report and any additional supporting information deemed appropriate, to the Board.

No publicity shall be given to the recommendation for naming until the Board considers it.

For namings not subject to Board approval, the President shall determine and make known the naming in the manner deemed most appropriate.

IV. Criteria

- A. General - Individuals and groups for whom facilities are named must have made a significant contribution to the field of education, government, science, or human betterment. To preserve the integrity of all facilities, this honor must be reserved for individuals of recognized accomplishment and character; no facility may bear the name of an individual convicted of a felony.

With respect to the naming of facilities, special consideration shall be given to:

- 1. The historical significance of the contribution of the individual or group to the University.
- 2. The association of the individual or group with the facility to be named.
- 3. Any financial contribution of the individual or group to the University.
- 4. State, regional, national, or international recognition of the individual's or group's contributions and achievements.

- B. Naming in honor of an individual (no gift involved)

- 1. A proposed honoree shall have achieved distinction while serving the University in an academic, administrative, or support capacity or have contributed in exceptional ways to the betterment of the University, State of Tennessee, or education in general.
- 2. No current employee of the University, and no individual who has been an employee of the University within the previous three years, shall be proposed for a naming in his or her honor.

3. An external individual (non-employee) usually shall not be considered for naming recognition before one year after the person's death.
- C. Naming for a benefactor (gift involved)
1. A facility may be named for an individual or organization benefactor who makes a significant contribution toward the costs of initial construction or renovation of a facility, component of a facility, or other physical facility on campus.
 2. As general guidelines for projects included in the University's facilities master plan, the following commitments are expected for construction or renovation of a facility or component of a facility:
 - a. New facilities. An amount no less than 25 percent of the cost of construction.
 - b. Components of new facilities. An amount between 50 percent and 100 percent of the construction cost per square footage.
 - c. Existing facility. An amount no less than 25 percent of current construction costs.
 - d. Components of existing facilities. An amount between 50 percent and 100 percent of current costs of construction per square footage.
 3. For new facilities not included in the University's academic and/or facilities master plans and proposed by an external individual or organization, 100 percent of the cost of construction would be required.
- D. It is intended that gifts to name facilities shall fund either the total construction cost of the facility or provide substantial funding for that portion of the total construction cost which would not be available from other sources, as determined on an individual basis.
- E. An individual or organization donor making a substantial gift to the University or a specific college or unit, but a gift which is not designated for a new or existing facility, may be recognized by the naming of a facility, component of a facility, or other campus facility. In this instance, the magnitude of the gift should be consistent with the general gift levels for naming facilities.
- F. An individual can only have one facility named for him/her.

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

V. Endowment Funding Levels

An endowment fund may be contributed and named for an individual or organization benefactor, or a specified honoree, to provide a permanent source of funding for restricted or unrestricted purposes as specified by the donor.

- A. The following paragraphs provide general guidelines for named endowment categories and minimum funding requirements.

1. Endowed Faculty Support

	<i>Minimum Gift Required</i>
Chair of Excellence	\$2,500,000-\$10,000,000*
Chair	\$1,000,000-\$ 2,500,000*
Distinguished Professorship	\$ 500,000
Professorship	\$ 250,000
Visiting Scholar	\$ 250,000
Faculty Award	\$ 100,000
Lectureship	\$ 100,000

**Suggested minimums reflect a baseline for the university. Individual programs may vary due to unique market costs and the associated research and professional costs.*

2. Endowed Student Support

<i>a. Undergraduate</i>	
Centennial Scholar	\$100,000
Athletic Position Scholarship	\$100,000
Academic and Leadership Performance Scholarship	\$ 50,000
Scholarship	\$ 25,000
<i>b. Graduate</i>	
Assistantship	\$100,000
Fellowship	\$250,000

3. Named Colleges And Academic Units

Endowment gift requirements to name an entire college, school, or other prominent institutional program or unit will be determined on an individual basis, but the following will serve as guidelines.

<i>a. Colleges</i>	<i>Minimum Gift Required</i>
Basic & Applied Science	\$20M*
Behavioral & Health Sciences	\$15M*
Business	n/a
Education	\$10M*
Graduate Studies	\$10M*
Liberal Arts	\$20M*
Honors	\$10M*
Media and Entertainment	\$15M*
University College	\$10M*
 <i>b. Schools and Departments</i>	 <i>Minimum Gift Required</i>
	\$5-10M*

**It is suggested that at least 50% of the total gift should be used to establish an unrestricted endowment for the ongoing support of the academic unit being named.*

4. Facilities

<i>a. Offices</i>	<i>Gift Level Required</i>
Faculty Office	\$10,000
Dean's Office	\$50,000
Dean's Suite	\$250,000
 <i>b. Classrooms</i>	 <i>Gift Level Required</i>
Classroom	\$25,000-\$50,000
Conference Room	\$50,000-\$100,000
Lecture Hall	\$100,000-\$250,000
Theatre or Performance Hall	\$500,000-\$1,000,000

- B. Series, artist performance series, libraries, teacher/scholar awards, equipment, and building funds may be established by gifts at a recommended minimum level of \$100,000.
- C. The MTSU Foundation, Inc., generally receives and manages endowed funds for the benefit of the University and the specified purpose of the fund.

- D. The minimum recommended endowment level is \$25,000. An endowment fund may be established within a reasonable period (usually two to five years) agreed upon by the donor and the MTSU Foundation, Inc. A gift or pledge to establish an endowed fund shall be accompanied by a formal, signed document detailing the endowment agreement.
- E. Academic or program units, in consultation with University Development, may offer special endowment naming opportunities at appropriate levels of funding, provided the opportunities are consistent with the general guidelines herein.
- F. Minimum funding requirements for named endowments will be reviewed periodically to ensure that the endowment amount provides an annual distribution consistent with university program requirements and economic conditions.

VI. Dedication Ceremony and Building Plaques

Upon approval of the naming by the Board or the President, an appropriate dedication ceremony may be planned and conducted by the University.

The University also may erect a dedication plaque or comparable marking upon approval of the naming by the Board or President. The plaque may be separate from the building plaque provided by State regulations. In addition to the individual or group for whom the facility is named, the dedication plaque should identify the President and the Chairman of the Board at the time the naming was approved.

The University may choose to erect a building plaque in lieu of or in addition to dedication plaques authorized under this policy.

The University may affix a building plaque which shall include the name of the Governor(s), all State Building Commission members, the names of the members of the Board, President, the architect, contractor and state architect from the date of Building Commission approval of a specific project to the completion of the project.

All plaques must comply with this policy and State Building Commission policy on building plaques. This section shall apply to any new or newly renovated facility.

Forms: none.

Revisions: none.

References: none.



610 Reporting and Resolution of Institutional Losses

Approved by Board of Trustees

Effective Date:

Responsible Division: Business and Finance

Responsible Office:

Responsible Officer:

I. Purpose

This policy establishes the process for reporting and resolution of institutional losses at Middle Tennessee State University (MTSU or University) as governed by the MTSU Board of Trustees (Board).

II. Definitions

Resources. Assets such as cash or other financial resources, supplies, inventories, equipment and other fixed assets, real property, intellectual property, or data.

III. Introduction

- A. Administrators at all levels of management should be aware of the risks and exposures inherent in their areas of responsibility, and should establish and maintain proper internal controls to provide for the security and accountability of all assets and other resources entrusted to them.
- B. It is the responsibility of the University to establish a process to identify, report and investigate losses of state or University funds, property or other resources, whether by malfeasance or misfeasance.
- C. **Policy 71 Preventing and Reporting Fraud, Waste or Abuse**, includes requirements for reporting suspected instances of fraud, waste or abuse to Audit and Consulting Services where such matters are subsequently reported to the Comptroller of the Treasury (T.C.A. § 8-19-501(a)).

IV. Reporting and Resolution Process

- A. Reporting Losses – For each reportable incident, the University must complete a Notification of Loss Report or Property Loss Report
 - 1. The Notification of Loss Report should be used to report single incidents of shortages or losses of any asset, resource or data immediately upon occurrence or discovery. This report should be used to report the loss or shortage of any amount which is the result of acknowledged or suspected fraud, waste or abuse by either an employee or a non-employee (for example, a vendor, contractor, or student).
 - 2. The Property Loss Report may be used to report property losses in any quarter in which losses occur and may include more than one incident or loss of property. However, see Item 1 above if the property loss is a result of fraud, waste or abuse.
 - 3. The University must also report covered property losses to the State of Tennessee, Department of Treasury Division of Risk Management.
- B. Reporting Resolution – The investigation unit identified on the notification report will file a Case Resolution Report at the conclusion of the investigation. Depending upon the nature and extent of the investigation, an Internal Audit Report may be issued in lieu of a Case Resolution Report.
- C. Distribution of Reports – Each notification and resolution report should be submitted to the following officials or offices:
 - 1. President
 - 2. Vice President for Business and Finance
 - 3. Director of Audit and Consulting Services
 - 4. Board of Trustees through appropriate committee (no less than annually)
 - 5. University Police (as appropriate)

V. Requirements Regarding Losses and Shortages

- A. Cash or Other Financial Resources – The University maintains cash, procurement cards, credit cards and other financial resources to facilitate its business needs. The University must report cash shortages or losses equal to or greater than \$500 immediately to Audit and Consulting Services and subsequently to the Board.
 - 1. Some cash shortages result from human error and are the cost associated with doing business. However, objective reviews must be completed to eliminate misconduct and provide assurance that controls are effective.

2. Regardless of amount, management should routinely perform objective reviews of shortages or other losses to identify any unusual items, recurring issues or a pattern of financial shortages.
- B. Property – The University maintains inventory records for capitalized property and sensitive minor equipment, as required by **Policy 686 Equipment/Movable Property Inventory Control**. The University must report property losses to the Tennessee Comptroller of the Treasury at least quarterly.
1. Losses of physical property due to inventory shrinkage, vandalism, unexplained events, natural disasters, or acts of God should be reported to the Board of Trustees on a quarterly basis on the Property Loss Report. A Case Resolution Report is not required to be submitted for such losses.
 2. However, unexplained losses and those due to shrinkage or vandalism should be objectively reviewed by management to identify any unusual items, recurring issues or a pattern of losses.
 3. Occurrences that are potentially serious situations that would create public concern regardless of amount (e.g., the loss of certain chemicals) must be reported to the Board and the Office of Risk Management immediately, followed by a written report.

VI. Property Claims Process

Property Claims – Individual occurrences exceeding \$25,000 must be reported to the Office of Business and Finance and the Tennessee Department of Treasury Division of Risk Management immediately, followed by a written report.

Each report of damage for a claim should include a detailed description of the loss and the estimated replacement cost. In addition to the reporting requirements noted above, the department where the loss occurred should also receive a copy of this report.

VII. Actions

The University will evaluate each incident for making a determination concerning external reporting obligations, if any, and the feasibility of pursuing available legal remedies in cases of misconduct, including fraud, waste or abuse.

Forms: none.

Revisions: none.

References: T.C.A. § 8-19-501(a); Policies 71 Preventing and Reporting Fraud, Waste or Abuse and 686 Equipment/Movable Property Inventory Control.



611 Financial Performance Review

Approved by Board of Trustees

Effective Date:

Responsible Division: Business and Finance

Responsible Office:

Responsible Officer:

I. Purpose

It is the policy of Middle Tennessee State University (MTSU or University) to have a sound financial base that demonstrates financial stability sufficient to support the mission of the University over the long term. A sound financial base and a pattern of financial stability provide the foundation for accomplishing the University's mission, regardless of changing economic conditions. Financial and physical resources should be managed in a manner that permits the University to fulfill its mission long term.

II. Responsibility

The President of the University, through the Vice President for Business and Finance, is responsible for administering and managing the University's financial affairs in such a manner as to ensure the University's current and future financial health. This policy establishes the tools used to assess the financial health of the University, the reporting process, and actions to be taken if the University shows signs of financial weakness.

III. Background

- A. The analytical framework contained within this policy is derived from Strategic Financial Analysis for Higher Education; Identifying, Measuring & Reporting Financial Risks; Seventh Edition, published by KPMG; Prager, Sealy & Co., LLC; and ATTAIN. This framework and its primary metric, referred to as the Composite Financial Index (CFI), are widely used in the higher education community to understand the financial health of institutions. The methodology, ratios, and related benchmarks contained in this policy are taken from this publication.

- B. To determine the University's financial performance, four questions are asked:

1. Are resources sufficient and flexible enough to support its mission;
 2. Does financial asset performance support the institution’s strategic direction;
 3. Do operating results indicate the institution is living within its available resources; and,
 4. Is debt managed strategically to advance its mission.
- C. To address these four questions, data from the University’s unaudited financial report are used to determine four “core” financial ratios that are then combined into a single composite metric of financial condition – the Composite Financial Index.

IV. Calculation of Core Ratios and CFI

All calculations include the financial results of the University’s component unit (i.e. related foundation(s), noted as “CU”) to present a comprehensive picture of the University’s overall financial condition. The data source for calculation of each ratio is the University’s unaudited annual financial report, with all calculations reflecting the results from a single year (i.e. no use of moving averages). The four core financial ratios, including general descriptions, the calculation method, data sources, an expected performance standard, and a performance watch level and a similar description of the calculation and interpretation of the Composite Financial Index value, are as follows.

A. Return on Net Assets

1. Description: The return on net assets ratio measures total economic return during the fiscal year. This measure is similar to the return on equity ratio used in examining for-profit concerns and answers the questions, “Are they better off financially than they were a year ago” and “Does financial asset performance support the strategic direction of the University?” While investments in plant, a capital campaign, or a poor stock market can all create year to year volatility in this measure, the trend over time should be positive. Calculation:

$$\frac{\text{Change in Net Assets} + \text{CU Change in Net Assets}}{\text{Total Net Assets (beginning of year)} + \text{CU Total Net Assets (beginning of year)}}$$

2. Expected Performance Standard: The return on net assets ratio should be at least 3 percent above the rate of inflation. For example, if the Consumer Price Index (CPI) is at 3 percent, a return on the net assets ratio of 6 percent is desirable.

3. Watch Level: Consistently below the rate of inflation. Anything below the rate of inflation indicates a reduction of the University's asset base in real dollars, thereby eroding the purchasing power of institutional resources for future generations.

B. Net Operating Revenues Ratio

1. Description: The net operating revenues ratio indicates an operating surplus or deficit in the given fiscal year. A positive ratio indicates that the University experienced an operating surplus for the year. This ratio is similar to a profit margin and answers the questions, "Did they balance operating expenses with available revenue" and "Do the operating results indicate that the University is living within available resources?" Depreciation expense is included to reflect the use of physical assets in measuring operating performance. Calculation:

$$\frac{\text{Operating Income (Loss + Non-operating Revenues (Expenses) + CU Change in Unrestricted Net Assets)}}{\text{Operating Revenues + Non-operating Revenues + CU Total Unrestricted Revenue}}$$

2. Expected Performance Standard: A ratio of 4.0%. This is considered adequate to keep pace with the growth in operating expenses and maintain reserves at acceptable levels.
3. Watch Level: Consistently below zero. A deficit in a single year does not necessarily indicate a problem, but deficits over several years are a cause for concern and suggest that the University's mission cannot be sustained and institutional finances should be restructured.

C. Primary Reserve Ratio.

1. Description: The primary reserve ratio measures financial strength and flexibility by comparing expendable net assets to total expenses. This measure answers the question, "How long can the University survive without additional net assets generated by operating revenue?" Calculation:

$$\frac{\text{Expendable Net Assets + CU Expendable Net Assets}}{\text{Total Expenses + CU Total Expenses}}$$

2. Expected Performance Standard: A ratio of 0.40 (representing about 5 months of expenses) or higher. At this level the University has the flexibility to manage minor financial disruptions and other unforeseen events with less need to immediately disrupt ongoing activities. At this level, the University can be expected to carry on a reasonable level of facilities maintenance activities.

3. Watch Level: A ratio of 0.133 (represents less than 1.5 months of expenses in ready assets) or less. The University at these levels has less operating flexibility to meet unexpected events, generally lacks sufficient resources to pursue strategic initiatives, and may struggle to invest in plant maintenance.

D. Viability Ratio

1. Description: The viability ratio measures the financial health of the University by comparing total expendable net assets to total current and non-current liabilities. This ratio is similar to a coverage ratio used in the private sector to indicate the ability of an organization to cover its long term debt from readily available resources and answers the questions, “How much of their debt can the University pay off with existing resources” and “Is debt managed strategically to advance the University’s mission”. If the University has no debt, this ratio is ignored in the calculation of the CFI score. A ratio of 1.0 indicates the University has expendable resources sufficient to satisfy all outstanding plant related debt. Calculation:

$$\frac{\text{Expendable Net Assets} + \text{CU Expendable Net Assets}}{\text{Plant Related Debt} + \text{CU Plant Related Debt}}$$

2. Expected Performance Standard: A ratio of 1.25 or higher (the higher the ratio, the stronger the credit-worthiness of the University). At these levels, the University has increased flexibility to address unexpended events.
3. Watch Level: A ratio of 0.41 or less. Similar to the primary reserve ratio Watch level, the University at this level has decreased flexibility to respond to unforeseen events, essentially a reduced “margin of error” in the financial management of the University. Dropping below a ratio of 0.41 may identify the University as a credit risk.

V. Composite Financial Index (CFI)

- A. After their calculation, these four ratios are combined to deliver a single measure of the overall financial health of the University. By blending these four core financial ratios into one metric, a more balanced view of the University’s finances is provided since weakness in one measure can be offset by strength in another. Additionally, measuring the index over time provides a glimpse as to the progress the University is making toward achieving financial goals. CFI scores range from a low of -4.0 to a high of 10.0. The CFI is computed using a four-step methodology:
 1. Computing the values of the core ratios as outlined above;
 2. Calculating strength factors by dividing the core ratios by threshold values;
 3. Multiplying the factors by specific weights; and

4. Totaling the resulting scores to obtain the composite financial index.

With Outstanding Debt:

Core Ratio Value		Threshold Value		Strength Value		Weight		Score
Return on Net Assets	/	0.020	=	0.00	x	20%	=	0.00
Net Operating Revenues	/	0.013	=	0.00	x	10%	=	0.00
Primary Reserve	/	0.133	=	0.00	x	35%	=	0.00
Viability	/	0.417	=	0.00	x	35%	=	0.00
Composite Financial Index Score							=	0.00

- B. Expected Performance Standard: A score of at least 3.0. Strategic Financial Analysis for Higher Education indicates that at this level the University is relatively financially healthy in that sufficient liquid resources exist to meeting unforeseen circumstances, net operating revenues are adequate, expendable net assets exceed the level of debt, and the return on net assets is reasonable.
- C. Watch Level: A score of 1.0 or less. Again, Strategic Financial Analysis for Higher Education suggest that scores of 1.0 or below call into question the University's ability to carry out existing programs and survive.

VI. Review Periods

While it is important to review annual results, these results should be placed in context by reviewing longer terms trends. By focusing on 3 to 5 year trends, the long term financial health of the University may be better ascertained.

VII. Process for Reporting

- A. After completion of published financial statements, the Vice President for Business and Finance shall be responsible for calculation of the institution's core ratios and CFI score and submission of this information to the Board of Trustees ("Board"). As part of this submission, the Vice President for Business and Finance shall provide a narrative that

explains the factors underlying changes in ratio values and CFI scores from the prior year, and whether these factors were planned or unexpected. If Watch Level performance is evidenced on any indicator, the submission shall also address what action the University plans to take to improve the ratio or score in subsequent years.

- B. The Board shall review the University's annual submissions. For any measure that evidences Watch Level performance, the Board will review with the President the adequacy of the University's plan to address the issue. If the Composite Financial Index Watch Level criteria specified in this policy is met, additional information may be requested by the Board.

Forms: none.

Revisions: none.

References: none.



612 Debt Management

Approved by Board of Trustees

Effective Date:

Responsible Division: Business and Finance

Responsible Office:

Responsible Officer:

I. Purpose

This policy provides written guidance about the amount and type of debt issued by governments, the issuance process, and the management of the debt portfolio. A properly developed debt management policy:

- A. Identifies policy goals and demonstrates a commitment to long-term financial planning.
- B. Improves the quality of decisions; and
- C. Provides justification for the structure of debt issuance.

Adherence to a debt management policy signals to rating agencies and the capital markets that the University is well-managed and should meet its obligations in a timely manner.

Debt levels and their related annual costs are important long-term obligations that must be managed within available resources. An effective debt management policy provides guidelines for Middle Tennessee State University (MTSU or University) and the Board of Trustees (Board) to manage its debt programs in line with those resources.

II. Introduction

- A. The Board adopts the following policies concerning debt management.
- B. Pursuant to Tennessee Code Annotated (T.C.A.) § 49-3-1205(11), whenever the Board takes action under chapters 4, 7-9, and 12 of Title 49 to borrow money for any purpose, the Board must first seek the approval of the Tennessee State School Bond Authority (Authority), created in 1965 under the Tennessee State School Bond Authority Act, T.C.A. § 49-3-1201 et seq through the Tennessee Board of Regents (TBR). The Authority is a corporate governmental agency and instrumentality of the State of Tennessee whose purpose is to finance capital projects for public institutions of higher education located in Tennessee by issuing its bonds and notes. TBR has entered into a Second

Program Financing Agreement (Agreement) as of November 1, 1997 with the Authority for the financing of projects for public institutions.

- C. At this time, the Board chooses to borrow only through the Authority; however, with the approval of the Authority, the Board reserves the right to utilize other borrowing methods should special circumstances arise.
- D. The Authority has financed a variety of higher education projects including, but not limited to, dormitories, athletic facilities, parking facilities, student activities/recreation centers, research laboratories, and major equipment purchases. These projects could be contrasted with capital projects for basic academic needs such as classrooms and libraries that are funded from the proceeds of the State's general obligation bonds issued by the State Funding Board and for which the public institutions are not obligated to pay the debt service.

III. Goals and Objectives

- A. The Board is establishing this policy as a tool to ensure that financial resources are adequate to meet the University's long-term debt program and financial planning.
- B. In addition, the policy helps to ensure that financings undertaken by the Board satisfy certain clear objective standards designed to protect the Board's financial resources and to meet its long-term capital needs.
 - 1. The goals of this policy are:
 - a. To document responsibility for the oversight and management of debt related transactions;
 - b. To define the criteria for the issuance of debt;
 - c. To define the types of debt approved for use within the constraints established by the General Assembly;
 - d. To define the appropriate uses of debt; and
 - e. To minimize the cost of debt.
 - 2. The objectives of this policy are:
 - a. To establish clear criteria and promote prudent financial management for the issuance of all debt obligations;
 - b. To identify legal and administrative limitations on the issuance of debt;
 - c. To ensure the legal use of the Board's direct debt issuance authority;
 - d. To maintain appropriate resources and funding capacity for present and future capital needs;
 - e. To evaluate debt issuance options;
 - f. To promote cooperation and coordination with other stakeholders in the financing and delivery of services;

- g. To manage interest rate exposure and other risks; and
- h. To comply with Federal Regulations and Generally Accepted Accounting Principles (GAAP).

IV. Debt Management

A. Purpose and Use of Debt Issuance

1. Debt may be used to finance projects identified by the University and approved by the Board. Projects are identified and included in the University's approved capital plan that is submitted annually to the Tennessee Higher Education Commission (Commission). After consideration by the Commission, these projects are incorporated into the State of Tennessee annual budget (as disclosed projects). From time to time, mission critical projects not considered as part of the annual process will be brought to the Commission by the Board for intra-year financing.
2. Debt may be used to finance project costs which include all direct capital costs and indirect capital costs of projects, including but not limited to costs of construction and acquisition, costs of issuance of debt, funded interest on debt, and amounts to fund or replenish reserves, if and to the extent approved by the Authority. In compliance with Article II, Section 24 of the Tennessee Constitution, no budgeted operational expenditures (including internal employee labor) shall be reimbursed with debt proceeds unless such debt is retired/repaid within the fiscal year of issuance.

B. Debt Capacity Assessment

1. The debt capacity of the TBR is partially reliant on the debt capacity of each institution under its jurisdiction. Due to this reliance, this policy requires the assessment of the debt capacity on a project-by-project basis as each project is considered. Debt capacity of each project is based on debt service coverage, which measures the actual margin of protection for annual debt service payments from the annual pledged revenue. The pledged revenue plus the pledge of Legislative Appropriations must meet a two times coverage test for the project to be approved for debt funding. In other words, total unrestricted revenues of the University must be at least 200% of the annual debt service.
2. Revolving Credit Facility (RCF) Program is limited to the amount stated in the Program Resolution as amended and by the amount allowed in the Credit Agreement.

C. Federal Tax Status

1. Tax-Exempt Debt: The Board and TBR will use its best efforts to have projects eligible for financing with tax-exempt debt based on the assumptions that tax-exempt interest rates are lower than taxable rates and that the interest savings outweigh the administrative costs, restrictions on use of financed projects, and investment constraints.

2. Taxable Debt: The Board and TBR will agree to financing of projects with taxable debt when projects are not eligible to be financed with tax-exempt debt or when the administrative costs, restrictions on use of financed projects, and investment constraints outweigh the benefit of tax-exempt rates.

D. Legal Limitations on the Use of Debt

1. Pursuant to T.C.A. § 49-3-1207(d)(4), limitations on the purpose to which the proceeds of sale of bonds/notes or loans may be applied are contained in the resolution or resolutions authorizing the bonds/notes or loans (revolving credit facility).
2. No debt may be issued for a period longer than the useful life of the capital project it is funding.

V. Types of Debt

- A. Pursuant to T.C.A. § 49-3-1207, the Authority is authorized from time to time to issue its negotiable bonds and notes.
- B. The Vice President for Business and Finance, or designee, will work with TBR and the Authority concerning the type of debt used to fund the University's projects.
- C. The Board will request funding through short term debt, from time to time as needed to fund projects during their construction phase and to fund projects with an average useful life of ten years or less.

VI. Debt Management Structure

The Board, when requesting financing for a project, shall request the Authority, through TBR, to structure the funding:

1. Term: All capital projects financed through the issuance of debt will be financed for a period not to exceed the useful life of the projects, but in no event will the term exceed thirty (30) years.
2. Financed (Capitalized) Interest
 - a. Certain projects may require the use of capitalized interest from the issuance date until the University has beneficial use or occupancy of the financed project.
 - b. Interest may be financed (capitalized) through a period permitted by federal law and the Authority's Second Program General Bond Resolution if it is determined that doing so is beneficial.
3. Debt Service
 - a. Debt issuance shall be planned to achieve relatively net level debt service. The Board shall not use bullet or balloon maturities, absent sinking fund requirements, except in those instances where these maturities serve to make existing overall debt service level or to match a specific income stream.

- b. No request shall be made to the Authority for debt to be structured with deferred repayment of principal unless such structure is specifically approved by affirmative vote of the members of the Board and TBR.

VII. Refunding Outstanding Debt

- A. At least semiannually, Authority staff with assistance from the Authority's Financial Advisor analyzes outstanding bond issues for refunding opportunities, whether for economic, tax-status, or project reasons.
- B. Consideration is to be given to anticipated costs and administrative implementation and management.
- C. The Board shall report to the Authority a need for refunding when:
 - 1. The refunding of the debt is necessary due to a change in the use of a project that would require a change to the tax status of the debt.
 - 2. The project is to be sold or no longer in service while still in its amortization period.
 - 3. Restrictive Covenants prevent the issuance of other debt or create other restrictions on the financial management of the project and revenue producing activities.
- D. The Board will request the refunding term to be no longer than the term of the originally issued debt.

VIII. Reserve Funds

- A. Debt Service Reserve Fund
 - 1. The Authority's Second Program General Bond Resolution establishes a Debt Service Reserve Fund to be set up for each bond that is issued.
 - 2. If future Authority bond resolutions do not require such a reserve fund, this provision is not required.
- B. Interest Rate Reserve Fund
 - 1. The Authority establishes an interest reserve fund for the RCF Program for each project. The interest reserve fund provides security for interest due on the loans between billings.
 - 2. The Board will pay on a monthly basis based on the amount of loans issued.
 - 3. When a project is either repaid or taken to bonds, the amount invested in the reserve fund will be credited back to the University.

IX. Risk Assessment

- A. The Assistant Vice President for Campus Planning, subject to approval of the Vice President for Business and Finance, will evaluate each transaction to assess the types and amounts of risk associated with that transaction, considering all available means to mitigate those risks.

- B. The Assistant Vice President for Campus Planning, subject to approval of the Vice President for Business and Finance, will evaluate all proposed transactions for consistency with the objectives and constraints defined in this policy.
- C. The following risks will be assessed before issuing debt:
 1. Change in Public/Private Use: The change in the public/private use of a project that is funded by tax-exempt funds could potentially cause a debt issue to become taxable.
 2. Default Risk: The risk that revenues for debt service payments are not all received by the due date.
 3. Liquidity Risk: For variable rate debt, the risk of having to pay a higher rate to the Authority for the liquidity provider in the event of a failed remarketing.
 4. Interest Rate Risk: For variable rate debt, the risk that interest rates will rise, on a sustained basis, above levels that would have been set if the issue had been fixed.
 5. Rollover Risk: For variable rate debt, the risk of the inability to obtain a suitable liquidity facility at an acceptable price to replace a facility upon termination or expiration of the contract period.

X. Board Representations

To ensure compliance with the Second Program Financing Agreement, during each budget cycle the University shall review all outstanding projects financed in whole or part by the Authority and submit a certification approved the Board asserting the following:

- A. The University has full power and authority to undertake or use each project and to comply with all requirements of the Agreement entered into between the TBR and the Authority;
- B. All necessary approvals or authorizations by the State (or any agency, subdivision or sub-entity) with respect to each Project have been or will be obtained;
- C. Construction, acquisition, renovation or improvement by the University (directly or indirectly) with respect to each Project shall be conducted pursuant to State law;
- D. The University will proceed with due diligence towards completion of each Project, and will complete each Project with other funds available to the University if Authority funds are not sufficient to complete the Project;
- E. The University will complete each Project free and clear of all liens and encumbrances;
- F. The University will neither (i) permit any encumbrance which affects the TBR's ability to honor its commitments under the Agreement nor (ii) assign the Agreement or the TBR's rights, title or interest in or to any Project;

- G. The University will operate, maintain and keep, or cause the operation, maintenance and functioning of, the Project in good repair and condition, including the provision of and payment for necessary utilities and insurance coverage in accordance with State policy;
- H. The University will comply with all laws, rules and regulations governing the University and each Project;
- I. The University will permit the Authority or its representatives to enter projects during regular business hours for purpose of inspection; and
- J. The University will take no action, nor will it fail to take any action, which would cause the Authority to violate any tax covenant with respect to any Project; all representations made by the University to the TBR, whether or not contained in the Agreement, as to the use of projects shall at all times be true, complete and correct; and the University will inform the TBR in advance of any actual or potential change in use or ownership of any Project at the time such change is first known to or considered by the University.

XI. Transparency

- A. As a public body, the Board shall comply with the Tennessee Open Meetings Act.
- B. Additionally, the University will assist the Authority in complying with U.S. Securities and Exchange Commission Rule 15c2-12, by providing certain financial information and operating data by specified dates, and to provide notice of certain enumerated events with respect to the bonds, if material.

XII. Professional Services

- A. From time to time TBR uses its General Counsel for advice on aspects of a debt transaction; no engagement letter is required since General Counsel is an employee of TBR.
- B. Additionally, TBR relies upon advice from the Office of Attorney General and Reporter, with which no engagement letter is required.

XIII. Potential Conflicts of Interest

- A. If TBR or the Board were to hire professionals to assist in a debt transaction, the professionals shall be required to disclose to TBR and the Board existing client and business relationships between and among the professionals to a transaction (including but not limited to financial advisor), as well as the Authority.
- B. This disclosure shall include that information reasonably sufficient to allow the Board to appreciate the significance of the relationships.

XIV. Debt Administration

- A. Planning for Sale: The Vice President for Business and Finance, or designee, will provide all requisite information to TBR and the Authority to facilitate the compilation of data

necessary for the Official Statement related to the bond issuance and bond underwriting.

B. Post-Sale

1. TBR and the Board will ascertain that fees and charges are established at levels sufficient to meet the two times debt service coverage when combined with legislative appropriations.
2. The Vice President for Business and Finance, through TBR, will provide for timely transmission of requisite debt service payments as billed by the Authority.

C. Continuing Administration

1. The Board (through University administration) will ascertain that facilities financed with tax exempt debt will be used in a manner such as to not jeopardize the exempt status of the issued debt.
2. The Board (through University administration) will maintain the financed facilities in a prudent manner establishing maintenance reserves when necessary to preserve the viability of facilities.

XV. Federal Regulatory Compliance and Continuing Disclosure

A. Arbitrage

1. The Vice President for Business and Finance, or designee, will work, through TBR, with the Office of State and Local Finance to comply with arbitrage requirements on invested tax-exempt bond funds consistent with representations made in the relevant Tax Certificate.
2. The University will also retain all records relating to debt transactions for as long as the debt is outstanding, plus three years after the final redemption date of the transaction.

- B. Generally Accepted Accounting Principles (GAAP): The University will comply with the standard accounting practices adopted by the Financial Accounting Standards Board and the Governmental Accounting Standards Board when applicable.

Forms: none.

Revisions: none.

References: T.C.A. § 49-3-1205(11), § 49-3-1201 et seq; § 49-3-1207(d)(4); U.S. Securities and Exchange Commission Rule 15c2-12.



615 Budget Principles

Approved by Board of Trustees

Effective Date:

Responsible Division: Business and Finance

Responsible Office:

Responsible Officer:

I. Purpose

As a public entity, Middle Tennessee State University (MTSU or University) is responsible for the prudent management of resources entrusted to its care by the citizens of Tennessee. Ensuring that budgets developed by the University and considered by the MTSU Board of Trustees (Board) are prepared in accordance with sound budget principles is fundamental to good stewardship of financial resources. The budget principles included in this policy are intended to respond to the expectations of various stakeholders relating to the generation and expenditure of funds. All University officials responsible for budgeting processes are directed to adhere not only to the specific requirements of this policy, but to also act within the spirit of this policy and in a manner that evidences forthrightness and engenders public trust.

II. Guiding Principles

- A. Working within the University's shared governance process, the President has the responsibility and full authority to propose a budget to the Board. The President will ensure that the process for budget development is open, provides for accountability, includes appropriate constituencies in budget planning, and incorporates clear guidelines and adequate training for those involved.
- B. In the development and submission of budgets, the President shall adhere to the following principles.
 1. Budgetary needs should be prioritized relative to the University's core mission and consistent with its strategic plan, with resources aligned accordingly. In situations where resources are constrained or limited, resources should be redistributed as needed to ensure that limited resources meet the highest priority needs of the University.

2. Budgets must respect generational neutrality in that the cost of educating the current generation of students should be borne by the current generation and not be deferred to future generations.
3. The budget must be balanced:
 - a. In total, such that all planned expenditures do not exceed expected revenues and use of reserves or other non-recurring funds; and
 - b. On a recurring basis, such that planned ongoing expenditures do not exceed expected recurring revenues. Use of non-recurring funds to meet recurring expenditures is discouraged; however, it is acknowledged that circumstances may arise when it is in the best interest of the University to do so. In the event non-recurring revenues are budgeted to meet recurring expenses, this must be specifically disclosed to the Board as part of the budget consideration process, including justification and the University's plan for achieving recurring balance.
4. A degree of fiscal conservatism must be incorporated in the budget to reduce the risk of year-end deficits by:
 - a. Ensuring all costs are fully recognized. Use of anticipated savings as a funding source (e.g., lapsed salaries) for recurring expenses is discouraged. If anticipated savings are used to fund recurring expenses, this must be specifically disclosed to the Board as part of the budget consideration process;
 - b. Using financially conservative, yet reasonable, revenue estimates in light of existing conditions. Estimates of revenues derived from students must be based on analysis of historic enrollment patterns, modified for any recent observable patterns. The basis for student derived revenue estimates must be communicated to the Board as part of the budget consideration process; and
 - c. Maintaining appropriate contingency funds for revenue shortfalls and emergencies for both Education and General, and Auxiliary operations, consistent with relevant policies.
5. Related to the principle on generational neutrality and to ensure the long term viability of the University, sufficient provision must be made in both Education & General, and Auxiliary budgets to annually fund:
 - a. Maintenance and facilities renewals to the physical plant and grounds; and
 - b. Acquisition, repair and replacement of teaching equipment, computers, and other equipment.

6. Opportunities for cost savings arising from shared services and resources between departments and organizations within the University should be aggressively pursued.

III. Operational Provisions

- A. Accountability for the effective management of the budget rests with the President, who ensures that proper controls and budget management policies are established.
- B. Standards may be developed that further direct and clarify application of the above principles in the budget development and administration process. The President is authorized to issue directives on these matters consistent with the provisions of this policy.

Forms: none.

Revisions: none.

References: none.



616 Budgetary Accounting Controls

Approved by Board of Trustees

Effective Date:

Responsible Division: Business and Finance

Responsible Office:

Responsible Officer:

I. Purpose

It is widely recognized that budget control is essential for effective financial management of any organization. In view of this, this policy provides clear and specific responsibility for proper management and control of the operating budget for Middle Tennessee State University (MTSU or University).

MTSU operates under the authority of a Board of Trustees (Board) and follows the fiscal policies and procedures set by that Board. Although the University receives its state appropriation as a direct item from the State Legislature, the Tennessee Board of Regents (TBR) has authority over, and shall give final approval to, the operating budget for MTSU pursuant to Tennessee Code Annotated (T.C.A.) §49-8-203 (a)(1)(C). The University develops budgets for three types of funds: Current Unrestricted Funds, Current Restricted Funds, and Capital Funds.

The University shall develop budgets for each major fund groups to:

- A. Ensure that authorized spending levels and anticipated financial commitments are within available resources.
- B. Implement Board directives related to budget; and
- C. Comply with legal, regulatory and contractual requirements governing the proper use, budgetary control and financial reporting of university funds.

II. University Budget

The University budget covers a fiscal year from July 1 of one year through June 30 of the following year. Preparation of the budget involves three submissions:

- A. July Proposed Budget. Detailed operating budgets are submitted to the Board in the spring of each year for approval at the second quarterly Board Meeting. These operating budgets request funds for each departmental budgetary unit. The operating budget, when approved by the Board, TBR, Tennessee Higher Education Commission, and Department of Finance and Administration, goes into effect on July 1 of that year. Upon final approval, notification of the approved total allocation for the fiscal year is given to administrative heads along with approved salaries for all budgeted positions.
- B. October Revised Budget. Mid-year adjustments to the July budget are submitted for Board and TBR approval in October of each year for approval at the fourth quarter Board Meetings. It is prepared after actual fall enrollments and other estimated costs and closing balances from the prior year are known. The October Budget goes into effect on January 1 of the fiscal year. Administrative heads are notified of approval in their monthly budget reports.
- C. Spring Estimated Budget. This budget is the final budget submission for the fiscal year. It is submitted each spring at the same time as the July Proposed Budget to the Board of Trustees and TBR. This is the final approved budget for the fiscal year and contains the control totals against which final year end amounts are compared.
- D. It should be noted that the approval of a budget does not waive statutory, policy, or other restrictions for expending funds.

III. Budget Allocations

The University budget is divided into various “indexes” which generally constitute a department or activity. For budget control purposes, each index number is considered separately. Each index number is assigned to one “responsible person”, although any higher level official in the same organizational line may also approve or disapprove budget actions for an index. Each index budget is divided into the account codes. The amount allocated for each account code is the amount planned to be spent (or obligated) during the period covered by the budget.

Although some funds are budgeted in account code pools, actual expenditures are always recorded by detailed account classifications. A list of all authorized account codes and a description of each is included in the [Banner Account Codes Reference Guide](#).

The responsibility for ensuring that all expenditures remain within the amounts budgeted rests with the administrative head of the unit to which funds have been allocated. Final budgetary responsibility rests with the heads of each administrative division: President, Academic Affairs, Business and Finance, Information Technology Division, Marketing and Communications, Student Affairs, and University Advancement.

IV. Monthly Reports

After the close of each month, the Office of Business and Finance will send an email to all Finance users announcing budget reports and salary reports are available via the report repository.

The FZRBUDG Budget Status report contains a summary of amounts budgeted, expended and committed by account code. The FZRODTA Organization Detail Activity report lists each transaction made to each account code during the month. The budgetary head should check this report promptly and notify the appropriate administrative department of any discrepancies. The NZRBUDG Salary Budget Report, lists the amounts budgeted in each authorized position within the department's accounts, the current encumbrances (obligations), and expenditures charged to each position. Salaries of regular full and part time employees are budgeted by position number, so over-budget conditions in individual position numbers can be monitored. Group positions (i.e. overtime, adjuncts, extra compensation, summer school, etc.) are budgeted on finance only.

The following items on these reports should be given particular attention:

- A. budget revisions have been entered;
- B. expenditures listed were properly chargeable to the account;
- C. budgets have not been over-expended.

After the Salary Budget Report has been reviewed, the budgetary head should date and sign the report. Copies should be maintained in the department for six months after the end of the fiscal year.

V. Budget Revisions

Forms and instructions for preparation of budget revisions may be obtained from the Budget and Financial Planning Office website <http://www.mtsu.edu/budget/>.

If it is necessary, the budgetary head may request revisions in the department's budget. Budget revision requests can be made on "Request for Budget Revision" forms. If the budget revision involves several different departments, a spreadsheet with the appropriate information can be attached to the Request for Budget Revision form. Budget Revision forms are to be signed by the appropriate approving authority as follows:

- A. Revisions within an index are properly authorized when signed by the responsible budgetary head.
- B. Revisions between indexes are properly authorized when signed by the responsible budgetary head and the next higher level of authority (normally a Dean or Vice President.)

- C. Revisions within or between indexes where the responsible budgetary head is the President or a Vice President are properly authorized when signed by the responsible budgetary head.
- D. Revisions shifting funds between administrative divisions are properly authorized when signed by the Vice President of the division decreasing the budget or the President.
- E. Revisions creating a new, regular personnel position that increases the total position count are properly authorized when approved during the normal budget process.

After approval, the Budget and Financial Planning Office will assign a Budget Revision number (BRxxxx) and enter the revision into the administrative Finance and/or Human Resource system. Copies of the form with an indication of the action taken will be returned as early as possible to all persons concerned via email and scanned into the document imaging system.

VI. Budget Overdrafts

The over-expenditure of a budgeted account or position number is not recommended. It is the responsibility of the budgetary head to control funds allocated to them and to ensure that over-expenditures do not occur. Immediate action should be taken to correct any over-expended/over-obligated condition greater than \$100 in an individual personnel position or account code.

VII. Fiscal Year Closing Procedures

- A. Requisitions for purchases must be in the Procurement Logistic Services Office by the deadline communicated via email each year so bids may be secured and purchase orders issued to insure delivery prior to June 30.
- B. Prompt submission of expense items:
 1. The designated personnel in each department must insure all invoices, payrolls, cash items, and travel accounts are turned in promptly at the close of the fiscal year.
 2. Outstanding purchase orders on which delivery has not been made before June 30 will remain encumbered. Funds for payment of these outstanding purchase orders will be automatically carried forward to the next fiscal year.
- C. Budget balances remaining at June 30 will be carried over to the next fiscal year as instructed by the President.

VIII. Plant Fund Budgets

A. Unexpended Funds

1. The purpose of the Unexpended Plant fund is to account for the resources from various sources to finance the acquisition of long-term plant assets and the associated liabilities. These funds will be used for capital projects such as major additions and/or renovations of physical facilities.
2. Approval of transfer of funds to the Unexpended Plant Fund is obtained during the regular budgetary process by submitting a properly authorized budget revision.
3. Commitments or expenditures for any capital project shall be in conformance with all applicable state laws and requirements of the State Building Commission.
4. All project budget revisions and the utilization of reallocated project balances shall be approved by the Vice President of Business and Finance and reflected in each budget reporting cycle.

B. Extraordinary Maintenance

1. Within the Unexpended Plant Fund, an account for extraordinary maintenance is to be used for unusual or unanticipated maintenance needs.
2. The annual budget shall include funding transferred from the operating budget into the extraordinary maintenance account. The minimum account balance shall be \$150,000.
3. All project expenditures from the extraordinary maintenance account shall be approved by the President.

C. Renewals and Replacements

1. The resources set aside for renewals and replacements, as distinguished from additions and improvements to plant, are accounted for in this fund group.
2. To insure that auxiliary equipment can be replaced, a transfer of at least 5% of auxiliary gross margin is required to the renewal and replacement fund.
3. Additions to this fund are to be setup in separate renewal and replacement indexes.

D. Retirement of Indebtedness

1. The purpose of this fund is to account for the accumulation of resources for interest and principal payments and other debt service charges relating to plant fund indebtedness.

2. Additions to this fund are to be setup in separate debt service indexes.

IX. Guideline and Position Controls

- A. Position control is part of the personnel budget process.
- B. The number of authorized permanent positions is controlled within unrestricted education and general accounts and auxiliaries.
- C. Positions are classified as administrative executive, faculty/academic, administrative professional, and classified.
- D. Positions are reported to the Board each budget cycle.
- E. Authorized permanent positions are approved at the second and fourth quarterly Board meetings.

X. Fiscal Year-End Review

- A. At the end of each fiscal year, the actual year-end amounts will be compared to the Spring Estimated Budget, which is the final approved budget for the year.
- B. Functional expenditure totals will be analyzed for adherence to the approved budget.
- C. Financial information will be examined for compliance with all budget guidelines in effect for the fiscal year just completed.
- D. The President shall report any institutional deficiencies or non-compliance with budget controls and guidelines to the Board.

Forms: none.

Revisions: none.

References: none.



617 Allocation of Maintenance Fees for University Athletics

Approved by Board of Trustees

Effective Date:

Responsible Division: Business and Finance

Responsible Office:

Responsible Officer:

I. Purpose

This policy establishes the process for the allocation of maintenance fees for university athletics at Middle Tennessee State University (MTSU or University).

II. General Statement

- A. Intercollegiate athletics is a major university activity that is supported by various sources which include student maintenance fees.
- B. The following represents the methodology as well as guidelines for the allocation of maintenance fees for athletics at the University.

III. Allocation of Maintenance Fees

- A. The allocation of maintenance fees to athletics will be limited to no more than 3.5% of Educational and General (E&G) expenditures (excluding transfers and auxiliaries) for a given fiscal year.
- B. The above limit will be reviewed annually by University staff and an adjustment in this percentage may be recommended for approval by the Board of Trustees (Board) based on such factors as student fee increases, inflation, and mandated salary and employee benefit increases.
- C. The University must evaluate the amount of maintenance fee revenues available for athletics, subject to the limits established by this policy, relative to other campus priorities.

IV. State Appropriations

No state appropriated funds from general State of Tennessee revenue may be used for athletics.

V. Exceptions

Exceptions to the policy must be approved by the Board.

Forms: none.

Revisions: none.

References: none.



630 Procurement and Contracts Policy

Approved by Board of Trustees

Effective Date:

Responsible Division: Business and Finance

Responsible Office:

Responsible Officer:

I. Purpose

This policy sets forth provisions to ensure efficiency, fairness, transparency and maximum level of competition in the procurement of goods and services, and to establish the framework for contracts of Middle Tennessee State University (MTSU or University).

II. Signature Authority

Whenever a signature (including an electronic signature) is to be made on behalf of the University, **Policy 600 Approval of Agreements – Delegation of Authority/Signature Authorization** shall apply.

III. General

A. Procurement - General

1. Procurements of goods and services shall be in compliance with all applicable federal and state requirements.
2. All procurement of goods and services shall be based upon the principle of competitive bidding except when an alternate procurement method is justified, as required, under University purchasing standard/procedures.
3. A complete record, which may be electronic, shall be maintained of each procurement transaction to provide a clear audit trail.

B. Procurement and Contracts Guideline/Procedures

1. [Procurement Logistic Services](#) shall maintain a procurement and contracts guideline/procedures, which may be in electronic format, setting forth all processes and procedures for the procurement of goods and services to ensure that all procurements and contracts are in compliance with federal and state laws and regulations.
2. All University procurements and contracts shall be in compliance with the procurement and contracts guideline/procedures.

C. Contracts - General

Applicable Documents - Whether a document is called an agreement, contract, memorandum of agreement, memorandum of understanding, terms and conditions, purchase order or other similar name, it is subject to the requirements of this policy. The purpose of a written contract is to embody the complete agreement in writing. No relevant terms should be left to an unwritten understanding or verbal agreement. The document should clearly identify all parties and be explicit, clearly stating the rights and duties of each party.

D. Prohibited Procurement/Contracts

1. The University shall not knowingly contract for the procurement of any merchandise, equipment, material, or services with an individual who is, or within the past six months has been, a state employee. An individual shall be deemed a state employee until such time as all compensation for salary, termination pay, and annual leave has been paid.
2. The University shall not knowingly contract with a company or corporation in which a controlling interest is held by any state employee or the employee's spouse.
3. The University shall not knowingly contract with any person in violation of state or federal law.

E. Unauthorized procurements or contracts - Personal liability of University personnel and officials

1. Any procurement or contract for goods or services, made by any University employee which is contrary to state law shall be void and of no effect.
2. Any individual who signs any procurement or contract for goods or services in violation of [Policy 600 Approval of Agreements – Delegation of Authority/Signature Authorization](#), without a written delegation, is subject to discipline and may be personally liable for the obligations created by his/her signature.

IV. Ethical and Business Conduct

- A. Procurement and Contracts staff must at all times discharge their duties and responsibilities in a manner intended to uphold high ethical standards, and act with honesty and integrity.

No Procurement or Contracts staff shall solicit, demand, accept, or agree to accept from any person, including without limitation, proposers/bidders, contracting parties, or any subcontractors or affiliates, any rebate, gift, money, or anything of value whatsoever, or any promise, obligation, or contract for future rewards or compensation in connection with any procurement or contract.

- B. All University personnel participating in a procurement or contract process play an important role in ensuring that the needed goods or services are procured in an efficient, transparent and economical manner on terms and conditions in the best interests of the University and the State.

All University personnel involved in a procurement or contract process must disclose the existence of potential Conflicts of Interest which may exist or arise during preparation of solicitation documents, during the evaluation of bids, or during the award process. (See [Policy 404 Conflict of Interest](#).)

V. Exceptions

The President or designee may approve exceptions to the requirements of this policy in appropriate circumstances.

Forms: none.

Revisions: none.

References: Policies 404 Conflict of Interest and 600 Approval of Agreements – Delegation of Authority/Signature Authorization.



641 Student Fees – Incidental Charges and Refunds

Approved by Board of Trustees

Effective Date:

Responsible Division: Business and Finance

Responsible Office:

Responsible Officer:

I. Purpose

This policy outlines significant provisions for the administration of fees, fines, charges, and refunds at Middle Tennessee State University (MTSU or University).

II. Establishment of Fees, Fines, and Charges

- A. The MTSU Board of Trustees (Board) must establish or approve all University fees, fines and charges unless specific exceptions are provided.
- B. The President is responsible for the enforcement and collection of all fees, fines and charges. Fees, fines, and charges which specifically do not require Board approval must receive formal approval by the President or designee (President).
- C. The University should attempt to follow a general format in publishing information on fees, fines, and charges, including but not limited to the following:
 1. All statements which include the fee amount should be complete and specific enough to prevent misunderstanding by readers.
 2. When a fee is quoted, the refund procedures should be clearly stated. If there are qualifying conditions for refunds (i.e. specific dates), those conditions also should be stated. If there is no refund, it should be labeled as non-refundable.
 3. It should be made clear that all fees are subject to change at any time.
- D. Current tuition and fee rates, fee payment dates, and refund procedures can be found either in [Policy 640 Payment of Student Fees and Enrollment of Students](#), or on the [“What Does it Cost” webpage](#).

III. Approval of Exceptions

- A. In accordance with this standard, the President has the authority to determine the applicability of certain fees, fines, charges, and refunds, and to approve exceptions in instances of unusual circumstances or for special groups.
- B. All such actions should be properly documented for auditing purposes.

IV. Appeals Process

- A. An appeals process should be established by the University, and communicated to students, faculty, and staff.
- B. The process should provide for final appeal to the President or designee.
- C. Separate appeals processes may exist for different types of fees, charges, and refunds.

V. Exchange of Revenue

Public institutions exchange funds for tuition and fees of employees' spouses and dependents who participate in an education assistance program.

VI. Tuition and Fees Subject to Board Approval

- A. Maintenance Fees. Charged to students enrolled in credit courses or on an audit basis. It is an enrollment or registration fee and is calculated based on the number of Student Credit Hours (SCH's).
 - 1. Rates are established by student level (undergraduate and graduate). The hourly rate will be discounted when undergraduate students enroll in greater than 12 hours and graduate students in greater than 10 hours unless stated otherwise elsewhere in this standard.
 - 2. For multiple summer sessions, maintenance fees and tuition are assessed by using the current part-time rate with no maximum amount for total credit hours enrolled.
 - 3. Maintenance fees may not be waived unless specific exceptions are outlined in state statute. T.C.A. § 49-7-113 provides exceptions for certain disabled and elderly students, as well as state service retirees; T.C.A. § 49-7-102 outlines certain exceptions for dependents and spouses of military personnel; and T.C.A. § 49-7-2304 provides exceptions for certain military reserve and national guard personnel.

- B. Out-of-State Tuition. An additional fee charged to students classified as non-residents who are enrolled in for-credit courses, including audit courses. This fee is in addition to the maintenance fee.
1. A separate hourly rate for out-of-state tuition will be set for undergraduate and graduate students. A full-time student is defined as an undergraduate enrolled in 12 hours or a graduate student enrolled in 10 hours.
 2. Applicability of out-of-state tuition is determined pursuant to [Policy 501 Classifying Students In-State and Out-of-State for Paying University Fees and Tuition and for Admission Purposes](#). The Business Office will collect fees based upon student classification as determined under that policy.
- C. Regional Scholars Program
1. This program is restricted to:
 - a. admitted undergraduate students who graduate from a high school located in a county within a 250 mile radius of the MTSU campus, have at least a 25 ACT, or the SAT equivalent, maintain full-time status (minimum of 12 hours), and remain in good academic standing.
 - b. admitted graduate students who have a permanent address that is located in a county within 250 miles of the MTSU campus, maintain full-time status (minimum of 10 hours), and remain in good academic standing.
 2. If a student drops below minimum hours stated above, they are assessed out-of-state fees for that term.
 3. The out-of-state tuition rate charged to students eligible for the program rate will equal the University's state subsidy per full-time equivalent for the prior fiscal year. This rate is capped at 12 hours for undergraduate students and 10 hours for graduate students.
 4. The program rate does not impact students who otherwise qualify for border county classification or other in-state residency classification.
- D. eRate. Available to students who enroll at MTSU, who are classified as non-residents of Tennessee, and who are enrolled exclusively in online courses.
1. The eRate is 150% of the University's approved undergraduate or graduate maintenance fee.

2. The hourly rate will not be discounted for students receiving the eRate and enrolling in greater than 12 undergraduate hours or 10 graduate hours.
 3. To qualify for an eRate, students must meet all University admission requirements and be verified as an online out-of-state student enrolled exclusively in courses delivered online by a procedure documented by the University. Out-of-state students refers to geographic location and does not include undocumented students living in Tennessee.
 4. Students enrolled in any type courses other than online (on-ground, telecourse, distance education, etc.) will not be eligible for the eRate specified in this standard and will instead incur traditional non-resident fees and charges. Students who enroll in both online courses and other type courses and subsequently drop the other type courses will not then become eligible for the eRate.
 5. Enrollment of eRate students as defined in this standard must mitigate any negative impact on the opportunity for Tennessee student enrollment in online courses.
- E. Corporate Partnership Rate. Available to corporations that have entered into a formal partnership with MTSU to develop and deliver a degree completion program to their employees. The rate applies to out-of-state employees and is equal to the approved eRate above. The major difference is that it can be any type of course (hybrid, telecourse, distance education, etc.) offered as part of a Corporate Partnership. In-state students involved in a Corporate Partnership will pay normal in-state rates.
- F. Program Services Fee. A fee charged to students to support the following programs of the University:
1. Debt Service. Debt service fee revenue is used to retire debt on various capital projects of the University. At the conclusion of the debt retirement for a given project, the debt service fee attributed to the project will cease. Any new project requires the approval of a new debt service fee on its own merits without the reallocation of any existing fee. Any continuation of fees necessary for renewal and replacement of a project for which the debt is totally retired must be approved for that purpose by the Board.
 2. Student Government Activity Fee. A student government activity fee may be established pursuant to T.C.A. § 49-8-109. Any increase in this fee shall be subject to a referendum pursuant to T.C.A. § 49-8-110 for student body approval or rejection. The fee will be administered in accordance with the provisions adopted by the University. These fees will be recorded as restricted revenue.

3. Technology Access Fee. Assessed by the University for the purpose of providing student access to computing and similar technologies.
 - a. The revenue from Technology Access Fees (TAF) should be used by the University for direct student benefit, for items such as new and improved high technology laboratories and classrooms, appropriate network and software, computer and other equipment, and technological improvements that enhance instruction. Specifically, TAF funds may be used for the following items:
 - (1) Computers and other technical laboratory supplies, equipment, software and maintenance.
 - (2) Network costs (Internet, interactive video, etc.)
 - (3) Classroom equipment and classroom modifications.
 - (4) Lab, helpdesk and instructional support staffing by student employees.
 - (5) Renewal and replacement reserves as necessary.
 - (6) New machines for faculty use when faculty are actively engaged in developing and conducting on-line courses.
 - (7) Faculty and staff development directly related to the introduction or application of new technology which impacts students. Travel costs are not to be funded from TAF revenues
 - (8) Infrastructure (wiring, network, servers, etc.) necessary to provide students maximum computing capability.
 - b. As part of the budget process, the University shall prepare a detailed spending plan for the use of funds generated by TAF.
 - c. The spending plan will be maintained by the University and will be updated throughout the year as needed. The President shall ensure that the spending plan is prepared. At the end of the fiscal year, a summary of the actual money generated and actual use of the money shall be prepared and maintained by the University.
 - d. Compliance with this standard will be audited by the internal audit staff and reported as determined by the internal auditor's annual risk-based planning process or other appropriate means.
4. Campus Access Fee. Assessed to all students each academic term for services provided related to parking and transportation on campus, as well as maintenance of the transportation infrastructure.
5. Postal Services Fee. Charged for U.S. postal services provided on campus to students.
6. Facilities Fee. Used to improve facilities and fund expenditures such as replacing carpets in student lounges, remodeling classrooms, provide matching funds for new

- academic building projects, etc. The fee is used to make improvements to areas that have an impact on students.
7. Student Recreation Fee. Used to improve facilities and fund expenditures related to operating the student recreation center for student, faculty, staff, and alumni use. The Student Recreation center is an auxiliary fully funded by this fee and sales revenue from fitness programs, locker rental, facility rental, etc.
 8. Sustainable Campus Fee. A project voted on and approved by the students to support MTSU's participation in the TVA Green Power Switch program and clean energy initiatives on campus. A campus committee reviews proposals and assigns the funds to various projects.
 9. Athletics Fee. A fee used to support athletics which allows students access to all athletic events with no additional entrance fee. This fee, along with general fund support from the education and general fund, ticket sales, game guarantees, concessions, etc. fully supports athletics.
 10. Health Services Fee. Used to improve facilities and fund expenditures related to operating a Health Services facility for students, including a pharmacy. The Health Services center is an auxiliary fully supported by this fee and sales revenue.
 11. International Education Fee. A fee charged to all students to support international programs. Fees are used to provide travel support for study abroad students participating in consortia programs, MTSU faculty led programs, bilateral exchange programs and international experiential and service learning experiences and for internationalization of courses across the curriculum.
- G. Specialized Academic Course Fees. Certain academic programs require expensive maintenance/updating of equipment and software and the employment of highly qualified staff. The high costs of instruction for these programs can be offset by establishing specialized academic fees, with the Board's approval. Specialized academic course fee revenues are limited to funding only the related costs for providing these courses. To receive approval for a specialized academic fee, a program will be required to submit documentation to establish that the following criteria are met:
1. High Cost of Instruction. Programs qualifying for charging specialized academic fees must demonstrate that they are more costly than other programs offered by the University. If appropriate, the extraordinary cost of the program must be validated including benchmarking with similar programs in the region and nation.
 2. High Demand. The number of students enrolled in the program and the student credit hours generated are sufficient to justify additional fees.

3. High Cost of Updating/Maintaining Equipment and Software. Programs qualifying for charging specialized academic fees are expected to be those that require extensive maintenance and regular updating of equipment and/or software, all of which are very expensive. An average hardware/software cost per student credit hour serves as the basis for determining the amount of the fee.
 4. Accreditation. Meeting standards of specific accrediting agencies may also qualify a specialized program for charging specialized academic fees. The accrediting standards that justify a fee are those that specify the possession and use of certain equipment and unique software that are extraordinarily costly and/or the employment of faculty with specific credentials that demand high salaries.
 5. High Recognition and Quality. The programs approved for specialized academic fees are expected to be distinctive and with a regional or national reputation. The program must demonstrate that it has achieved exceptional recognition in its particular enterprise.
 6. High Value to Tennessee. The program must demonstrate that it is a good investment for the State of Tennessee to justify charging extra fees to the student. The program should be distinctive and of integral value to Tennessee. The graduates' earning potential and the associated benefit to the state economy should be projected, as well as the efforts taken by the University to aid graduates in finding appropriate employment in Tennessee.
 7. Impact on Affected Students. Through surveys, questionnaires, or other suitable means, the program must demonstrate that the charging of additional fees will not diminish enrollment. The program should demonstrate that enrolled students realize that the potential earning power in the work force justifies their additional investment.
- H. Materials Fees. A fee charged for certain academic labs requiring students have specialized consumable materials. These supplies should be consumable products that the student will use up during the semester. Non-hazardous materials may be retained by the student at the end of the semester. Each request should include course number and a list of expendable supplies that will be purchased as a convenience to the students. It should be financially advantageous to students for the University to purchase the course materials.
- I. Miscellaneous Course Fees. Assessed for courses with additional requirements outside the normal instructional classroom or to provide additional support services to students (i.e. flight training fees, distance education fees, private instruction music fees, etc.)
- J. Other Fees, Fines, and Charges

1. **Application Fee.** This is a non-refundable fee paid by an individual who applies for admission to the University. A student is required to pay this fee when he/she applies for admission as a graduate student even if the student attended another institution as an undergraduate student. Additionally, the student is required to pay this fee when he/she applies for admission to a doctoral-level program after receiving a masters-level degree from the institution.
2. **Applied Music Fees.** This fee is charged for private music lessons or small group training sessions. It is refundable on the same basis as maintenance fees or as established by the University.
3. **Late Registration Fee.** A late registration fee will be charged to students registering on or after the first day of the term or part-of-term.
4. **Orientation Fee.** An orientation fee will be charged to incoming students and their family who attend Customs Orientation.
5. **Study Abroad Fee.** Students participating in Study Abroad are charged a fee to cover a range of services available to them before, during, and after their abroad program. It also covers the Study Abroad online application fees.
6. **Deferred Payment Service Fee.** Students who choose to participate in the installment plan will be charged a service charge.
7. **Deferred Payment Plan Late Fee.** Students who do not pay their installment plan payments by the due date will be charged a late fee each month they are late.

VII. Fees, Fines, and Charges to be Established and Administered by the University

The following fees, fines, and charges may be established and administered by the University. No specific approval or notification to the Board will be required unless subject to other Board or State requirements. These charges should be governed by an approved contract and/or approved by the Provost or the appropriate Vice President. The University will establish appropriate refund policies. Approval documents should be sent to the Office of Business and Finance.

- A. Sales of goods and services of a commercial nature, including bookstores, food services, vending, laundry and similar activities. This includes the University's IncludED program which allows students to receive required course materials at a discounted rate and on day one of a course.
- B. Rental of non-student housing and facilities.

- C. Admissions fees to athletic and other events open to the public, including special events sponsored by campus organizations and activities.
- D. Sales and services of educational activities such as clinical services, publications, etc.
- E. Registration for conferences, institutes, and non-credit activities.
- F. Fees for use of campus facilities for recreational purposes.
- G. Parking permits and parking meters for use by guests and visitors.
- H. Nonrefundable library fines, which apply to students, faculty, staff, and other library users.
- I. Thesis and dissertation fee - nonrefundable. The fee will be determined based upon cost to the University.
- J. Child Care Fees. Kindergarten, Preschool, Early Childhood, Day Care, or similarly defined activities.
- K. Special Exam Fee - nonrefundable. The fee will be determined based upon cost to the University (i.e. certification fees, etc.).
- L. Standardized Test Fees - nonrefundable. The fee will be determined based upon the cost for administering the tests.
- M. Identification Card Replacement - nonrefundable. There will be no charge for the original identification card. A fee may be set by the University to offset the cost of replacing the card. This fee applies only to student ID cards and not to faculty and staff ID's.
- N. Returned Check Fee. The University will charge a nonrefundable returned check fee that is the maximum set by state law. This fee will apply to all returned checks received by the institution, whether from students, faculty, staff, or other parties. The University will review state statutes each spring to determine any changes.
- O. Diploma Fee. Students wanting a second copy of their diploma will be charged for the reproduction.

VIII. Deposits

A deposit may be established by the University for rent or lease of buildings and facilities, or for the issuance of other University property or equipment. Deposits should be subject to a 100% refund if no damage or loss occurs. The amount of such deposits should be related to the value

of the facilities or equipment subject to loss and the general ability of the University to secure reimbursement should loss or damage occur.

IX. Student Residence Halls and Apartments

- A. All regular and special rental rates for student dormitories and student apartments shall be approved by the Board upon the recommendation of the University. The University may recommend special rates for non-student groups during summer periods, etc.
- B. Pursuant to Policy [640 Payment of Student Fees and Enrollment of Students](#), rental for student dormitory or residence hall units shall be payable in full in advance of the beginning of a term. However, residence hall students can participate in the installment payment plan ([Policy 644 Installment Fee Payment Program](#)).

X. Other Fee and Charge Considerations

- A. Fees may be established to control the utilization of facilities and services or to offset the cost of extraordinary requirements as a result of specific programs or activities. ([Policy 100 Use of Campus Property and Facilities Scheduling](#))
- B. When fees and charges are incorporated in agreements with outside contractors and vendors, specific rates, refunds and conditions must be clearly stated.
- C. Fees for auxiliary services must take into consideration that Auxiliary Enterprises should be a break-even operation with rates and charges generating revenue sufficient to cover all expenses as defined in operating budget policies.
- D. Fees established for non-credit courses and activities shall be sufficient to cover the total costs incurred in providing instruction plus a minimum of 25% of the annual instructional salary costs including contractual salary costs or personal services contracts.
- E. Students enrolled for six or more hours are eligible for full-time privileges, i.e., access to social, athletic, and cultural functions, pursuant to T.C.A. § 49-8-109.

XI. Refunds and Fee Adjustments

- A. Adjustments to all fees and charges must be in accordance with the following provisions except as previously stated, or when required by federal law or regulation to be otherwise.

- B. Pursuant to T.C.A. §§ 49-7-2301 and 49-7-2302, students called to active military or National Guard service during the semester are entitled to a 100% adjustment or credit of mandatory fees. Housing and meal ticket charges may be prorated based on usage.
- C. Maintenance Fee, Tuition, and Program Services Fee Refunds and Adjustments
1. Refunds are 100% for courses canceled by the University.
 2. Changes in courses involving the adding and dropping of equal numbers of SCH's for the same term at the same time require no refund or assessment of additional tuition or fees, unless the dropping and adding involves TN eCampus courses for which there would be a fee adjustment.
 3. The fee adjustment for withdrawals or drops during regular terms (fall and spring) is 75% from the first day of classes through the fourteenth calendar day of classes and then reduced to 25% for a period of time which extends 25% of the length of the term. When the first day of the academic term falls on a Saturday, the 100% refund period is extended through the weekend until the following Monday morning (12:01 am). There is no fee adjustment after the 25% period ends. Dropping or withdrawing from classes during either the 75% or the 25% fee adjustment period will result in a fee adjustment of assessed tuition and fees based on the total credit hours of the final student enrollment.
 4. All fee adjustment periods will be rounded to whole days and included in all student communication. In calculating the 75% and 25% fee adjustment periods for other than the fall and spring (i.e. summer sessions), the number of calendar days during the term will be considered.
 5. A full refund (100%) is provided on behalf of a student whose death occurs during the term. Any indebtedness should be offset against the refund.
 6. A 100% refund will be provided for students who enroll under an advance registration system but who drop a course or courses prior to the beginning of the first day of class.
 7. A 100% refund will be provided to students who are compelled by the University to withdraw when it is determined that through University error they were academically ineligible for enrollment or were not properly admitted to enroll for the course(s) being dropped. An appropriate official must certify in writing that this provision is applicable in each case.
 8. When courses are included in a regular term's registration process for administrative convenience, but the course does not begin until later in the term, the 75%/25% fee adjustment periods will be based on the particular course's beginning and ending

- dates. This provision does not apply to classes during the fall or spring terms which may meet only once per week. Those courses will follow the same refund dates as other regular courses for the term.
9. The fee adjustment is calculated as the difference between (1) the per credit hour cost of originally enrolled hours and (2) the per credit hour cost of the courses at final enrollment after adjustments have been applied for all courses dropped. Adjustments are calculated at the full per credit hour rate less the fee adjustment credit at the applicable fee adjustment percentage (regardless of the original number of hours enrolled). Not all drops/withdrawals will result in fee adjustments.
- D. Student Residence Hall/Apartment Rent and Meal Plan Refunds. Refund of residence hall rent and meal plans after registration will be prorated on a weekly calendar basis when the student is forced to withdraw from the residence hall or University:
1. Because of personal medical reasons confirmed in writing by a licensed physician, or
 2. At the request of the University for other than disciplinary reasons. Full refund will be made in the case of the death of the student. Withdrawals for other reasons will be subject to the same 75%/25% fee adjustment periods as outlined for tuition and fees above. No refund will be made other than under the above conditions.

Forms: none.

Revisions: none.

References: Policies 100 Use of Campus Property and Facilities Scheduling; 501 Classifying Students In-State and Out-of-State for Paying University Fees and Tuition and for Admission Purposes; 640 Payment of Student Fees and Enrollment of Students; 644 Installment Fee Payment Program.



730 Campus Crisis and Emergency Management

Approved by Board of Trustees

Effective Date:

Responsible Division: Business and Finance

Responsible Office:

Responsible Officer:

I. Purpose

Middle Tennessee State University (MTSU or University) considers emergency preparedness and planning activities essential for maintaining the safety and security of the campus and our community. This policy ensures that the University develops and maintains plans and procedures utilizing emergency mitigation, preparedness, response and recovery criteria consistent with the National Incident Management System and the Tennessee Emergency Management Plan. These plans and procedures will help ensure that the University is able to respond appropriately in the case of emergencies or disasters which could occur within or around the University in order to mitigate risks to students, faculty, staff and property.

II. Definitions, Types, and Levels of Crisis

The following definitions are provided as guidelines to assist personnel in determining the appropriate response:

- A. Level 1 - Limited Crisis:** A limited crisis within the scope of this plan is any incident, potential or actual, which will not seriously affect the overall functional capacity of the University but requires some degree of action. A limited crisis may be small enough that the affected department can effectively resolve the issue. In other cases, assistance from the University Police Department and/or off-campus emergency response groups may be required according to the standard operating procedures of the MTSU Police Department. While some damage and/or interruptions may occur, conditions are localized and MTSU Emergency Operations Center (EOC) activation is not needed. Examples of Limited Crises in the context of this plan may include, but are not limited to, a localized chemical spill, plumbing failure, or water leak.
- B. Level 2 - Issue-Driven Crisis:** Includes issue driven and/or slowly developing situations that negatively impact the University. The incident may be severe and cause damage and/or interruption to MTSU operations. A partial or full activation of the MTSU EOC may be needed. MTSU may be the only affected entity. Examples of issue-driven crises

may include, but are not limited to, unscheduled or planned protests or disruptions, civil disturbances, unauthorized occupancy of campus areas, sexual assaults, controversial speakers, and hate crimes.

- C. Level 3 - Major Crisis/Emergency:** A major crisis or emergency, within the scope of this plan, is an incident posing major risk to University personnel, students, visitors, or resources that has caused or has the potential for causing fatalities or injuries and/or major damage. Such an incident is equivalent to a campus-wide 'state of emergency,' and is expected to require activation of the MTSU EOC and Crisis Management Team (CMT) in order to provide an immediate emergency response. MTSU may request assistance from the City of Murfreesboro, Rutherford County, other state agencies or request federal assistance via the Rutherford County Emergency Operations Center. A Level 3 crisis may develop from incidents beginning at the Level 1 or 2 stages. Examples of major crises may include major emergencies, building emergencies or disasters such as those listed in Section V.A below.

III. Emergency Operations Planning

- A. An Emergency Operations Plan addresses all types of emergency functions. MTSU shall develop, maintain and, execute an Emergency Operations Plan (EOP) that meets state and federal requirements. The EOP will guide the MTSU community in responding to natural, man-made and/or public health hazards with the goal of mitigating risks to students, faculty, staff and property.
- B. The EOP shall be based on the concepts and principles of the National Incident Management System (NIMS), incorporating elements of the Incident Command System (ICS). The EOP should identify how the University fits within the overall NIMS structure.
- C. The University should utilize the Guide for Developing High-Quality Emergency Operations Plans for Institutions of Higher Education found at <http://rems.ed.gov/IHEGuideIntro.aspx>
- D. The EOP shall address how MTSU will integrate and coordinate with other governmental entities and be shared, as appropriate, with relevant local, regional and/or state agencies in order to promote coordination among the various entities.
- E. Since emergencies normally occur without warning, plans and procedures should be designed to provide sufficient flexibility to accommodate contingencies of assorted types and magnitudes.
- F. The EOP must be reviewed and revised, as necessary, on at least an annual basis by senior administrators in conjunction with the University's CMT.
- G. Additionally, aspects of the EOP must be tested in training exercises and drills consistent with Federal and State law.

- H. The University should undertake emergency operations planning within the context of local or regional, state and federal emergency planning. In order to promote coordination among these entities, the University should include a local or regional emergency planning representative to assist it in developing its EOP.
- I. University units that are not responsible for maintaining an independent emergency management plan are still responsible for developing and maintaining local building emergency procedures to address the safety of occupants with the assistance of and oversight by campus safety officers.
- J. The University's EOP should be developed and maintained in compliance with Federal Emergency Management (FEMA) standards.
- K. Maintenance of the EOP
 1. Environmental Health and Safety will properly maintain the EOP and review it at least on an annual basis.
 2. Electronic and/or hard copies of the EOP will be maintained by all members of the CMT and department/office heads who will have significant roles in responding to emergencies.
 3. The EOP will also be maintained in the University Police Department.
 4. A redacted version of the EOP shall be kept updated and posted on the internet.
 5. An electronic copy of the EOP must be maintained in a manner that will permit access during an emergency.
 6. Department/office heads should establish appropriate procedures within their work units to facilitate EOP implementation.
 7. On an annual basis the President or Designee, in consultation with the CMT will review the EOP and update/modify the EOP as necessary.

IV. Emergency Management Roles

- A. The administrative emergency management roles of Environmental Health and Safety and the University Police are to:
 1. Provide necessary guidance for University officials to meet federal and state requirements;
 2. Act as liaison with Rutherford County Emergency Management Agency (RCEMA) who will coordinate with the Tennessee Emergency Management Association (TEMA) directly on MTSU's behalf;
 3. Coordinate meetings of University emergency management planning staff;
 4. Assist in coordinating key personnel training;

5. Monitor compliance with this policy; and
 6. Report periodically to the President or designee on the status of emergency preparedness.
- B. MTSU will develop and maintain a system that assigns and trains people within campus units as necessary to develop department/building specific responses to general emergencies, helps communicate campus requirements, provides information during emergencies and coordinates department/building specific drills.

V. Emergency Status

- A. A state of emergency may be declared at any time an emergency reaches such proportions that it cannot be handled by routine measures. Such emergencies may include, but not be limited to:
1. tornados
 2. earthquakes
 3. winter storms
 4. fires
 5. infectious diseases
 6. hazardous chemical spills
 7. transportation accidents
 8. explosions
 9. utility outages
 10. civil disturbances
 11. bombs
 12. hostage situations
 13. terrorist activities
 14. active threats
 15. technological hazards
- B. The EOP shall designate an employee (or group of employees) authorized to Declare an Emergency.
1. The EOP provides that the President or Designee with or without consultation from the CMT, will make a determination of whether declaration of an emergency is appropriate.

2. If an emergency is declared, the employee(s) authorizing the declaration will cause CMT members (as well as others as directed by the President or Designee) to be contacted, advise them that an emergency has been declared, and direct them to respond to the EOC.
3. A systematic calling plan must be established to ensure that CMT members receive timely notification of the official declaration of emergency.
4. The EOP designates that the President or Designee is the highest University authority in any emergency situation. The EOP must establish a clear chain of command outlining University employees with authority to act in response to the emergency.
5. The CMT will serve in a support role to the President or Designee during an emergency.
6. MTSU Senior Administrators have discretion to determine who to appoint from their areas to the CMT; however, it is advisable that administrators give serious consideration to the inclusion of the following personnel with potentially significant operational responsibilities:
 - a. President
 - b. Chief Academic Affairs Officer
 - c. Chief Business/Finance and Administration Officer
 - d. Chief Student Affairs Officer
 - e. Chief Public Relations Officer
 - f. Chief of University Police Department
 - g. Director of the University Health Services
 - h. Chief Information Officer
 - i. Housing/Residence Life Director
 - j. Physical Plant/Facilities Director

VI. Emergency Processes

- A. The EOP will designate a location that will serve as an EOC for the University. An alternative location should also be designated in the event that the primary location is not available.
 1. Members of the CMT and others as designated by the President or Designee should be present in the EOC during emergencies, to the extent practicable.
 2. University administrators should consider having all activities, such as requests for personnel, equipment, and supplies monitored and coordinated from the EOC to ensure a coordinated effort and to ensure the best use of the resources needed to handle the emergency situation.

3. A log should be maintained in the EOC which reflects all significant events and actions taken in the EOC.
 4. A communications log should also be maintained which reflects the time and date of every significant communication to/from the EOC, whom the communication was received from/sent by, to whom the communication was directed, the nature of the communication, and any EOC action resulting from the communication.
- B. The EOP should authorize the establishment of a Command Post on campus that is near the scene of the emergency. The command post will maintain contact with the EOC for purposes of instruction, status reports, and requests for support.
 - C. The EOP should authorize an appropriate administrator to determine that an evacuation is necessary and issue an evacuation order.
 - D. The University will designate appropriate location(s) as "Shelter Locations" at each campus facility.
 - E. The University will develop and maintain a procedure to manage media inquiries during an emergency situation.
 1. The EOP must include a news/media procedure to direct the management of media inquiries during emergencies. The University's News and Media Relations office is responsible for coordinating the University's response to news media inquiries at all times, including emergency situations.
 2. No University employee, other than employees of MTSU's News and Media Relations office or the designated administrator, should release information to news media representatives, unless instructed to do so.
 3. All news media requests should be directed to MTSU's News and Media Relations, the designated administrator, or the EOC.
 4. The news media procedures must designate a location for press conferences during emergency incidents.
 5. News media personnel should not be allowed into secure areas without an appropriate escort.
 - F. MTSU will maintain a procedure to manage volunteers who respond to an emergency situation.
 1. Volunteers should be directed to the EOC or a central location for registration and assignment. During the registration process volunteers will be required to provide some form of reliable identification.
 2. A volunteer log should be maintained which will reflect the name, address, date of birth, driver's license or social security number, any particular skill of each volunteer, the name of the supervisor to whom they are assigned, and the number of the

- identification card issued to the volunteer. Access to this information should be limited to certain personnel and safeguarded at all times.
3. If practical, each volunteer will sign a standard Volunteer Release Form and be issued an identification card that will be affixed to their outer clothing.
 4. Volunteers will be assigned to a supervisor involved in the emergency response.
- G. MTSU will document and maintain a procedure to manage purchases during an emergency situation.
1. All emergency purchases will be handled in the shortest possible time frames.
 2. To the greatest extent possible, University employees will make purchases using procurement cards.
 3. For those purchases which cannot be made by use of procurement cards, Business and Finance personnel will facilitate the timely acquisition of needed resources in a manner consistent with emergency situations.
 4. A record of all emergency related expenditures will be maintained by the work unit making those expenditures. A copy of those records will be forwarded to the EOC and the original purchase documents will be handled consistent with University purchasing guidelines.
- H. MTSU will develop and maintain a plan to transport persons and/or equipment during an emergency.
1. An appropriate University department should be designated to be responsible for providing vehicles for evacuations and other emergency related activities.
 2. Distribution of vehicles should be made in such a manner as to maintain accountability while being responsive to the emergency needs of the University.
 3. Facilities Services or appropriate personnel should be prepared to experience an increase in emergency maintenance to University vehicles, to include minor off-site repairs related to such problems as flat tires, dead batteries, etc.
- I. MTSU will establish a plan for alternate communication options for use during an emergency response period.
1. Generally, the primary means of communications during an emergency are telephones, cell phones, satellite phones, and two-way radios.
 2. If the University phone system has been rendered inoperable or if the emergency incident is a bomb threat, then the EOC, CMT, and other necessary personnel will use cell phones and radios.
 3. Radios will be the primary communications medium if landline phones, satellite phones, and cell phones are inoperable.

4. In the event that phones, cell phones, and radios become inoperable, consideration should be given to the use of “runners” to transmit messages.
- J. The University will have a procedure to document activities in response to an emergency. Each department/office should be instructed to maintain a record of all emergency-related activities performed by the personnel of that work unit. The record will reflect the personnel worker hours (for non-exempt staff), as well the assignments of personnel, and the work performed by each work unit, and other resources expended in response to the emergency.
 - K. MTSU will ensure that copies of campus maps, site maps and building prints / records are in a central location and/or are disseminated to areas that will need access during emergency operations.
 1. To the extent that doing so does not compromise security of the University, the EOP shall ensure that accurate copies of main and satellite campus maps/site plans, prints of buildings and record plans of buildings are attached to the EOP.
 2. If the determination is made that security concerns outweigh the inclusion of such material in the EOP, then the University must ensure that accurate copies of campus maps and building prints are maintained in a secure location that is readily accessible by law enforcement personnel, the President or Designee, and the CMT.
 - L. MTSU will maintain a Student Assistance Coordinating Committee/Threat Assessment Team that meets regularly to discuss the needs of distressed, disturbed, disruptive, or dangerous students.
 1. The University’s Student Assistance Coordinating Committee will meet on a regular basis to evaluate the needs and provide necessary assistance to students who are identified as distressed, disturbed, disruptive, and/or dangerous.
 2. The Division of Student Affairs has the sole discretion to determine which administrators to appoint to the Committee from the following departments, if applicable:
 - a. Judicial Affairs
 - b. Disabled Student Services
 - c. Student Health
 - d. Counseling Services
 - e. Academic Support Services
 - f. Housing and Residential Life
 - g. Police Department

VII. Training

Emergency Operations Plan Training. MTSU shall conduct appropriate training for relevant personnel regarding the EOP.

- A. Members of the CMT and department/office heads should ensure that they and members of their staff are knowledgeable concerning the contents of the EOP.
- B. The CMT Members should receive training in the (NIMS) National Incident Management System method of handling emergency situations.
- C. All employees should have knowledge of the contents and procedures of the EOP. On a periodic basis different aspects of the EOP should be tested, either through simulated exercises or in-service training, as appropriate.
- D. A Safety Committee/Risk Management Committee may be established to assist in these training exercises as necessary. The Safety Committee / Risk Management Committee or appropriate personnel may consult the TEMA Training and Education Office to request information regarding special training seminars.

Forms: none.

Revisions: none.

References: none.



808 Compensation Reporting and Approvals

Approved by Board of Trustees

Effective Date:

Responsible Division: Business and Finance

Responsible Office:

Responsible Officer:

I. Purpose

The goal of Middle Tennessee State University (MTSU or University) is to provide all employees compensation consistent with market data and satisfactory job performance. This policy establishes that this goal is reflected within MTSU's budget and will be dependent upon budget availability.

II. Compensation Philosophy

A. MTSU desires to have a compensation system which is fair, equitable and accountable.

1. MTSU will consider budget availability in all salary decisions.
2. This policy will cover compensation transactions.
3. The same approval policies apply to positions totally supported by restricted or auxiliary funds.

B. Faculty

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

C. Staff. It is the goal of MTSU, within available funds, to compensate staff within the approved compensation plan consistent with market data and performance.

III. Approvals

- A. MTSU shall develop compensation plans approved by the Board. These plans will be updated consistent with this policy. New or revised compensation plans that may include merit, equity, and market increases are submitted to the Board for approval.

- B. All salary increases listed below are subject to approval by the Board of Trustees (Board).
 - 1. All Vice Presidents or other executives reporting directly to the President (academic, business, student affairs, etc.) including all interim appointments;
 - 2. Chairs of Excellence, including interim appointments;
 - 3. Faculty promotions;
 - 4. Increases based on the approved compensation plan;
 - 5. Additional across-the-board increases;
 - 6. Additional bonuses
 - 7. Any other positions which may be designated by the Board

- C. Salary increases are not final until approved by the Board, unless otherwise provided for in this policy.

Forms: none.

Revisions: none.

References: none.

Middle Tennessee State University
Finance and Personnel Committee
Policies Recommended for President Approval

The following policies can be found at the following website:

<http://www.mtsu.edu/FOCUSpoliciesandstandards/pending/post-comment-policies.php>

Policy No.	Policy Name
137	Classification of Awards as Gifts or Grants/Contracts
150	Social Networking and Media
151	Expenditure of State Funds for Paid Advertising
152	Use of MTSU Names, Marks and Trademarks
153	Letterhead Stationery
154	Publications
161	Campus Commemoratives
170	Charitable Solicitations
600	Approval of Agreements – Delegation of Authority/Signature Authorization
632	Purchasing Card (P-Card) Program
635	Deposit and Investment of Funds
636	Standards Pertaining to Cash Receipts and Deposits
637	Cash Purchases and Petty Cash Funds
640	Payment of Student Fees and Enrollment
642	Educational Assistance: State Employees, Dependents of State Employees and Teachers
643	Educational Assistance: Veterans' Dependents Program; State Retirees; and Disabled and Elderly Personal Programs
644	Installment Fee Payment Program
645	Defaulted Student Loans
646	Collection of Accounts Receivable
650	Identity Theft Prevention
651	Safeguarding Nonpublic Financial Information
652	PCI DSS Information Security
655	Auxiliary Enterprises-Classification and Operation
656	Athletic Tickets and Admissions
657	Payrolls
658	Travel
659	Gifts, Prizes and Awards
660	Membership and Subscriptions
661	Meals and Refreshments for Both On and Off Campus
662	Food Service Provided – Self-Catered or Off-Campus Vendor

Middle Tennessee State University
Finance and Personnel Committee
Policies Recommended for President Approval

The following policies can be found at the following website:

<http://www.mtsu.edu/FOCUSpoliciesandstandards/pending/post-comment-policies.php>

Policy No.	Policy Name
663	Study Abroad Financial Procedures
664	Research Participant Payments
665	Cost Transfers Guide for Sponsored Projects
667	Wireless Telephone and Data Service
668	Uniform Disposition of Unclaimed Property
685	Disposal of Surplus Property
686	Equipment/Movable Property Inventory Control
687	Motor Pool Services
688	Sustainable Campus Fee Program
700	University Police Department
705	Weapons on Campus
710	Violence on Campus
715	Emergency Notification and Timely Warnings
720	Missing Residential Student Notification
725	Inclement Weather
735	Environmental Health and Safety
740	Hazardous Waste Reduction
745	Building Access
750	Tobacco-Free Campus
755	Alcoholic Beverages
760	Drug-Free Workplace
765	Fire Alarm Notification for Persons with Disabilities
770	Fire Safety in On-Campus Student Residential Housing
775	Traffic and Parking
780	Automated External Defibrillators
800	General Personnel
801	Personnel Transactions
802	Hours of Work
803	Holiday, Administrative and Emergency Closings
804	Employment Classification
805	Student Employment

Middle Tennessee State University
Finance and Personnel Committee
Policies Recommended for President Approval

The following policies can be found at the following website:

<http://www.mtsu.edu/FOCUSpoliciesandstandards/pending/post-comment-policies.php>

Policy No.	Policy Name
806	Compliance with the Fair Labor Standards Act and Employment of Minors
807	Classification and Compensation Plan for Classified and Administrative Positions
809	Salary Increase for Attaining Certified Administrative Professional Status
810	Performance Evaluation Reviews
811	Personnel Records
812	Promotions of Classified, Executive and Administrative Employees
813	Alternate Work Arrangements
814	Outside Employment, Extra Compensation and Dual Services Agreement
815	Unemployment Compensation
816	Nepotism
825	Leave Policies
826	Educational Leave
827	Family, Medical, and Servicemember Leave
828	Employee Attendance during Inclement Weather
829	Educational Assistance: MTSU Employee Tuition Waiver
830	Faculty and Staff Support for Educational Expenses
831	Educational Assistance: Student Fee Discounts for Spouses and Dependent Children of MTSU Employees
840	Retirement
841	Retirement Plans
842	Deferred Compensation Plans
843	Longevity Pay
850	Return to Work
851	Disciplinary Policy for Administrative and Classified Personnel
852	Administrative, Professional and Faculty Grievance or Complaint
853	Classified Grievance and Complaint Policy
854	Faculty Sick Leave Bank
855	Staff Sick Leave Bank
856	Modified Fiscal Year Contracts
857	Worker's Compensation and Tort Claims
858	Notification Requirements in the Event of an Employee Death

Middle Tennessee State University
Finance and Personnel Committee
Policies Recommended for President Approval

The following policies can be found at the following website:

<http://www.mtsu.edu/FOCUSpoliciesandstandards/pending/post-comment-policies.php>

Policy No.	Policy Name
859	Human Resources Emergency Procedures
860	Exit Interview – Checkout Procedures for Terminating Regular Employees
910	Information Technology Resources
920	Information Security
925	Implementation of Secure Passwords
930	Electronic Mail Acceptable Use
940	Use of Electronic Signatures
950	Computer Software
955	Purchasing Educational and Administrative Mobile Applications
960	Access Control
970	Telephone Service

REPORT FROM THE FINANCE AND PERSONNEL COMMITTEE

The Finance and Personnel Committee met in regular session on Tuesday, May 9, 2017, at Middle Tennessee State University. Chairman Joey Jacobs called the meeting to order at 1:30 p.m. (CDT). A quorum was present with the following Committee members in attendance: Joey Jacobs, Steve Smith, J.B. Baker, Darrell Freeman, Tony Johnston, Pete Delay and Lindsey Weaver. Also present were Alan Thomas, Vice President for Business and Finance; Bruce Petryshak, Vice President for Information Technology and Chief Information Officer; Joe Bales, Vice President for University Advancement; Andrew Oppmann, Vice President for Marketing and Communications; and, Heidi Zimmerman, University Counsel and Board Secretary. Trustee Pamela Wright joined the meeting later, and Sidney A. McPhee, President joined the meeting by phone.

Chairman Jacobs began the meeting with a brief summary of business from the April 24, 2017, Committee meeting and a reminder of the next Committee meeting scheduled for Monday, May 22. Chairman Jacobs then made a request to change the order of the agenda and begin the meeting with the items listed for information and discussion.

The first item for discussion concerned the President Emeritus Contract for Dr. Sam Ingram. Mr. Thomas explained the duties and service requirements of the President Emeritus position. Chairman Jacobs asked how long the University had been contracting with Dr. Ingram and what services were provided under the contracts. Dr. McPhee explained that Dr. Ingram's primary responsibility is to serve as a liaison to the community colleges, and indicated that he meets regularly with Dr. Ingram for reports on those relationships. Board Chairman Smith requested to see prior contracts with Dr. Ingram and the work product from those contracts. He also requested information on other President Emeriti positions with public institutions, to include the following: amounts paid by other institutions; and whether community colleges have President Emeriti contracts.

Chairman Jacobs asked that the requested reports be added to the agenda for action at the next Committee meeting.

The second item for discussion was a request for approval of a salary increase for Ms. Brenda Burkhart, Director of Audit and Consulting Services. Chairman Jacobs asked if this had been discussed with the Chairman of the Audit and Compliance Committee, Chris Karbowskiak. Dr. McPhee stated that Chairwoman Karbowskiak concurred with this recommendation. Board Chairman Smith requested a report of the salaries of internal auditors at the other locally governed institutions (LGI's). Trustee Johnston raised the issue of approving a 20% pay increase for Ms. Burkhart in a year when the across the board increase is only 3%. Dr. McPhee responded that we have the responsibility to make the adjustment to Ms. Burkhart's salary due to the increased responsibilities and importance of the work.

The third item presented for discussion was a request for revision to the current compensation plan. Mr. Thomas explained to the Committee the need to remove the 90% cap to the midpoint of the hiring range in order to reduce salary exception requests, and increase the ability to recruit qualified individuals for vacancies. Trustee Delay asked for the history regarding the 90% cap limitation. Mr. Thomas responded that the cap was put in place in 2012 as a cost savings measure at a time when the state was making significant reductions in state appropriations; however, with the University's current low salaries, the effectiveness of the measure has diminished. Trustee Freeman acknowledged the need for the University to have the necessary tools to recruit and retain employees, but asked that the Committee be provided with additional information related to employee turnover. Board Chairman Smith asked that a report of the financial impact of removing the 90% cap limitation be provided at the next Committee meeting.

The fourth item presented for discussion was a recommendation from the Compensatory Advisory Committee and the President for a 3% across the board increase, with a \$1000 minimum, for both full and part-time employees on the payroll as of June 30, 2017,

effective July 1, 2017. Mr. Thomas explained that a 3% salary pool would be an estimated \$4.5 million. The Governor allocated \$3 million in the budget for salaries, so an additional \$1.5 - \$1.6 million would be needed from tuition and fee increases. Board Chairman Smith stated that he would like to see increases based on individual employee merit. He further stated that the University should explore other methods, such as a merit system, by this time next year. Trustee Freeman noted that the University must be competitive with regard to salaries to get the best employees.

The final discussion item on the agenda concerned the operating budgets. Mr. Thomas presented the Estimated 2016-17 and Proposed 2017-18 operating budgets to the Committee. After review and discussion of the materials presented by Mr. Thomas, the Committee requested the following additional budget information be provided for the next Committee meeting:

- Comparison of Composite Financial Indicators with other state universities and average peer institutions
- Schedule of auxiliary renewal and replacement balances
- Debt service coverage for other LGI's

Chairman Jacobs then directed the Committee to the action items listed on the agenda regarding tuition and fees. Prior to the meeting, Committee members were provided an executive summary of proposed fee increases for FY 2017-18. Chairman Jacobs requested Mr. Thomas provide updated information to the Committee regarding tuition and fees. Mr. Thomas informed the Committee that THEC is maintaining a 0-4% binding range on maintenance fees, as well as a 0-4% range for combined maintenance and mandatory fees. MTSU is recommending approval of a 3.5% increase in tuition. After review and discussion of the materials presented in the executive summary, the Committee asked for the following additional information to be provided at the next Committee meeting:

- History of maintenance fee increases in dollars
- Current tuition and fees from the LGI's

- Summary of revenue generated from all online courses (online vs. on ground)
- Detailed information on Regional Scholars Program – number of students/revenue generated by the current program, as well as scenarios if the radius was increased to 500 miles, 1,000 miles, and/or nationally.

Chairman Jacobs deferred action on the proposed tuition and fee increases until the additional information could be reviewed at the next meeting.

The meeting adjourned at 3:30 p.m. (CDT).

Respectfully Submitted,
Finance and Personnel Committee

REPORT FROM THE FINANCE AND PERSONNEL COMMITTEE

The Finance and Personnel Committee met in regular session on Tuesday, May 22, 2017, at Middle Tennessee State University. Chairman Joey Jacobs called the meeting to order at 1:30 p.m. (CDT). A quorum was present with the following Committee members in attendance: Joey Jacobs, Steve Smith, J.B. Baker, Darrell Freeman, Tony Johnston and Lindsey Weaver. Also present were Alan Thomas, Vice President for Business and Finance; Mark Byrnes, Interim University Provost; Bruce Petryshak, Vice President for Information Technology and Chief Information Officer; Joe Bales, Vice President for University Advancement; Debra Sells, Vice President for Student Affairs; and, Heidi Zimmerman, University Counsel and Board Secretary. Sidney A. McPhee, President, joined the meeting by phone.

Chairman Jacobs began the meeting with a request for the minutes from the May 9 meeting. Mr. Thomas responded the minutes would be provided to Chairman Jacobs for approval when available. He further stated that all of the minutes from the Finance and Personnel Committee meetings would be in the meeting materials for full Board approval at the June 5 meeting.

The first item on the agenda was a request for approval of revisions to Policy 100 – Use of Campus Property/Facilities. The Committee agreed that revisions were necessary to ensure that all scheduled use of University property be placed on the University Master Calendar. Board Chairman Smith made a Motion to approve the revisions. Trustee Freeman seconded the Motion. A voice vote was taken and the Motion carried. See Attachment 1.

The second item on the agenda was a request for approval of Policy 775 - Traffic and Parking. Mr. Thomas explained that this policy was not included in the list of policies recommended to be approved by the Board at the April 24 Committee meeting. Board approval is now required because a rule must be promulgated based on the policy, and State statute

requires both the policy and the rule be approved by the Board. Trustee Baker asked when the Committee could expect to approve the rule to be promulgated. Ms. Zimmerman responded it would be brought to the September Board meeting. Board Chairman Smith made a Motion to approve the policy. Trustee Freeman seconded the Motion. Trustee Johnston then expressed concerns over the policy language regarding impoundment of abandoned bicycles. Mr. Thomas responded that this language was not new and had always been part of the policy. Trustee Johnston then recommended the word "should" be changed to "must" with regard to registration of bicycles in Section IV.B. of the policy. Chairman Jacobs amended the Motion to approve the policy with this recommendation. A voice vote was taken and the Motion carried. See Attachment 2.

The third item on the agenda was the request for approval of the proposed 2017-18 President Emeritus Contract for Dr. Sam Ingram. Prior to the meeting, the members were provided with additional information regarding past contracts with Dr. Ingram, along with a report of President Emeritus comparisons with other Locally Governed Institutions (LGI's). Mr. Thomas informed the Committee that Dr. McPhee would be the last president eligible for President Emeritus status at MTSU. The Committee thanked Mr. Thomas for providing the additional information. Trustee Baker requested a letter be sent to Dr. Ingram from the Board thanking him for his service to the University. Chairman Jacobs asked a letter be drafted on behalf of the Board and sent to Dr. Ingram. Board Chairman Smith made a Motion to approve the contract. Trustee Freeman seconded the Motion. A voice vote was taken and the Motion carried. See Attachment 3.

The fourth item on the agenda concerned approval of the proposed salary increase for Ms. Brenda Burkhart, Director of Audit and Consulting Services. The recommendation was for a salary increase of \$17,000, effective July 1, 2017, bringing Ms. Burkhart's salary to \$100,049. The Committee members were provided a schedule of Chief Audit Executive salaries from the other LGI's for comparison. Mr. Thomas noted the schedule provided in the materials should have included annual budgets and student headcounts but was omitted in error. Trustee Baker

asked for the additional information to be provided to the Committee. (The corrected schedule has been included as part of Attachment 4 to these minutes.) Trustee Johnston reiterated his concern from the previous Committee meeting regarding the appearance of giving one employee a 20% increase in a year when the across the board increase is only 3%. Trustee Freeman responded that the Committee must do the right thing to bring Ms. Burkhart's salary in line with the audit executive salaries of the other LGI's. Board Chairman Smith made a Motion to approve the salary increase. Trustee Baker seconded the Motion. A voice vote was taken and the Motion carried. See Attachment 4 for the related materials and the corrected schedule.

The fifth item on the agenda concerned approval of the request for revision to the current compensation plan. Mr. Thomas presented a report on the Budget Impact of Removing the 90% Midpoint Cap. He explained that budget impacts are taken at the department level, meaning departments must have the additional funding in their existing budgets. The Committee then discussed the 2012-2015 Turnover Rate Schedule provided in the materials. Trustee Baker asked Mr. Thomas to provide a schedule of turnover rates without retired employees included in the numbers. (A revised schedule has been included in Attachment 5 of these minutes.) Trustee Baker asked if HR can determine from exit interviews with the employees not retiring if they are leaving for higher pay. Kathy Musselman, AVP for Human Resources, responded that they have not been successful in their attempts to gather this type of data from exiting employees. Trustee Freeman made a Motion to approve the removal of the 90% cap to the midpoint of the salary range limitation. Board Chairman Smith seconded the Motion. A voice vote was taken and the Motion carried. See Attachment 5.

The sixth item on the agenda was the request for approval of a 3% Across the Board (ATB) increase, with a \$1,000 minimum, for both full and part-time employees on the payroll as of June 30, 2017. Mr. Thomas informed the Committee the University will evaluate other methods for future salary increases when significant dollars are available, such as increasing salary ranges based on current market data and merit based salary plans. Trustee Freeman

stated he agreed with the recommendation for approval of the ATB increase for 2017-2018 but would like to see the University explore a merit based system for next year. Dr. McPhee noted that salary increases over the past ten years have averaged slightly over 1% for already underpaid employees, thus preventing the University from exploring other methods for salary increases. Board Chairman Smith requested a recalculation of the compounded effect of raises across the 10 years covered in the Ten Year Summary of Salary Increases 2007-2017 Schedule. (Subsequent to the meeting, this calculation was determined to be 13.71% as compared to the 13.00% shown on the schedule.) Chairman Jacobs asked for a Motion on the request. Trustee Freeman made a Motion to approve the 3% ATB increase as presented. Board Chairman Smith seconded the Motion. A voice vote was taken and the Motion carried. See Attachment 6.

Chairman Jacobs asked to move the seventh agenda item to the end and continue with the eighth agenda item concerning approval of maintenance fees and tuition. Mr. Thomas explained to the Committee that THEC has set the binding range for increases in both the maintenance fees and the combined maintenance and mandatory fees at 0-4%. Mr. Thomas informed the Committee that based on the University's unmet financial need of \$5.4 million, the recommendation is for a 3.5% increase in the in-state maintenance fee and out of state tuition for both undergraduate and graduate students. It was also noted the University is exploring expansion of the Regional Scholars Program, as well as reviewing the costs associated with delivery of online courses, and this information will be brought back to the Committee at a later meeting. Trustee Freeman made a Motion to approve the increase. Board Chairman Smith seconded the Motion. A voice vote was taken and the Motion carried. See Attachment 8.

The ninth item on the agenda concerned the recommendation for approval of mandatory and non-mandatory fees and housing rates. Mr. Thomas explained to the Committee that only the mandatory fees are subject to THEC's binding range of 0-4%. The non-mandatory fees are only subject to approval by the Board of Trustees. Schedules were provided to the Committee to show each fee in which an increase or decrease has been

requested. Discussion of the mandatory fee requests followed. Mr. Thomas explained to the Committee any increase in mandatory fees would either increase the overall percentage increase (maintenance plus mandatory fees) or, to keep the overall percentage the same, the maintenance fee percentage would need to be lowered. Discussion followed addressing the fee requests and recommendations. Dr. McPhee informed the Committee that all requests are thoroughly reviewed, as well as the consideration for academic department needs, before the requests are brought to the Committee for approval. (Subsequent to the meeting, additional information was obtained in regards to the CIM-MBA program. The first cohort of students has completed the program in which there were six students. The department is projecting to have ten students in the next cohort starting in January 2018.) Chairman Jacobs asked for a Motion on the fees. Board Chairman Smith made a Motion to approve the fees and housing rates as presented. Trustee Baker seconded the Motion. Board Chairman Smith moved to amend the Motion by adding an additional \$10 to the requested \$25 Athletic Fee for a total fee of \$35 per semester, with the additional \$10 earmarked for capital improvements to Athletic facilities. Trustee Baker seconded the Motion. A roll call vote was requested and the amendment carried 3-2 as follows: Aye – Chairman Jacobs, Board Chairman Smith, and Trustee Baker; No – Trustees Freeman and Johnston. A voice vote on the Motion, as amended, was taken and the Motion, as amended, carried. See Attachment 9.

The final item on the agenda was the Estimated 2016-17 and Proposed 2017-18 operating budgets. Prior to the meeting, the Committee members were provided the supplemental information requested at the last meeting:

- Comparison of Composite Financial Indicator (CFI) to other LGI's
- Renewal and replacement funds available for auxiliaries
- Comparison of debt service coverage to other LGI's

Mr. Thomas stated additional information on the individual CFI ratios would be provided prior to the September Board meeting. Discussion followed regarding the overall financial health of the University as presented. Mr. Thomas explained the low index levels reflected on the CFI chart for MTSU occurred during periods when significant infrastructure and construction projects were occurring on MTSU's campus but not necessarily on other campuses. Trustee

Baker requested the annual cost of maintenance on the Science Building and other buildings on campus. Mr. Thomas stated this information could be provided when requests for capital outlay and capital maintenance are brought to the Committee prior to the September Board meeting. Board Chairman Smith requested a schedule of travel expense by department. Chairman Jacobs asked for a Motion on the budgets. Trustee Freeman made a Motion to approve the operating budgets. Board Chairman Smith seconded the Motion. A voice vote was taken and the Motion carried. See Attachment 7.

The meeting adjourned at 4:00 p.m. (CDT).

Respectfully submitted,
Finance and Personnel Committee



100 Use of Campus Property and Facilities Scheduling

Approved by Board of Trustees

Effective Date:

Responsible Division: Business and Finance

Responsible Office:

Responsible Officer:

I. Purpose

This policy provides a uniform basis upon which Middle Tennessee State University (MTSU or University) can regulate and facilitate the use of campus property and/or facilities. This policy is intended to operate consistent with MTSU's purpose and mission, through the implementation of reasonable content and viewpoint neutral regulations. This policy shall be implemented and construed so as to ensure no undue disruption of that mission; promote an educational atmosphere on campus; prevent commercial exploitation of students; preserve residential tranquility; and prevent use of campus property and/or facilities contrary to federal, state, or local law or the rules and policies of MTSU.

In establishing this policy, MTSU recognizes the importance to the educational process and environment for persons affiliated with MTSU, including officially recognized student organizations and other groups, to have reasonable access to and use of MTSU's educational facilities to hear various views. Simultaneously, MTSU also makes clear that its campus property and facilities are not open public forums, but are instead intended solely for use consistent with the advancement and orderly administration of its educational mission for the benefit of its students, staff, and affiliated entities. As such, MTSU does not ordinarily make its buildings or other facilities available to outside individuals or outside groups. Exceptions may be made only if the proposed use is consistent with this policy and MTSU's mission.

II. Scope

This policy applies to proposed uses of property and/or facilities owned by and/or leased to MTSU. The application procedures required by this policy do not apply to:

- A. Use of perimeter sidewalks adjoining public streets. A map depicting the perimeter sidewalks adjoining public streets is provided on the [Event Coordination Forms website](#). These facilities may be used for lawful activities by all persons and/or entities provided that the flow of vehicular or pedestrian traffic is not impeded.

Deleted: for non-official reasons

- B. Property that is not owned by or leased to MTSU. For instance, the Tennessee Miller Coliseum and the MTSU Foundation Reception House are not owned by MTSU or leased to MTSU and, thus, are not covered by this policy.
- C. Events that are mandated by MTSU pursuant to contract.

Deleted: <#>Use of property and/or facilities by MTSU for official institutional, administrative and/or normal educational purposes, including University Academic Activities, Official University Events and other official MTSU functions (such as meetings, academic needs, conferences, events).¶

III. Definitions

For the purposes of this Policy, potential users and uses of University property fall into the following general categories, which are defined as follows:

- A. **Affiliated Entities.** An officially registered student, student group, or student organization.
- B. **Affiliated Individuals.** Persons officially connected with MTSU including students, faculty, and staff.
- C. **Non-affiliated Entities.** Any person, group, or organization that is not an “Affiliated Entity” or “Affiliated Individual.”
- D. **Non-affiliated Individual.** Any person who is not an “Affiliated Individual.”
- E. **Non-University/External Events.** Programs and activities organized by any Non-affiliated Entity or Individual.
- F. **Student.** A person who is currently registered for a credit course or courses, non-credit course, or program at MTSU, including any such person during any period which follows the end of an academic period which the student has completed until the last day for registration for the next succeeding regular academic period.
- G. **University Academic Activities.** Activities directly related to the instructional mission of MTSU. Examples include MTSU academic credit bearing classes and course-related events resulting from academic course work.
- H. **University Sponsored Events.** Activities directly related to the life of the campus community beyond the classroom. Examples include athletics, recreation, student programming activities, and academic camps/conferences/workshops. There are two sub-categories of such events.
 - 1. **Official University Events:** Programs that are scheduled or sponsored by faculty, staff, administrative offices, and departments that are planned primarily for members of the MTSU community. Affiliated Entities, Affiliated Individuals, Guests,

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Non-affiliated Entities, Non-affiliated Individuals, and Students may attend these programs.

2. Student Events: Programs, activities, and services that are scheduled or sponsored by student clubs or organizations that are officially recognized by MTSU and planned primarily for members of the campus community. It is recognized that Affiliated Entities, Affiliated Individuals, Guests, Non-affiliated Entities, Non-affiliated Individuals, and Students may attend these programs.
- I. University Related Events. Match the same criteria as a University Sponsored Event, but also include a charge for registration and/or admission.
- J. University Co-sponsored Events. Academic programs, conferences, and/or meetings involving two entities – a MTSU school, academic department, administrative unit, or student organization and an outside organization such as a professional association in which MTSU holds membership or maintains a relationship that directly benefits the MTSU community.

IV. Access to Campus

In carrying out its mission, MTSU desires to ensure that space is readily available for University activities and functions as well as the functions and activities of its Affiliated Entities and Individuals. In certain, more limited circumstances, MTSU also desires to allow Non-affiliated Entities and Individuals to use certain portions of its property and/or facilities.

- A. Identification of property/facilities available for use: A listing of all available MTSU properties and/or facilities, including a designation of entities and/or individuals eligible to request use of those properties and/or facilities, is provided on the [Event Coordination Forms website](#). This list also includes the type of events that are suitable for the property (i.e. concerts, athletic events, theatrical presentations, etc.) and any conditions required to obtain permission to use the properties and/or facilities. Any property/facility not specifically identified as available for use on the [Event Coordination Forms website](#) is specifically unavailable for use other than for normal administrative or educational purposes.

After consultation with the appropriate Responsible Office, the [MTSU Event Coordination Department](#) is authorized to make changes to this listing.

- B. Use of MTSU property and facilities: The use of MTSU property and facilities is limited by the type and location of the property and the status of the proposed user.
- C. Access generally reserved for University and Affiliated Individuals/Entities: The campus, facilities, and property of MTSU is restricted to use by MTSU, MTSU administration for official functions, Affiliated Individuals/Entities, and invited or sponsored guests of

MTSU except as specifically provided by this policy or when part or all of MTSU campus, buildings, or facilities are open to the general public for a designated time and purpose.

1. Use of property by MTSU for MTSU functions: When assigning space, official institutional, administrative, and/or normal educational purposes, including University Academic Activities, Official University Events, and other official MTSU functions (such as meetings, academic needs, conferences, events) shall take precedence and have priority over all other proposed uses. Any University department wishing to schedule the space for official institutional, administrative, and/or normal educational purposes, including University Academic Activities, Official University Events, and other official MTSU functions (such as meetings, academic needs, conferences, events) shall contact the appropriate responsible office.

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Depending on the type of event, the cost procedures set forth in Section VII may apply. Scheduling of space and placement on the master calendar does not include or guarantee any ancillary services, which need to be separately arranged by the University department hosting the event and may be subject to additional deadlines as determined by the responsible office.

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2. Use of property by Affiliated Individuals/Entities:

- a. Reservations of space by Affiliated Entities/Individuals shall have priority over all uses by Non-affiliated Entities/Individuals.

- b. Indoor space: Available indoor space may be reserved by affiliated individuals and entities pursuant to the procedures set forth herein.

- c. Regular membership meetings: Affiliated Entities/Individuals may submit an application to use MTSU property and/or facilities for its regular membership meetings only if the meetings are limited to members of the organization. Affiliated Entities/Individuals also may request authorization for the repeated use of the particular campus facility or space to conduct such meetings subject to the provisions of Section IV.B.2.e. below.

- d. Outdoor space: Except as set forth below, Affiliated Entities/Individuals may gather and use the outdoor University spaces designated as “standard” on the [Event Coordination Forms website](#) on a space available basis without submitting an application pursuant to this policy. Even if not required, Affiliated Entities/Individuals who wish to reserve space may do so pursuant to the procedures set forth herein.

Deleted: <#>The application procedures required by this policy do not apply to use of property and/or facilities by MTSU for official institutional, administrative and/or normal educational purposes, including University Academic Activities, Official University Events and other official MTSU functions (such as meetings, academic needs, conferences, events). Depending on the type of event, the cost procedures set forth in Section VII may apply. When assigning space, MTSU functions shall take precedence and have priority over all other proposed uses. Although individuals or entities seeking to use space under this paragraph are not required to follow the formal application procedures set forth in this policy, the University entity responsible for scheduling of any particular space may implement certain scheduling procedures to ensure that the space is effectively reserved.¶

Moved up [2]: <#>Depending on the type of event, the cost in Section VII may apply. When assigning space, MTSU

Moved up [1]: <#>When assigning space, MTSU functions shall take precedence and have priority over all other proposed uses.

Moved (insertion) [3]

Moved up [3]: Reservations of space by Affiliated Entities/Individuals shall have priority over all uses by Non-affiliated Entities/Individuals. ¶

Any use of “standard” space by an Affiliated Entity/Individual without an approved application may be terminated if:

- (1) The space has been reserved for use by another group;
- (2) The affiliated entity/individual violates any of the applicable General Conditions for Use of Property as set forth in Section VI, below;
- (3) The use causes a material and substantial disruption to the learning environment;
- (4) The use impedes pedestrian or vehicular traffic; or
- (5) The event involves 25 or more participants (including participants and audience).

Affiliated Entities/Individuals are required to submit an application pursuant to this policy for the following uses of outdoor space:

- (1) Large Events: Any use of outdoor space that will involve 25 or more participants (including expected participants and audience).
 - (2) An event where food will be served, provided, or distributed by the user;
 - (3) An event that will involve the use of particular equipment (e.g., tables, stages, etc.) or utilities (e.g., water, electricity, etc.);
 - (4) Events involving amplified sound.
- e. Activities involving non-members: Access to or use of campus facilities or property by Affiliated Entities and Individuals for an event other than a regular meeting of its membership that will either include an invited Non-affiliated guest speaker and/or be open to persons outside group membership will be considered a use by a Sponsored Non-affiliated Entity as set forth below.
- f. Repeated or Intermittent Events: Affiliated Entities/Individuals may request permission for the repeated or intermittent use of a particular campus facility or space to conduct regular meetings using campus property and/or facilities without requiring repeated application and approval for each occurrence of the event only if the meetings are limited to members of the organization. Approval for repeated or intermittent use of any facility or property pursuant to this policy may not exceed one semester in length and may only be renewed or repeated after review to determine that such use does not conflict with a University need, or another request for access/use of the facility/space by another eligible person/entity. For purposes of this paragraph, the summer term shall count as

one semester beginning on the first day of the May summer term and ending on the last day of the June/July summer term.

A listing of all properties and/or facilities that are eligible for repeated or intermittent use is provided on the [Event Coordination Forms website](#).

3. Use of property by Sponsored Non-affiliated Individuals/Entities: Affiliated Entities/Individuals may, subject to the provisions below, sponsor Non-affiliated Individuals/Entities to use MTSU facilities or property. Uses by Sponsored Non-affiliated Entities shall take priority over uses by Non-sponsored, Non-affiliated Entities.
 - a. Sponsor's Responsibilities: In the event that a Non-affiliated Entity or Individual is permitted use of MTSU property and/or facilities, in conjunction with a University-affiliated group, the sponsoring individual/group will be held responsible for ensuring that: (1) the Non-affiliated Individual/Entity complies with the terms of this policy, other MTSU policies, and all local, state, and federal laws; (2) any and all costs or fees associated with the event are paid; and (3) in all advertising or reporting of the event or meeting, the name and/or mark of MTSU is used only to indicate location and in no way implies sponsorship or endorsement of the activity or the individual's/group's objectives or candidacy. In addition, the sponsor is responsible for all communication including reservation and event arrangements with the venue scheduling staff and must be present at and actively participate in the event.
 - b. Enforcement: Any violation of the above could result in canceling of any scheduled use and the right of the individual/group to schedule future use. In such cases, the manager of each facility will be responsible for enforcing all facilities use policies, ensuring that an appropriate investigation takes place into any alleged violations, determining if a violation has occurred, and making a recommendation to the appropriate University official, as designated below:
 - (1) Vice President for Student Affairs – events sponsored by students and/or student organizations;
 - (2) Provost – events sponsored by faculty;
 - (3) Assistant Vice President for Human Resource Services – events sponsored by classified employees; or
 - (4) Appropriate division head – events sponsored by administrative employees.
 - c. Activities of Affiliated Entity/Individual that Involve Non-members: Access to or use of campus property and/or facilities by Affiliated Entities and Individuals for

an event other than a regular meeting of its membership that will either include an invited guest speaker and/or be open to persons outside group membership must be made through the procedures set forth in this policy and subject to the following provisions:

- (1) A separate application must be submitted for each event under this paragraph (i.e., no recurring events);
- (2) The sponsoring individual or entity will be responsible for the conduct of both the non-affiliated speaker and non-affiliated guests at the event as well as compliance with all laws, MTSU policies, and rules; and
- (3) The application for such access or use of campus property and/or facilities must clearly set forth the identities of both the Affiliated Individual/Entity that is sponsoring/filing the application as well as the Non-affiliated Entity being sponsored.

4. Use of Property by Non-affiliated Entities/Individuals: MTSU has opened the property and/or facilities designated on the [Event Coordination Forms website](#) for application for use or access by a Non-affiliated Entity/Individual without sponsorship from an Affiliated Individual or Entity. As indicated on the [Event Coordination Forms website](#), the Student Union Commons is available for use by a Non-sponsored, Non-affiliated Entity without payment of a rental or lease fee. To facilitate adequate availability for other affiliated and non-affiliated users (including spontaneous student use), Non-sponsored/Non-affiliated users can reserve the Student Union Commons for no more than four hours in any calendar week.

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All other facilities designated as available for Non-sponsored, Non-affiliated Entities on the [Event Coordination Forms website](#) are available to such entities only by rental or lease. Use by Non-sponsored, Non-affiliated Entities shall have the lowest priority. Non-sponsored/Non-affiliated users and entities can rent facilities up to four (4) times per semester.

- D. Facilities designated as restricted: Certain properties and/or facilities on MTSU's campus may be made available for use under this policy on a "restricted" basis when certain restrictions are necessary to protect the health, safety, and welfare of the campus community and property. For instance, a science lab may be made available for an event by an MTSU science department, but due to the nature of the lab and its contents, may be inappropriate for use by an entity or individual without the necessary scientific training. Use of restricted property will require additional approval from the designated Responsible Office listed for all available MTSU properties and/or facilities that is provided on the Event Coordination Forms website.

- D. Applicability of Rules and Regulations: All persons on the campus of MTSU shall be subject to all rules and regulations of MTSU that are applicable to the conduct of students on campus and to all applicable federal and state laws and regulations. In addition, all persons who operate motor vehicles shall be subject to MTSU rules, regulations, policies, and procedures on traffic and parking, which can be located on [MTSU Parking Services website](#) and [Policy 775 Traffic and Parking](#). MTSU shall have the right to terminate the use of campus property and/or facilities by any group, organization, or individual, which violates any provision of MTSU policy, local, state, or federal law or regulation.
- E. Access pursuant to T.C.A. § 8-50-1001: Access to and use of facilities consistent with the requirements of T.C.A. § 8-50-1001 is permitted. Meetings or gatherings conducted pursuant to this section are subject to the application procedure set forth in this policy for the sole purpose of ensuring that administrative, educational, and/or workplace functions are not interrupted.
- F. Identification: All persons on the campus of MTSU shall provide adequate identification to appropriate officials and security personnel of MTSU upon request. Personnel and students of MTSU who refuse to provide such identification may be subject to disciplinary action. Other persons who refuse to provide such identification shall be requested to leave the campus, and if they refuse, may be subject to lawful removal and prosecution.

V. Application and Permitting Process

Application for access to/use of MTSU properties and/or facilities where required shall be through the application process set forth below:

- A. Where to Make Request: Individuals and/or entities seeking to access/use MTSU property and/or facilities shall complete an application. Applications may be obtained from and all completed applications shall be submitted to:

MTSU Event Coordination Department
1403 East Main Street (Parking Services Building)
Murfreesboro, TN 37132
Website: <http://www.mtsu.edu/eventcoordination/index.php>
Email: evtcoord@mtsu.edu
Phone: 615-898-5002

The [Event Coordination Department](#) will route the application to the appropriate Responsible Office for the requested venue. A list of the Responsible Offices for all available MTSU properties and/or facilities is provided on the [Event Coordination Forms website](#).

In the event that a request to use space is made to the Responsible Office instead of Event Coordination, the Responsible Office shall immediately inform Event Coordination of the request. The Responsible Office may proceed to process the request per the terms of this policy.

- B. Timeframe for Scheduling Requests: Generally, all applications for use of space must be submitted in writing at least five (5) working days in advance of the proposed use. Notwithstanding the above, applications for the following uses of space must be submitted at least twenty (20) working days prior to the proposed use.
1. MTSU-funded speakers: To allow necessary time for approvals of space and funding, as well as to have checks prepared for payment of the speaker, all applications for events involving an outside speaker that involves the payment of a total fee and/or expenses to the speaker in excess of \$500.00 from MTSU funds.
 2. Large Events in Restricted Areas: Applicants requesting use of a space designated "restricted" on the [Event Coordination Forms website](#), to hold an event for more than 250 attendees.

If the applicant also wishes to obtain ancillary services from the University (e.g., equipment, tables, food services, etc.), use [amplified sound](#), or serve alcohol, appropriate requests should be included with the application. Any deadlines set forth in policies relating to the above must also be met.

A blank application form may be obtained from the [Event Coordination Department](#).

A Responsible Office may establish a scheduling calendar prohibiting reservations for a particular facility or group of facilities until a certain date. (For example, a Responsible Office may decline to accept reservations more than ninety (90) days in advance of the event). Occasional special events of significant positive impact to the University may require consideration of an exception to the normal scheduling calendar. If a specific event of special importance to the University (i.e. keynote speaker, conference host proposal, etc.), requires approval in advance of the standard calendar for accepting normal reservations, the event sponsor must seek preliminary approval from their own Vice President/Provost. If preliminary approval is granted by their own Vice President/Provost, then the approving Vice President/Provost will bring the request forward to the entire Vice President/Provost group for final approval, assuming space is available.

- C. Disposition of Application: Within seventy-two (72) hours after receiving any request for use of MTSU property and/or facilities, the Responsible Office shall notify the applicant that the application has been either:
1. Approved;

2. Denied and the reasons for the denial;

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3. Conditionally approved provided that the applicant fulfills specified conditions. Once the conditions have been fulfilled, a notice of final approval will be provided.

Notices of approval/denial will be made available at the Responsible Office and Event Coordination. It shall be the responsibility of the applicant to obtain notice of the approval/denial of any application submitted pursuant to this policy. As a courtesy, however, once a decision to approve/deny an application has been made, the Responsible Office will attempt to notify the applicant of the decision through the means indicated on the application.

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A notice of approval shall state the time and location in which the activity is allowed. A notice of denial of the proposed use shall also state the grounds for denial.

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D. Written agreement required: In all cases where an application for access or use of MTSU properties and/or facilities is approved, such use will be subject to the execution of an appropriate written agreement regarding the conditions applicable to the approved access/use, which shall include, but not be limited to, the terms and conditions set forth in this policy.

E. Considerations: Any denial of a request to access/use MTSU properties and/or facilities shall be based solely on factors related to reasonable regulations in light of MTSU's mission and the nature of the property and/or facility requested. Decisions to approve/deny any application shall be rendered in a content/viewpoint neutral manner. The Responsible Office shall consider and may deny an application based on the following criteria:

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1. The application was untimely;
2. The property and/or facilities have been previously reserved by another group, organization, or individual with equal or higher priority;
3. The proposed use is in excess of the frequency of use limitations set forth herein;
4. The applicant or sponsor of the activity has not provided accurate or complete information required on the application for registration;
5. The applicant or sponsor of the activity has been found responsible for violation of MTSU policy during a previously registered use of campus property and/or facilities;
6. The applicant has previously violated any conditions or assurances specified in a previous registration application;

7. The property and/or facility requested has not been designated as available for use for the time/date;
 8. The anticipated size or attendance for the event will exceed building/fire codes, established safety standards, and/or the attendance or other limitations for the property and/or facility requested;
 9. The activity conflicts with existing contractual obligations of MTSU;
 10. The activity presents a clear and present danger for physical harm, coercion, intimidation, or other invasion of lawful rights of MTSU's officials, faculty members, or students, the damage, or destruction, or seizure and subversion of MTSU's buildings, other property, or for other campus disorder of a violent or destructive nature. In determining the existence of a clear and present danger, the Responsible Office shall consider all relevant factors;
 11. A determination that the requested use would be contrary to local, state, or federal law, regulation, or the policies or regulations of MTSU.
- F. Appeal of Denial of Application: If an applicant is dissatisfied with the decision of the Responsible Office to deny his/her/its request for use of space, the applicant may appeal that decision to the President of the University or designee.
1. The appeal shall be in writing and shall be submitted to the Office of the University Counsel within twenty-four (24) business hours after the issuance of the denial. If the written appeal is not received within twenty-four (24) business hours, the Responsible Office's denial decision is final.
 2. The appealing applicant must explain why it is believed that the denial was inappropriate under the standards set forth in this policy. The President or designee shall determine whether the application for use of space should have been granted pursuant to the criteria set forth in this policy.
 3. The applicant will be informed in writing of the outcome of the appeal within twenty-four (24) business hours after receipt. If additional time is needed to resolve the appeal, the President or designee, shall inform the applicant of the need for the extension. The decision by the President or designee will be MTSU's final decision on the application.

VI. General Conditions for Use of Property or Facilities

The following conditions, which seek to preserve MTSU's mission and take into account the nature of its property and/or facilities, shall govern activities conducted pursuant to approved

applications for access to or use of campus property and/or facilities. These conditions shall be enforced uniformly to all uses of campus property and/or facilities in a content and viewpoint neutral manner. MTSU shall have the right to terminate the use of campus facilities and/or property by any group, organization, or individual which violates any provision of this policy, other MTSU policy, local, state, or federal law or regulation.

- A. At the conclusion of any use of property and/or facilities (including personal property), the property and/or facilities must be returned or relinquished to the University in the same condition as when they were provided. Any user of University property and/or facilities that fails to do so will be responsible for all expenses incurred by the University to remedy the condition of the University property and/or facilities.
- B. Events involving minors shall comply with [Policy 101 Minors Participating in University-Sponsored Programs or Programs Using University Facilities](#).
- C. Users of MTSU properties and/or facilities shall comply with the limitations as to the number of persons that may attend in accordance with appropriate building and fire codes and safety standards applicable to particular property and/or facilities at issue. These limitations are specified for each property on the [Event Coordination Forms website](#).
- D. Users of MTSU properties and/or facilities shall comply with state and federal law and all MTSU regulations, policies, or rules for the conduct of assemblies, meetings, and demonstrations.
- E. MTSU Student Events, as defined above, must comply with all guidelines set forth by [Policy 560 Student Organization Registration and Recognition](#) and [Policy 540 Student Disciplinary Rules](#).
- F. Use of the requested property and/or facilities shall be limited to the declared purpose in the application for use/access to campus facilities and/or property.
- G. MTSU may deny the use of its property and/or facilities to any applicant who has an outstanding debt to MTSU.
- H. Sound amplification equipment may be used only when prior approval has been requested and granted by the Responsible Office taking into account MTSU's mission and the nature of the property and/or facilities requested, location, time of day, etc. A copy of MTSU's sound amplification guidelines can be obtained [here](#).
- I. Users of facilities and/or property and/or their sponsor(s) are responsible for all activities associated with the event.

- J. Users of property and/or facilities and/or their sponsor(s) are responsible for all fees and costs assessed by MTSU for the event as set forth in Section VII below (entitled “Fees and Costs”).
- K. All groups, organizations, and individuals, by applying for registration of an activity and by subsequent use after approval by MTSU, agree to indemnify MTSU and hold it harmless from any and all liabilities arising out of such use of the property and/or facilities of MTSU, including, but not limited to, personal injury, property damage, court costs, and attorney’s fees. In addition, in certain situations as set forth in Section VIII below (entitled “Insurance and Bonds”) certain users may be required to provide additional bonds and insurance.
- L. All persons operating motor vehicles in conjunction with an approved use/access of campus property and/or facilities shall be subject to MTSU rules, regulations, policies, and procedures regarding traffic and parking. The MTSU rules, regulations, policies, and procedures can be obtained from the [Parking Services](#) website and [Policy 775 Traffic and Parking](#).
- M. The hours in which facilities are generally available are listed on the [Event Coordination Forms website](#). Notwithstanding the hours set forth on the [Event Coordination Forms website](#), students, student organizations, and non-affiliated individuals/entities using the Student Union Commons as set forth in Section IV.B.4. above, are not permitted to reserve space for use during University holidays, final exam weeks, and “Connection Point” dates.
- N. Starting with fall semester opening weekend through the first two weeks of classes, no events will be approved that conflict with Connection Point events. All events that occur during this period must be approved by the Assistant Vice President for Student Affairs or his/her designee. Student organization events or meetings taking place on study days or during final examination periods will not be approved, unless they are academically related (i.e., study halls, presentations, recitals, etc.) and approved by the Assistant Vice President of Student Affairs or designee.
- O. Except as provided in Section IX.G. below (entitled “Camping”), access to, or use of, campus facilities and/or properties shall not be permitted overnight.
- P. All persons on MTSU’s campus in conjunction with an approved application for use/access shall provide adequate identification upon request to appropriate officials and security personnel of MTSU. Persons or groups who refuse to provide such identification may be subject to immediate removal from campus and/or disciplinary action. In appropriate circumstances, such persons may become subject to arrest and/or prosecution.

- Q. Fronting is prohibited. Fronting is defined as permitting a non-University individual or organization to use University property, facilities, and/or services under the guise that the activity is a University-Sponsored or University Co-Sponsored Event in order to avoid fees. Fronting is prohibited by University policy. Anyone wanting to schedule MTSU property and/or facilities must follow the instructions and guidelines (as outlined by the [MTSU Event Coordination Department](#)) to request usage, follow the solicitation and fundraising guidelines, and pay all fees as outlined by University policy.
- R. All persons shall be subject to all MTSU, Tennessee Department of Environment and Conservation, and Environmental Protection Agency rules and regulations related to environmental protection, including illicit spills covered by MTSU's MS4 stormwater permit. Questions related to these rules and regulations can be directed to MTSU's environmental engineer in [Environmental Health and Safety Services](#).

VII. Fees and Costs

MTSU will assess certain fees or charges for specific costs and/or services provided to campus users (e.g., maintenance, janitorial, utilities, and/or security). These fees will be assessed as set forth below. All fees and costs shall be assessed to all similar uses on a content/viewpoint neutral basis.

In addition, for properties that are available for rent/lease, facility use fees will be established by the Facility/Venue Manager, in association with the appropriate Department Chairperson, Dean, or Director. The amount of facility use fees will be based on the type of space, the length of usage, and the competitive market rates for comparable square footage.

Notwithstanding any fee obligations designated below, the evening and weekend charge at the Foundation House shall apply to all users.

All fees and rates shall be presented for approval to the ~~Vice President/Provost group~~ and will be reviewed and adjusted annually prior to the start of the fiscal year.

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- A. Fee Definitions and Amounts: The following fees, which are defined below, may be assessed to users of MTSU property and/or facilities.
 - 1. Support Services Fees: Any cost that is incurred as a direct result of the event occupying the facility. These fees include, but are not limited to, Additional Set-Ups, Security, Custodial, Food Services, Building Attendant, Technical Attendant, and Production Services. The amounts of these fees (flat rates and/or hourly rates) are set forth on the [Event Coordination Forms website](#).
 - 2. Facility Use Fee: Is a room occupancy fee (i.e., rental or lease rate). The amount of these fees are set forth on the [Event Coordination Forms website](#).

3. Administrative Fee: Is a fee for the University Event Coordinator’s time spent processing/facilitating each request.
- B. Events subject to fee assessment: Not all events/activities occurring on/in MTSU property and/or facilities will be subject to a fee. Fees will be assessed in accordance with the following:

Event Type/Fee Required	Support Services	Facility Use	Administrative
University Academic Activities	Yes	No	No
Official University Events	Yes	No	No
Student Events	Yes	No	No
University Co-Sponsored	Yes	No	Yes
University Related	Yes	No	Yes
Non-University/External	Yes	Yes	Yes

Pursuant to [Policy 600 Approval of Agreements-Delegation of Authority](#) and [Policy 623 Lease Standards](#), a lease agreement will also be required for Non-University/External Events.

- C. Additional Services: In addition, users who require additional services shall use services provided by MTSU or its affiliates, unless written permission is granted in advance not to do so. Absent such written permission, outside services are absolutely prohibited. These services include, but are not limited to: Production Services, Custodial Services, Grounds Services, University Police, and Parking Services. The user will be required to execute a separate agreement applying to this use and shall pay the fees and costs associated with such services. A schedule of fees for certain commonly-used services is provided on the [Event Coordination Forms website](#).
- D. Security: Event security shall be provided in a manner consistent with the security staffing requirements of the University Police Department.
- E. Food Service: Food and Catering shall be permitted for all event type definitions and is subject to the provisions of [Policy 661 Purchasing of Meals and Refreshments for Both on and Off-Campus](#) and [Policy 662 Food Service Self Catered or Off-Campus Vendor](#).
- F. Payment of Fees: Unless stated otherwise on the [Event Coordination Forms website](#), the following shall apply to all fee payments under this policy:
1. University Sponsored, Related, and Co-sponsored events: The MTSU department/organization sponsoring the event/activity will accept responsibility for all applicable fees. A security deposit to ensure fiscal responsibility will be required by the facility manager utilizing these general guidelines.

- a. Estimated support services charges under \$50.00 are due at receipt of confirmation to hold reservation and are non-refundable.
 - b. Estimated support services charges under \$500.00 require a non-refundable reservation deposit of \$50.00 due at receipt of confirmation to hold reservation.
 - c. Estimated support services charges more than \$500.00 require a non-refundable reservation deposit of 10% of charges due at receipt of confirmation to hold reservation.
2. Non-University/External Events: A non-refundable 10% deposit is required at receipt of confirmation to hold the reservation. All User Fees, estimated Support Services Fees, and Administrative Fees must be paid prior to the beginning of the event.

VIII. Insurance and Bonds

Insurance may be waived for any non-University/external group using a campus property and/or facility if the use is for a meeting such as a conference, dinner, presentation, speaker, etc., lasting no longer than one (1) day. MTSU reserves the right in its sole discretion to require insurance and/or a performance bond, if it determines there may be a concern for personal or public health or safety. Factors used to determine the requirement of insurance and/or a performance bond include, but are not limited to, the nature and use of particular facilities, the age of event participants, and the anticipated event size or attendance for any use of campus property and/or facilities. If insurance and/or a performance bond will be required, appropriate levels of coverage and minimum limits shall be enumerated pursuant to contract. Proof of compliance with this provision may be required in advance of an event. This provision shall be applied and enforced in a content/viewpoint neutral manner.

IX. Particular Uses

A. Distribution of Literature or Advertising Material

1. Any literature that is distributed or sold and any advertisement shall comply with all applicable local, state, and federal laws and regulations, as well as the rules and policies of MTSU;
2. No obscene literature or material, as defined by law, shall be distributed on any property owned or used by MTSU;
3. Campus property and/or facilities may not be used for the conduct of commercial activities (including distribution of commercial advertising material) except when engaged in a business relationship, pursuant to a contract, with MTSU and/or when a rental or lease agreement is in place specifically for such temporary purpose;

4. No literature, advertising material, or other printed matter shall be distributed in the following locations:

- a. Classrooms, library, or other academic building or facilities;
- b. Administrative and employee offices and work areas;
- c. Student residence halls, dormitories, or apartment buildings;
- d. By placing it on vehicles parked on the MTSU campus; or
- e. By affixing it to utility poles, trees, walls, buildings, sidewalks, streets, or other objects on campus.

This shall not restrict a faculty member from distributing within the classroom non-commercial material related to the particular course or subject matter.

- 5. Upon approval of an application to use MTSU property and/or facilities, MTSU will permit the sale or distribution of literature, non-commercial solicitations, or advertising in designated locations within the lobbies or other general use areas of the above-noted buildings or other campus facilities designated for placement of literature for distribution or sale.
- 6. MTSU shall have the right to terminate the distribution or sale of literature by any group, organization, or individual that violates the provisions of this policy.
- 7. Nothing in this section should be construed to limit the rights of access to state employees set forth in T.C.A. § 8-50-1001.

B. Solicitations

Unless otherwise provided, solicitation for the purpose of entering or consummating a commercial transaction on any property owned or used by MTSU is prohibited. Solicitation for other than a commercial purpose is prohibited unless expressly provided for by MTSU policy or approved by the President or designee.

1. General Requirements:

- a. MTSU may require any group, organization, or individual to verify the use, application, or disposition of funds solicited on campus property.
- b. Solicitations shall be permitted only in those areas designated for such activity by MTSU.

2. Permitted Activities: Subject to the application and approval process set forth above, the following solicitations are permitted on MTSU's property and/or facilities.

- a. Fundraising by Affiliated Individuals/Entities: Activities or events engaged in by Affiliated Entities/Individuals or by registered student organizations for the purpose of raising funds to meet expenses of the group, organization, or individual are permitted, provided that funds raised by such activities or events shall be used for the benefit of the group, individual, or organization, and no funds shall be distributed to the officers, members, or any individual for personal profit or use. Fundraising by students and student organizations shall also be subject to [Policy 540 Student Disciplinary Rules](#) and [Policy 560 Student Organizations](#).
- b. Solicitation of Membership by Affiliated Individuals/Entities: Solicitation of dues and/or membership in an organization by affiliated groups or individuals or by registered student organizations. Solicitation by students and student organizations shall also be subject to the student rights and responsibilities handbook.
- c. Distribution of Literature by Non-affiliated Individual/Entity: Distributing literature by a non-affiliated group containing general information about their organization. Such distribution shall be in compliance with the provisions of Section IX.A. above (Distribution of Literature or Advertising Material).
- d. Sales and Solicitation by Non-affiliated Individual/Entity: MTSU property and/or facilities may not be used by any Non-affiliated Entity or Individual for the conduct of commercial solicitation, on-site sales, or other profit-making activities except when (1) a license or lease agreement exists; (2) the activity is conducted in accordance with any other valid contract or agreement with MTSU; (3) the commercial solicitation, on-site sales, or other profit-making activity takes place pursuant to an agreement; and (4) is sponsored by a registered student organization for the purpose of raising funds to support the organization's activities. No sales or solicitation will be approved under this policy if the activity conflicts with any contractual obligations of MTSU.

Agreements between non-affiliated vendors sponsored by MTSU or a registered student organization to engage in commercial solicitations, on-site sales, or other profit-making activities are subject to the following conditions:

- (1) No student organization will be permitted to sponsor the same non-affiliated vendor more than two days per month.
- (2) Requests from student organizations to sponsor a non-affiliated vendor must be approved by the Assistant Vice President for Student Affairs, or designee.

- (3) Permission to sponsor a non-affiliated vendor may be denied if the presence of such vendor would be disruptive, would interfere with any aspect of MTSU's operation, or would detract from the orderly and aesthetic appearance of the campus.
 - (4) All non-affiliated vendors sponsored by a student organization will be charged a per diem fee to be paid at the time the activity is registered. This fee will be assessed apart from any financial arrangement made between the sponsoring student organization and the non-affiliated vendor. Any fee associated with these activities is provided on the [Event Coordination Forms website](#).
 - (5) Non-affiliated vendors sponsored by MTSU or a student organization are strictly prohibited from engaging in conduct that is unduly intrusive in their interactions with students, staff, or faculty, or otherwise harasses, disturbs, or interferes with the rights of students, staff, and faculty to the use and enjoyment of institutional property and/or facilities.
 - (6) Non-affiliated vendors sponsored by student organizations may be required to show proof of compliance with all state and local laws and ordinances governing their activities.
- e. Solicitation of charitable funds shall be governed by the provisions of [Policy 170 Charitable Solicitations](#).

C. Advertising

1. No advertising signs, posters, or other material may be placed on any campus property and/or facility by any Non-affiliated Individual/Entity, except that MTSU may permit advertising on specifically designated bulletin boards, digital signage, and other designated locations on campus. Affiliated Entities/Individuals may place advertising materials on campus property but only in such places as are designated by MTSU.
2. MTSU may authorize the inclusion of advertisements in appropriate campus publications or on other campus property (i.e., scoreboards, busses, etc.) for a reasonable fee.
3. MTSU may permit limited advertising by groups, organizations, or individuals when incidental to a donation of property or services to MTSU or pursuant to a contract with MTSU.

D. Bulletin Boards/Digital Signage

All postings of advertising or other material on utility poles, trees, walls, buildings, or other objects on campus is strictly prohibited. To facilitate posting of information and material where permitted, MTSU has installed certain bulletin boards designated as "Community Bulletin Boards" across campus that may to be used by members of the campus community for postings unrelated to official MTSU business. All other bulletin boards are reserved for official MTSU business and are not available for postings by any other individual or entity. Designated digital signs in certain campus multiple-use locations may be available to post event announcements.

The specific rules applicable to a Community Bulletin Board will be conspicuously posted on each board and will control all postings on that board. Any posting that does not comply with the stated rules is subject to immediate removal without warning.

1. At a minimum, each Community Bulletin Board shall comply with the following:
 - a. Prominently display a sign above the board indicating that it is a "Community Bulletin Board."
 - b. Prominently display on a sheet of paper at least 8 ½" by 14" the Rules for Posting on the Community Bulletin Board, including, at a minimum, the following:
 - c. A listing of the specific individuals and/or entities that are permitted to post on that bulletin board;
 - d. Whether permission is required in advance of posting on that board and, if so, from whom;
 - e. Any limitations of the types of messages that may be posted on the board;
 - f. The maximum size of any message that may be posted on that board;
 - g. That no obscene material or material that violates state, federal, or local law or MTSU policy may be posted on the board;
 - h. A regularly scheduled date on which all material will be removed from the board. For instance, the individuals/offices authorizing the use of the board may wish to remove all material from the board on the first day each month or the day following Graduation, etc.
2. All individuals/offices requiring prior permission to use a Community Bulletin Board may deny a request on the basis of one or more of the following. The denial of the request shall be in writing and shall state the reason for the denial.

- a. The person or group is not authorized to use the board in question;
- b. The material is not the type authorized to be on the board in question or fails to meet any of the rules for posting on the board;
- c. The material is obscene or otherwise violates any federal or state law or regulation of MTSU; or
- d. There is insufficient space for the material on the board due to the previous posting of other materials.

The individual/office responsible for any bulletin board on campus, in conjunction with the MTSU Fire Marshal, shall confirm that the placement of the bulletin board complies with the local fire code.

3. Digital signage in certain campus locations is available to be used in conjunction with meetings/events. Specifics of digital signage use guidelines are located at www.mtsu.edu/digital-signs.
4. Nothing in this section should be construed to limit the rights for access to state employees set forth in T.C.A. § 8-50-1001.

E. Banners

Except as specified below, banners or other large printed material may not be placed or hung on any MTSU property or structure.

1. Keathley University Center: MTSU has made a limited amount of space on the patio rails and the columns at the Keathley University Center ("KUC") available for Affiliated Entities and MTSU Departments to hang banners for limited purposes of advertising their events and/or promoting their organization. No other groups will be allowed to hang banners on MTSU's property and/or facilities. The following restrictions shall apply to all banners displayed under this policy:
 - a. Banners may be displayed a maximum of two (2) consecutive weeks unless additional time is approved by the Dean of Students or designee.
 - b. Banners are limited to one per organization unless approved by the Dean of Students or designee.
 - c. Banners made for the KUC patio rails will be hung and taken down by MT Unions staff. Please drop off banners to the KUC Information Desk (located on the 2nd floor of the KUC) no later than the day before your reservation.

- d. Banners for SGA Elections and Homecoming must be displayed horizontally in front of the KUC and may not exceed 3' x 5' (feet). Check the SGA Election Packets for more information.
 - e. Banners made for the KUC columns must be professionally made and have metal grommets. A University account must be provided in order to get the banner hung. The organization/department will incur a cost from Facilities Services to hang and remove the banner. Banners to be hung on the columns must be turned into MT Unions staff no later than five (5) business days prior to the first date of the reservation so that a work order can be placed with Facilities Services to provide the banner hanging service. Bungee cords are provided by MT Unions for the purpose of hanging banners. Banners that do not meet this criterion will not be hung. Please note: The banner hanging service provided by Facilities Services is weather dependent, so the banner may or may not be hung by the first day of the reservation. Banners must be no bigger than twelve (12) feet in width for the main column and six (6) feet for the side columns.
 - f. Banners hung at the KUC must be retrieved from the KUC Information Desk no later than five (5) business days following the removal date. MT Unions is NOT responsible for banners left after five (5) days, and is not responsible for the loss or damage to any banner.
 - g. Banner space is available on a first come, first serve basis.
2. Greek Row: Subject to approval by the appropriate MTSU office, residents of the houses located on MTSU's Greek Row may hang appropriate exterior banners, posters, and signs (collectively "banners") that promote student organization or campus events. The dimensions of banners on the exterior of Greek Row houses may not exceed eight (8) feet by six (6) feet. Houses that are leased from MTSU by Greek organizations must obtain approval from the Office of Fraternity and Sorority Life prior to hanging the banner. Houses that are occupied by individuals pursuant to a Housing License Agreement with the Office of Housing and Residential Life must obtain approval from this office prior to hanging the banner.

In evaluating a request for approval, the appropriate office shall confirm that the sign promotes student organization or campus events and that it is of a quality that does not detract from the appearance of Greek Row. In addition, the appropriate office can also determine if safety concerns require that Facilities Services hang and remove the sign. All charges for the hanging and removal of the sign shall be paid in advance by the applicant.

F. Speakers

Faculty and/or Affiliated Entities are authorized to extend invitations to uncompensated, unaffiliated guest speakers for regular class sessions and/or meetings, without prior application as set forth in this policy as long as the following conditions are met:

1. Attendance at the class session or meeting will be limited to members of the class or Affiliated Entity; and
2. No fee or compensation from state funds will be paid to the speaker.

G. Camping

Except in the circumstances provided below, all individuals or groups engaging in activities covered under this policy are prohibited from constructing or erecting any permanent or semi-permanent structure(s) on MTSU property and from erecting, maintaining, or occupying any temporary sleeping equipment, including, but not limited to, tents, sleeping bags, hammocks, and other non-permanent structures, sleeping quarters, or apparatus.

The above prohibitions shall not apply in the following circumstances:

1. Erecting, maintaining, and occupying temporary sleeping equipment between the hours of 7:00 a.m. and 11:00 p.m.;
2. Maintaining or occupying a motor vehicle or trailer equipped with living space and amenities found in a home, such as a recreational vehicle, camper van, motor home, or the like, provided that: (1) the vehicle or trailer is licensed for use and operation, and a license plate demonstrating this fact is affixed to the vehicle; (2) the use of the vehicle or trailer has been approved in advance by either the Blue Raider Athletic Association, Tennessee Livestock Center, or the Tennessee Miller Coliseum (collectively the "approving entity") in a manner consistent with the existing policies of the approving entity and all required fees have been paid; and (3) the vehicle or trailer is parked in a space for such vehicles or trailers as designated by the approving entity;
3. Maintaining or occupying motor vehicles or trailers equipped with office space or living space and amenities found in a home, such as a recreational vehicle, camper van, motor home, or the like, on MTSU property that has been leased by MTSU to another entity or on property assigned to, and under the control of, a contractor of MTSU. Activities under this paragraph must specifically be permitted by contract and/or lease and be conducted in accordance with the terms of the contract or lease;

4. Participants in events being held in unsecured or open buildings or structures, including specifically the animal barns at the Tennessee Livestock Center and the Tennessee Miller Coliseum, may erect, maintain, or occupy overnight sleeping equipment to stay overnight with belongings, including livestock, for purposes of protecting or securing said belongings. Participants shall notify the organizer of the event of their intent to remain on the premises overnight.

X. Notice of Policy

The MTSU Event Coordination Department and all Responsible Offices set forth in this policy shall maintain a copy of this policy for inspection by groups, organizations, and individuals interested in the use of campus property and/or facilities and shall provide a copy of such policy upon request.

Forms:

[Properties/Facilities Available for Use](#)

[User Fees](#)

[Sidewalks and Right of Ways](#)

Revisions: none.

References: Policy 101 Minors Participating in University-Sponsored Programs or Programs Using University Facilities; 170 Charitable Solicitations; 540 Student Disciplinary Rules; 560 Student Organizations; 600 Approval of Agreements-Delegation of Authority; 623 Lease Standards; 661 Purchasing of Meals and Refreshments for Both on and Off-Campus; 662 Food Service Self Catered or Off-Campus Vendor; 775 Traffic and Parking; T.C.A. § 8-50-1001.

100 Use of Campus Property and Facilities Scheduling

Approved by Board of Trustees

Effective Date:

Responsible Division: Business and Finance

Responsible Office:

Responsible Officer:

I. Purpose

This policy provides a uniform basis upon which Middle Tennessee State University (MTSU or University) can regulate and facilitate the use of campus property and/or facilities. This policy is intended to operate consistent with MTSU's purpose and mission, through the implementation of reasonable content and viewpoint neutral regulations. This policy shall be implemented and construed so as to ensure no undue disruption of that mission; promote an educational atmosphere on campus; prevent commercial exploitation of students; preserve residential tranquility; and prevent use of campus property and/or facilities contrary to federal, state, or local law or the rules and policies of MTSU.

In establishing this policy, MTSU recognizes the importance to the educational process and environment for persons affiliated with MTSU, including officially recognized student organizations and other groups, to have reasonable access to and use of MTSU's educational facilities to hear various views. Simultaneously, MTSU also makes clear that its campus property and facilities are not open public forums, but are instead intended solely for use consistent with the advancement and orderly administration of its educational mission for the benefit of its students, staff, and affiliated entities. As such, MTSU does not ordinarily make its buildings or other facilities available to outside individuals or outside groups. Exceptions may be made only if the proposed use is consistent with this policy and MTSU's mission.

II. Scope

This policy applies to proposed uses of property and/or facilities owned by and/or leased to MTSU. The application procedures required by this policy do not apply to:

- A. Use of perimeter sidewalks adjoining public streets. A map depicting the perimeter sidewalks adjoining public streets is provided on the [Event Coordination Forms website](#). These facilities may be used for lawful activities by all persons and/or entities provided that the flow of vehicular or pedestrian traffic is not impeded.

- B. Property that is not owned by or leased to MTSU. For instance, the Tennessee Miller Coliseum and the MTSU Foundation Reception House are not owned by MTSU or leased to MTSU and, thus, are not covered by this policy.
- C. Events that are mandated by MTSU pursuant to contract.

III. Definitions

For the purposes of this Policy, potential users and uses of University property fall into the following general categories, which are defined as follows:

- A. Affiliated Entities. An officially registered student, student group, or student organization.
- B. Affiliated Individuals. Persons officially connected with MTSU including students, faculty, and staff.
- C. Non-affiliated Entities. Any person, group, or organization that is not an “Affiliated Entity” or “Affiliated Individual.”
- D. Non-affiliated Individual. Any person who is not an “Affiliated Individual.”
- E. Non-University/External Events. Programs and activities organized by any Non-affiliated Entity or Individual.
- F. Student. A person who is currently registered for a credit course or courses, non-credit course, or program at MTSU, including any such person during any period which follows the end of an academic period which the student has completed until the last day for registration for the next succeeding regular academic period.
- G. University Academic Activities. Activities directly related to the instructional mission of MTSU. Examples include MTSU academic credit bearing classes and course-related events resulting from academic course work.
- H. University Sponsored Events. Activities directly related to the life of the campus community beyond the classroom. Examples include athletics, recreation, student programming activities, and academic camps/conferences/workshops. There are two sub-categories of such events.
 - 1. Official University Events: Programs that are scheduled or sponsored by faculty, staff, administrative offices, and departments that are planned primarily for members of the MTSU community. Affiliated Entities, Affiliated Individuals, Guests,

Non-affiliated Entities, Non-affiliated Individuals, and Students may attend these programs.

2. Student Events: Programs, activities, and services that are scheduled or sponsored by student clubs or organizations that are officially recognized by MTSU and planned primarily for members of the campus community. It is recognized that Affiliated Entities, Affiliated Individuals, Guests, Non-affiliated Entities, Non-affiliated Individuals, and Students may attend these programs.
- I. University Related Events. Match the same criteria as a University Sponsored Event, but also include a charge for registration and/or admission.
- J. University Co-sponsored Events. Academic programs, conferences, and/or meetings involving two entities – a MTSU school, academic department, administrative unit, or student organization and an outside organization such as a professional association in which MTSU holds membership or maintains a relationship that directly benefits the MTSU community.

IV. Access to Campus

In carrying out its mission, MTSU desires to ensure that space is readily available for University activities and functions as well as the functions and activities of its Affiliated Entities and Individuals. In certain, more limited circumstances, MTSU also desires to allow Non-affiliated Entities and Individuals to use certain portions of its property and/or facilities.

- A. Identification of property/facilities available for use: A listing of all available MTSU properties and/or facilities, including a designation of entities and/or individuals eligible to request use of those properties and/or facilities, is provided on the [Event Coordination Forms website](#). This list also includes the type of events that are suitable for the property (i.e. concerts, athletic events, theatrical presentations, etc.) and any conditions required to obtain permission to use the properties and/or facilities. Any property/facility not specifically identified as available for use on the [Event Coordination Forms website](#) is specifically unavailable for use other than for normal administrative or educational purposes.

After consultation with the appropriate Responsible Office, the [MTSU Event Coordination Department](#) is authorized to make changes to this listing.

- B. Use of MTSU property and facilities: The use of MTSU property and facilities is limited by the type and location of the property and the status of the proposed user.
- C. Access generally reserved for University and Affiliated Individuals/Entities: The campus, facilities, and property of MTSU is restricted to use by MTSU, MTSU administration for official functions, Affiliated Individuals/Entities, and invited or sponsored guests of

MTSU except as specifically provided by this policy or when part or all of MTSU campus, buildings, or facilities are open to the general public for a designated time and purpose.

1. Use of property by MTSU for MTSU functions: When assigning space, official institutional, administrative, and/or normal educational purposes, including University Academic Activities, Official University Events, and other official MTSU functions (such as meetings, academic needs, conferences, events) shall take precedence and have priority over all other proposed uses. Any University department wishing to schedule the space for official institutional, administrative, and/or normal educational purposes, including University Academic Activities, Official University Events, and other official MTSU functions (such as meetings, academic needs, conferences, events) shall contact the appropriate responsible office.

Depending on the type of event, the cost procedures set forth in Section VII may apply. Scheduling of space and placement on the master calendar does not include or guarantee any ancillary services, which need to be separately arranged by the University department hosting the event and may be subject to additional deadlines as determined by the responsible office.

2. Use of property by Affiliated Individuals/Entities:
 - a. Reservations of space by Affiliated Entities/Individuals shall have priority over all uses by Non-affiliated Entities/Individuals.
 - b. Indoor space: Available indoor space may be reserved by affiliated individuals and entities pursuant to the procedures set forth herein.
 - c. Regular membership meetings: Affiliated Entities/Individuals may submit an application to use MTSU property and/or facilities for its regular membership meetings only if the meetings are limited to members of the organization. Affiliated Entities/Individuals also may request authorization for the repeated use of the particular campus facility or space to conduct such meetings subject to the provisions of Section IV.B.2.e. below.
 - d. Outdoor space: Except as set forth below, Affiliated Entities/Individuals may gather and use the outdoor University spaces designated as “standard” on the [Event Coordination Forms website](#) on a space available basis without submitting an application pursuant to this policy. Even if not required, Affiliated Entities/Individuals who wish to reserve space may do so pursuant to the procedures set forth herein.

Any use of “standard” space by an Affiliated Entity/Individual without an approved application may be terminated if:

- (1) The space has been reserved for use by another group;
- (2) The affiliated entity/individual violates any of the applicable General Conditions for Use of Property as set forth in Section VI, below;
- (3) The use causes a material and substantial disruption to the learning environment;
- (4) The use impedes pedestrian or vehicular traffic; or
- (5) The event involves 25 or more participants (including participants and audience).

Affiliated Entities/Individuals are required to submit an application pursuant to this policy for the following uses of outdoor space:

- (1) Large Events: Any use of outdoor space that will involve 25 or more participants (including expected participants and audience).
 - (2) An event where food will be served, provided, or distributed by the user;
 - (3) An event that will involve the use of particular equipment (e.g., tables, stages, etc.) or utilities (e.g., water, electricity, etc.);
 - (4) Events involving amplified sound.
- e. Activities involving non-members: Access to or use of campus facilities or property by Affiliated Entities and Individuals for an event other than a regular meeting of its membership that will either include an invited Non-affiliated guest speaker and/or be open to persons outside group membership will be considered a use by a Sponsored Non-affiliated Entity as set forth below.
- f. Repeated or Intermittent Events: Affiliated Entities/Individuals may request permission for the repeated or intermittent use of a particular campus facility or space to conduct regular meetings using campus property and/or facilities without requiring repeated application and approval for each occurrence of the event only if the meetings are limited to members of the organization. Approval for repeated or intermittent use of any facility or property pursuant to this policy may not exceed one semester in length and may only be renewed or repeated after review to determine that such use does not conflict with a University need, or another request for access/use of the facility/space by another eligible person/entity. For purposes of this paragraph, the summer term shall count as

one semester beginning on the first day of the May summer term and ending on the last day of the June/July summer term.

A listing of all properties and/or facilities that are eligible for repeated or intermittent use is provided on the [Event Coordination Forms website](#).

3. Use of property by Sponsored Non-affiliated Individuals/Entities: Affiliated Entities/Individuals may, subject to the provisions below, sponsor Non-affiliated Individuals/Entities to use MTSU facilities or property. Uses by Sponsored Non-affiliated Entities shall take priority over uses by Non-sponsored, Non-affiliated Entities.
 - a. Sponsor's Responsibilities: In the event that a Non-affiliated Entity or Individual is permitted use of MTSU property and/or facilities, in conjunction with a University-affiliated group, the sponsoring individual/group will be held responsible for ensuring that: (1) the Non-affiliated Individual/Entity complies with the terms of this policy, other MTSU policies, and all local, state, and federal laws; (2) any and all costs or fees associated with the event are paid; and (3) in all advertising or reporting of the event or meeting, the name and/or mark of MTSU is used only to indicate location and in no way implies sponsorship or endorsement of the activity or the individual's/group's objectives or candidacy. In addition, the sponsor is responsible for all communication including reservation and event arrangements with the venue scheduling staff and must be present at and actively participate in the event.
 - b. Enforcement: Any violation of the above could result in canceling of any scheduled use and the right of the individual/group to schedule future use. In such cases, the manager of each facility will be responsible for enforcing all facilities use policies, ensuring that an appropriate investigation takes place into any alleged violations, determining if a violation has occurred, and making a recommendation to the appropriate University official, as designated below:
 - (1) Vice President for Student Affairs – events sponsored by students and/or student organizations;
 - (2) Provost – events sponsored by faculty;
 - (3) Assistant Vice President for Human Resource Services – events sponsored by classified employees; or
 - (4) Appropriate division head – events sponsored by administrative employees.
 - c. Activities of Affiliated Entity/Individual that Involve Non-members: Access to or use of campus property and/or facilities by Affiliated Entities and Individuals for

an event other than a regular meeting of its membership that will either include an invited guest speaker and/or be open to persons outside group membership must be made through the procedures set forth in this policy and subject to the following provisions:

- (1) A separate application must be submitted for each event under this paragraph (i.e., no recurring events);
 - (2) The sponsoring individual or entity will be responsible for the conduct of both the non-affiliated speaker and non-affiliated guests at the event as well as compliance with all laws, MTSU policies, and rules; and
 - (3) The application for such access or use of campus property and/or facilities must clearly set forth the identities of both the Affiliated Individual/Entity that is sponsoring/filing the application as well as the Non-affiliated Entity being sponsored.
4. Use of Property by Non-affiliated Entities/Individuals: MTSU has opened the property and/or facilities designated on the [Event Coordination Forms website](#) for application for use or access by a Non-affiliated Entity/Individual without sponsorship from an Affiliated Individual or Entity. As indicated on the [Event Coordination Forms website](#), the Student Union Commons is available for use by a Non-sponsored, Non-affiliated Entity without payment of a rental or lease fee. To facilitate adequate availability for other affiliated and non-affiliated users (including spontaneous student use), Non-sponsored/Non-affiliated users can reserve the Student Union Commons for no more than four hours in any calendar week.

All other facilities designated as available for Non-sponsored, Non-affiliated Entities on the [Event Coordination Forms website](#) are available to such entities only by rental or lease. Use by Non-sponsored, Non-affiliated Entities shall have the lowest priority. Non-sponsored/Non-affiliated users and entities can rent facilities up to four (4) times per semester.

- D. Facilities designated as restricted: Certain properties and/or facilities on MTSU's campus may be made available for use under this policy on a "restricted" basis when certain restrictions are necessary to protect the health, safety, and welfare of the campus community and property. For instance, a science lab may be made available for an event by an MTSU science department, but due to the nature of the lab and its contents, may be inappropriate for use by an entity or individual without the necessary scientific training. Use of restricted property will require additional approval from the designated Responsible Office listed for all available MTSU properties and/or facilities that is provided on the [Event Coordination Forms website](#).

- D. Applicability of Rules and Regulations: All persons on the campus of MTSU shall be subject to all rules and regulations of MTSU that are applicable to the conduct of students on campus and to all applicable federal and state laws and regulations. In addition, all persons who operate motor vehicles shall be subject to MTSU rules, regulations, policies, and procedures on traffic and parking, which can be located on [MTSU Parking Services website](#) and [Policy 775 Traffic and Parking](#). MTSU shall have the right to terminate the use of campus property and/or facilities by any group, organization, or individual, which violates any provision of MTSU policy, local, state, or federal law or regulation.
- E. Access pursuant to T.C.A. § 8-50-1001: Access to and use of facilities consistent with the requirements of T.C.A. § 8-50-1001 is permitted. Meetings or gatherings conducted pursuant to this section are subject to the application procedure set forth in this policy for the sole purpose of ensuring that administrative, educational, and/or workplace functions are not interrupted.
- F. Identification: All persons on the campus of MTSU shall provide adequate identification to appropriate officials and security personnel of MTSU upon request. Personnel and students of MTSU who refuse to provide such identification may be subject to disciplinary action. Other persons who refuse to provide such identification shall be requested to leave the campus, and if they refuse, may be subject to lawful removal and prosecution.

V. Application and Permitting Process

Application for access to/use of MTSU properties and/or facilities where required shall be through the application process set forth below:

- A. Where to Make Request: Individuals and/or entities seeking to access/use MTSU property and/or facilities shall complete an application. Applications may be obtained from and all completed applications shall be submitted to:

MTSU Event Coordination Department
1403 East Main Street (Parking Services Building)
Murfreesboro, TN 37132
Website: <http://www.mtsu.edu/eventcoordination/index.php>
Email: evtcoord@mtsu.edu
Phone: 615-898-5002

The [Event Coordination Department](#) will route the application to the appropriate Responsible Office for the requested venue. A list of the Responsible Offices for all available MTSU properties and/or facilities is provided on the [Event Coordination Forms website](#).

In the event that a request to use space is made to the Responsible Office instead of Event Coordination, the Responsible Office shall immediately inform Event Coordination of the request. The Responsible Office may proceed to process the request per the terms of this policy.

- B. Timeframe for Scheduling Requests: Generally, all applications for use of space must be submitted in writing at least five (5) working days in advance of the proposed use. Notwithstanding the above, applications for the following uses of space must be submitted at least twenty (20) working days prior to the proposed use.
1. MTSU-funded speakers: To allow necessary time for approvals of space and funding, as well as to have checks prepared for payment of the speaker, all applications for events involving an outside speaker that involves the payment of a total fee and/or expenses to the speaker in excess of \$500.00 from MTSU funds.
 2. Large Events in Restricted Areas: Applicants requesting use of a space designated “restricted” on the [Event Coordination Forms website](#), to hold an event for more than 250 attendees.

If the applicant also wishes to obtain ancillary services from the University (e.g., equipment, tables, food services, etc.), use [amplified sound](#), or serve alcohol, appropriate requests should be included with the application. Any deadlines set forth in policies relating to the above must also be met.

A blank application form may be obtained from the [Event Coordination Department](#).

A Responsible Office may establish a scheduling calendar prohibiting reservations for a particular facility or group of facilities until a certain date. (For example, a Responsible Office may decline to accept reservations more than ninety (90) days in advance of the event). Occasional special events of significant positive impact to the University may require consideration of an exception to the normal scheduling calendar. If a specific event of special importance to the University (i.e. keynote speaker, conference host proposal, etc.), requires approval in advance of the standard calendar for accepting normal reservations, the event sponsor must seek preliminary approval from their own Vice President/Provost. If preliminary approval is granted by their own Vice President/Provost, then the approving Vice President/Provost will bring the request forward to the entire Vice President/Provost group for final approval, assuming space is available.

- C. Disposition of Application: Within seventy-two (72) hours after receiving any request for use of MTSU property and/or facilities, the Responsible Office shall notify the applicant that the application has been either:
1. Approved;

2. Denied and the reasons for the denial;
3. Conditionally approved provided that the applicant fulfills specified conditions. Once the conditions have been fulfilled, a notice of final approval will be provided.

Notices of approval/denial will be made available at the Responsible Office and Event Coordination. It shall be the responsibility of the applicant to obtain notice of the approval/denial of any application submitted pursuant to this policy. As a courtesy, however, once a decision to approve/deny an application has been made, the Responsible Office will attempt to notify the applicant of the decision through the means indicated on the application.

A notice of approval shall state the time and location in which the activity is allowed. A notice of denial of the proposed use shall also state the grounds for denial.

- D. Written agreement required: In all cases where an application for access or use of MTSU properties and/or facilities is approved, such use will be subject to the execution of an appropriate written agreement regarding the conditions applicable to the approved access/use, which shall include, but not be limited to, the terms and conditions set forth in this policy.
- E. Considerations: Any denial of a request to access/use MTSU properties and/or facilities shall be based solely on factors related to reasonable regulations in light of MTSU's mission and the nature of the property and/or facility requested. Decisions to approve/deny any application shall be rendered in a content/viewpoint neutral manner. The Responsible Office shall consider and may deny an application based on the following criteria:
 1. The application was untimely;
 2. The property and/or facilities have been previously reserved by another group, organization, or individual with equal or higher priority;
 3. The proposed use is in excess of the frequency of use limitations set forth herein;
 4. The applicant or sponsor of the activity has not provided accurate or complete information required on the application for registration;
 5. The applicant or sponsor of the activity has been found responsible for violation of MTSU policy during a previously registered use of campus property and/or facilities;
 6. The applicant has previously violated any conditions or assurances specified in a previous registration application;

7. The property and/or facility requested has not been designated as available for use for the time/date;
 8. The anticipated size or attendance for the event will exceed building/fire codes, established safety standards, and/or the attendance or other limitations for the property and/or facility requested;
 9. The activity conflicts with existing contractual obligations of MTSU;
 10. The activity presents a clear and present danger for physical harm, coercion, intimidation, or other invasion of lawful rights of MTSU's officials, faculty members, or students, the damage, or destruction, or seizure and subversion of MTSU's buildings, other property, or for other campus disorder of a violent or destructive nature. In determining the existence of a clear and present danger, the Responsible Office shall consider all relevant factors;
 11. A determination that the requested use would be contrary to local, state, or federal law, regulation, or the policies or regulations of MTSU.
- F. Appeal of Denial of Application: If an applicant is dissatisfied with the decision of the Responsible Office to deny his/her/its request for use of space, the applicant may appeal that decision to the President of the University or designee.
1. The appeal shall be in writing and shall be submitted to the Office of the University Counsel within twenty-four (24) business hours after the issuance of the denial. If the written appeal is not received within twenty-four (24) business hours, the Responsible Office's denial decision is final.
 2. The appealing applicant must explain why it is believed that the denial was inappropriate under the standards set forth in this policy. The President or designee shall determine whether the application for use of space should have been granted pursuant to the criteria set forth in this policy.
 3. The applicant will be informed in writing of the outcome of the appeal within twenty-four (24) business hours after receipt. If additional time is needed to resolve the appeal, the President or designee, shall inform the applicant of the need for the extension. The decision by the President or designee will be MTSU's final decision on the application.

VI. General Conditions for Use of Property or Facilities

The following conditions, which seek to preserve MTSU's mission and take into account the nature of its property and/or facilities, shall govern activities conducted pursuant to approved

applications for access to or use of campus property and/or facilities. These conditions shall be enforced uniformly to all uses of campus property and/or facilities in a content and viewpoint neutral manner. MTSU shall have the right to terminate the use of campus facilities and/or property by any group, organization, or individual which violates any provision of this policy, other MTSU policy, local, state, or federal law or regulation.

- A. At the conclusion of any use of property and/or facilities (including personal property), the property and/or facilities must be returned or relinquished to the University in the same condition as when they were provided. Any user of University property and/or facilities that fails to do so will be responsible for all expenses incurred by the University to remedy the condition of the University property and/or facilities.
- B. Events involving minors shall comply with [Policy 101 Minors Participating in University-Sponsored Programs or Programs Using University Facilities](#).
- C. Users of MTSU properties and/or facilities shall comply with the limitations as to the number of persons that may attend in accordance with appropriate building and fire codes and safety standards applicable to particular property and/or facilities at issue. These limitations are specified for each property on the [Event Coordination Forms website](#).
- D. Users of MTSU properties and/or facilities shall comply with state and federal law and all MTSU regulations, policies, or rules for the conduct of assemblies, meetings, and demonstrations.
- E. MTSU Student Events, as defined above, must comply with all guidelines set forth by [Policy 560 Student Organization Registration and Recognition](#) and [Policy 540 Student Disciplinary Rules](#).
- F. Use of the requested property and/or facilities shall be limited to the declared purpose in the application for use/access to campus facilities and/or property.
- G. MTSU may deny the use of its property and/or facilities to any applicant who has an outstanding debt to MTSU.
- H. Sound amplification equipment may be used only when prior approval has been requested and granted by the Responsible Office taking into account MTSU's mission and the nature of the property and/or facilities requested, location, time of day, etc. A copy of MTSU's sound amplification guidelines can be obtained [here](#).
- I. Users of facilities and/or property and/or their sponsor(s) are responsible for all activities associated with the event.

- J. Users of property and/or facilities and/or their sponsor(s) are responsible for all fees and costs assessed by MTSU for the event as set forth in Section VII below (entitled “Fees and Costs”).
- K. All groups, organizations, and individuals, by applying for registration of an activity and by subsequent use after approval by MTSU, agree to indemnify MTSU and hold it harmless from any and all liabilities arising out of such use of the property and/or facilities of MTSU, including, but not limited to, personal injury, property damage, court costs, and attorney’s fees. In addition, in certain situations as set forth in Section VIII below (entitled “Insurance and Bonds”) certain users may be required to provide additional bonds and insurance.
- L. All persons operating motor vehicles in conjunction with an approved use/access of campus property and/or facilities shall be subject to MTSU rules, regulations, policies, and procedures regarding traffic and parking. The MTSU rules, regulations, policies, and procedures can be obtained from the [Parking Services](#) website and [Policy 775 Traffic and Parking](#).
- M. The hours in which facilities are generally available are listed on the [Event Coordination Forms website](#). Notwithstanding the hours set forth on the [Event Coordination Forms website](#), students, student organizations, and non-affiliated individuals/entities using the Student Union Commons as set forth in Section IV.B.4. above, are not permitted to reserve space for use during University holidays, final exam weeks, and “Connection Point” dates.
- N. Starting with fall semester opening weekend through the first two weeks of classes, no events will be approved that conflict with Connection Point events. All events that occur during this period must be approved by the Assistant Vice President for Student Affairs or his/her designee. Student organization events or meetings taking place on study days or during final examination periods will not be approved, unless they are academically related (i.e., study halls, presentations, recitals, etc.) and approved by the Assistant Vice President of Student Affairs or designee.
- O. Except as provided in Section IX.G. below (entitled “Camping”), access to, or use of, campus facilities and/or properties shall not be permitted overnight.
- P. All persons on MTSU’s campus in conjunction with an approved application for use/access shall provide adequate identification upon request to appropriate officials and security personnel of MTSU. Persons or groups who refuse to provide such identification may be subject to immediate removal from campus and/or disciplinary action. In appropriate circumstances, such persons may become subject to arrest and/or prosecution.

- Q. Fronting is prohibited. Fronting is defined as permitting a non-University individual or organization to use University property, facilities, and/or services under the guise that the activity is a University-Sponsored or University Co-Sponsored Event in order to avoid fees. Fronting is prohibited by University policy. Anyone wanting to schedule MTSU property and/or facilities must follow the instructions and guidelines (as outlined by the [MTSU Event Coordination Department](#)) to request usage, follow the solicitation and fundraising guidelines, and pay all fees as outlined by University policy.
- R. All persons shall be subject to all MTSU, Tennessee Department of Environment and Conservation, and Environmental Protection Agency rules and regulations related to environmental protection, including illicit spills covered by MTSU's MS4 stormwater permit. Questions related to these rules and regulations can be directed to MTSU's environmental engineer in [Environmental Health and Safety Services](#).

VII. Fees and Costs

MTSU will assess certain fees or charges for specific costs and/or services provided to campus users (e.g., maintenance, janitorial, utilities, and/or security). These fees will be assessed as set forth below. All fees and costs shall be assessed to all similar uses on a content/viewpoint neutral basis.

In addition, for properties that are available for rent/lease, facility use fees will be established by the Facility/Venue Manager, in association with the appropriate Department Chairperson, Dean, or Director. The amount of facility use fees will be based on the type of space, the length of usage, and the competitive market rates for comparable square footage.

Notwithstanding any fee obligations designated below, the evening and weekend charge at the Foundation House shall apply to all users.

All fees and rates shall be presented for approval to the Vice President/Provost group and will be reviewed and adjusted annually prior to the start of the fiscal year.

- A. Fee Definitions and Amounts: The following fees, which are defined below, may be assessed to users of MTSU property and/or facilities.
1. Support Services Fees: Any cost that is incurred as a direct result of the event occupying the facility. These fees include, but are not limited to, Additional Set-Ups, Security, Custodial, Food Services, Building Attendant, Technical Attendant, and Production Services. The amounts of these fees (flat rates and/or hourly rates) are set forth on the [Event Coordination Forms website](#).
 2. Facility Use Fee: Is a room occupancy fee (i.e., rental or lease rate). The amount of these fees are set forth on the [Event Coordination Forms website](#).

3. Administrative Fee: Is a fee for the University Event Coordinator’s time spent processing/facilitating each request.

B. Events subject to fee assessment: Not all events/activities occurring on/in MTSU property and/or facilities will be subject to a fee. Fees will be assessed in accordance with the following:

Event Type/Fee Required	Support Services	Facility Use	Administrative
University Academic Activities	Yes	No	No
Official University Events	Yes	No	No
Student Events	Yes	No	No
University Co-Sponsored	Yes	No	Yes
University Related	Yes	No	Yes
Non-University/External	Yes	Yes	Yes

Pursuant to [Policy 600 Approval of Agreements-Delegation of Authority](#) and [Policy 623 Lease Standards](#), a lease agreement will also be required for Non-University/External Events.

C. Additional Services: In addition, users who require additional services shall use services provided by MTSU or its affiliates, unless written permission is granted in advance not to do so. Absent such written permission, outside services are absolutely prohibited. These services include, but are not limited to: Production Services, Custodial Services, Grounds Services, University Police, and Parking Services. The user will be required to execute a separate agreement applying to this use and shall pay the fees and costs associated with such services. A schedule of fees for certain commonly-used services is provided on the [Event Coordination Forms website](#).

D. Security: Event security shall be provided in a manner consistent with the security staffing requirements of the University Police Department.

E. Food Service: Food and Catering shall be permitted for all event type definitions and is subject to the provisions of [Policy 661 Purchasing of Meals and Refreshments for Both on and Off-Campus](#) and [Policy 662 Food Service Self Catered or Off-Campus Vendor](#).

F. Payment of Fees: Unless stated otherwise on the [Event Coordination Forms website](#), the following shall apply to all fee payments under this policy:

1. University Sponsored, Related, and Co-sponsored events: The MTSU department/organization sponsoring the event/activity will accept responsibility for all applicable fees. A security deposit to ensure fiscal responsibility will be required by the facility manager utilizing these general guidelines.

- a. Estimated support services charges under \$50.00 are due at receipt of confirmation to hold reservation and are non-refundable.
 - b. Estimated support services charges under \$500.00 require a non-refundable reservation deposit of \$50.00 due at receipt of confirmation to hold reservation.
 - c. Estimated support services charges more than \$500.00 require a non-refundable reservation deposit of 10% of charges due at receipt of confirmation to hold reservation.
2. Non-University/External Events: A non-refundable 10% deposit is required at receipt of confirmation to hold the reservation. All User Fees, estimated Support Services Fees, and Administrative Fees must be paid prior to the beginning of the event.

VIII. Insurance and Bonds

Insurance may be waived for any non-University/external group using a campus property and/or facility if the use is for a meeting such as a conference, dinner, presentation, speaker, etc., lasting no longer than one (1) day. MTSU reserves the right in its sole discretion to require insurance and/or a performance bond, if it determines there may be a concern for personal or public health or safety. Factors used to determine the requirement of insurance and/or a performance bond include, but are not limited to, the nature and use of particular facilities, the age of event participants, and the anticipated event size or attendance for any use of campus property and/or facilities. If insurance and/or a performance bond will be required, appropriate levels of coverage and minimum limits shall be enumerated pursuant to contract. Proof of compliance with this provision may be required in advance of an event. This provision shall be applied and enforced in a content/viewpoint neutral manner.

IX. Particular Uses

A. Distribution of Literature or Advertising Material

1. Any literature that is distributed or sold and any advertisement shall comply with all applicable local, state, and federal laws and regulations, as well as the rules and policies of MTSU;
2. No obscene literature or material, as defined by law, shall be distributed on any property owned or used by MTSU;
3. Campus property and/or facilities may not be used for the conduct of commercial activities (including distribution of commercial advertising material) except when engaged in a business relationship, pursuant to a contract, with MTSU and/or when a rental or lease agreement is in place specifically for such temporary purpose;

4. No literature, advertising material, or other printed matter shall be distributed in the following locations:
 - a. Classrooms, library, or other academic building or facilities;
 - b. Administrative and employee offices and work areas;
 - c. Student residence halls, dormitories, or apartment buildings;
 - d. By placing it on vehicles parked on the MTSU campus; or
 - e. By affixing it to utility poles, trees, walls, buildings, sidewalks, streets, or other objects on campus.

This shall not restrict a faculty member from distributing within the classroom non-commercial material related to the particular course or subject matter.

5. Upon approval of an application to use MTSU property and/or facilities, MTSU will permit the sale or distribution of literature, non-commercial solicitations, or advertising in designated locations within the lobbies or other general use areas of the above-noted buildings or other campus facilities designated for placement of literature for distribution or sale.
6. MTSU shall have the right to terminate the distribution or sale of literature by any group, organization, or individual that violates the provisions of this policy.
7. Nothing in this section should be construed to limit the rights of access to state employees set forth in T.C.A. § 8-50-1001.

B. Solicitations

Unless otherwise provided, solicitation for the purpose of entering or consummating a commercial transaction on any property owned or used by MTSU is prohibited. Solicitation for other than a commercial purpose is prohibited unless expressly provided for by MTSU policy or approved by the President or designee.

1. General Requirements:

- a. MTSU may require any group, organization, or individual to verify the use, application, or disposition of funds solicited on campus property.
- b. Solicitations shall be permitted only in those areas designated for such activity by MTSU.

2. Permitted Activities: Subject to the application and approval process set forth above, the following solicitations are permitted on MTSU's property and/or facilities.
 - a. Fundraising by Affiliated Individuals/Entities: Activities or events engaged in by Affiliated Entities/Individuals or by registered student organizations for the purpose of raising funds to meet expenses of the group, organization, or individual are permitted, provided that funds raised by such activities or events shall be used for the benefit of the group, individual, or organization, and no funds shall be distributed to the officers, members, or any individual for personal profit or use. Fundraising by students and student organizations shall also be subject to [Policy 540 Student Disciplinary Rules](#) and [Policy 560 Student Organizations](#).
 - b. Solicitation of Membership by Affiliated Individuals/Entities: Solicitation of dues and/or membership in an organization by affiliated groups or individuals or by registered student organizations. Solicitation by students and student organizations shall also be subject to the student rights and responsibilities handbook.
 - c. Distribution of Literature by Non-affiliated Individual/Entity: Distributing literature by a non-affiliated group containing general information about their organization. Such distribution shall be in compliance with the provisions of Section IX.A. above (Distribution of Literature or Advertising Material).
 - d. Sales and Solicitation by Non-affiliated Individual/Entity: MTSU property and/or facilities may not be used by any Non-affiliated Entity or Individual for the conduct of commercial solicitation, on-site sales, or other profit-making activities except when (1) a license or lease agreement exists; (2) the activity is conducted in accordance with any other valid contract or agreement with MTSU; (3) the commercial solicitation, on-site sales, or other profit-making activity takes place pursuant to an agreement; and (4) is sponsored by a registered student organization for the purpose of raising funds to support the organization's activities. No sales or solicitation will be approved under this policy if the activity conflicts with any contractual obligations of MTSU.

Agreements between non-affiliated vendors sponsored by MTSU or a registered student organization to engage in commercial solicitations, on-site sales, or other profit-making activities are subject to the following conditions:

- (1) No student organization will be permitted to sponsor the same non-affiliated vendor more than two days per month.
- (2) Requests from student organizations to sponsor a non-affiliated vendor must be approved by the Assistant Vice President for Student Affairs, or designee.

- (3) Permission to sponsor a non-affiliated vendor may be denied if the presence of such vendor would be disruptive, would interfere with any aspect of MTSU's operation, or would detract from the orderly and aesthetic appearance of the campus.
 - (4) All non-affiliated vendors sponsored by a student organization will be charged a per diem fee to be paid at the time the activity is registered. This fee will be assessed apart from any financial arrangement made between the sponsoring student organization and the non-affiliated vendor. Any fee associated with these activities is provided on the [Event Coordination Forms website](#).
 - (5) Non-affiliated vendors sponsored by MTSU or a student organization are strictly prohibited from engaging in conduct that is unduly intrusive in their interactions with students, staff, or faculty, or otherwise harasses, disturbs, or interferes with the rights of students, staff, and faculty to the use and enjoyment of institutional property and/or facilities.
 - (6) Non-affiliated vendors sponsored by student organizations may be required to show proof of compliance with all state and local laws and ordinances governing their activities.
- e. Solicitation of charitable funds shall be governed by the provisions of [Policy 170 Charitable Solicitations](#).

C. Advertising

1. No advertising signs, posters, or other material may be placed on any campus property and/or facility by any Non-affiliated Individual/Entity, except that MTSU may permit advertising on specifically designated bulletin boards, digital signage, and other designated locations on campus. Affiliated Entities/Individuals may place advertising materials on campus property but only in such places as are designated by MTSU.
2. MTSU may authorize the inclusion of advertisements in appropriate campus publications or on other campus property (i.e., scoreboards, busses, etc.) for a reasonable fee.
3. MTSU may permit limited advertising by groups, organizations, or individuals when incidental to a donation of property or services to MTSU or pursuant to a contract with MTSU.

D. Bulletin Boards/Digital Signage

All postings of advertising or other material on utility poles, trees, walls, buildings, or other objects on campus is strictly prohibited. To facilitate posting of information and material where permitted, MTSU has installed certain bulletin boards designated as "Community Bulletin Boards" across campus that may be used by members of the campus community for postings unrelated to official MTSU business. All other bulletin boards are reserved for official MTSU business and are not available for postings by any other individual or entity. Designated digital signs in certain campus multiple-use locations may be available to post event announcements.

The specific rules applicable to a Community Bulletin Board will be conspicuously posted on each board and will control all postings on that board. Any posting that does not comply with the stated rules is subject to immediate removal without warning.

1. At a minimum, each Community Bulletin Board shall comply with the following:
 - a. Prominently display a sign above the board indicating that it is a "Community Bulletin Board."
 - b. Prominently display on a sheet of paper at least 8 ½" by 14" the Rules for Posting on the Community Bulletin Board, including, at a minimum, the following:
 - c. A listing of the specific individuals and/or entities that are permitted to post on that bulletin board;
 - d. Whether permission is required in advance of posting on that board and, if so, from whom;
 - e. Any limitations of the types of messages that may be posted on the board;
 - f. The maximum size of any message that may be posted on that board;
 - g. That no obscene material or material that violates state, federal, or local law or MTSU policy may be posted on the board;
 - h. A regularly scheduled date on which all material will be removed from the board. For instance, the individuals/offices authorizing the use of the board may wish to remove all material from the board on the first day each month or the day following Graduation, etc.
2. All individuals/offices requiring prior permission to use a Community Bulletin Board may deny a request on the basis of one or more of the following. The denial of the request shall be in writing and shall state the reason for the denial.

- a. The person or group is not authorized to use the board in question;
- b. The material is not the type authorized to be on the board in question or fails to meet any of the rules for posting on the board;
- c. The material is obscene or otherwise violates any federal or state law or regulation of MTSU; or
- d. There is insufficient space for the material on the board due to the previous posting of other materials.

The individual/office responsible for any bulletin board on campus, in conjunction with the MTSU Fire Marshal, shall confirm that the placement of the bulletin board complies with the local fire code.

3. Digital signage in certain campus locations is available to be used in conjunction with meetings/events. Specifics of digital signage use guidelines are located at www.mtsu.edu/digital-signs.
4. Nothing in this section should be construed to limit the rights for access to state employees set forth in T.C.A. § 8-50-1001.

E. Banners

Except as specified below, banners or other large printed material may not be placed or hung on any MTSU property or structure.

1. Keathley University Center: MTSU has made a limited amount of space on the patio rails and the columns at the Keathley University Center (“KUC”) available for Affiliated Entities and MTSU Departments to hang banners for limited purposes of advertising their events and/or promoting their organization. No other groups will be allowed to hang banners on MTSU’s property and/or facilities. The following restrictions shall apply to all banners displayed under this policy:
 - a. Banners may be displayed a maximum of two (2) consecutive weeks unless additional time is approved by the Dean of Students or designee.
 - b. Banners are limited to one per organization unless approved by the Dean of Students or designee.
 - c. Banners made for the KUC patio rails will be hung and taken down by MT Unions staff. Please drop off banners to the KUC Information Desk (located on the 2nd floor of the KUC) no later than the day before your reservation.

- d. Banners for SGA Elections and Homecoming must be displayed horizontally in front of the KUC and may not exceed 3' x 5' (feet). Check the SGA Election Packets for more information.
 - e. Banners made for the KUC columns must be professionally made and have metal grommets. A University account must be provided in order to get the banner hung. The organization/department will incur a cost from Facilities Services to hang and remove the banner. Banners to be hung on the columns must be turned into MT Unions staff no later than five (5) business days prior to the first date of the reservation so that a work order can be placed with Facilities Services to provide the banner hanging service. Bungee cords are provided by MT Unions for the purpose of hanging banners. Banners that do not meet this criterion will not be hung. Please note: The banner hanging service provided by Facilities Services is weather dependent, so the banner may or may not be hung by the first day of the reservation. Banners must be no bigger than twelve (12) feet in width for the main column and six (6) feet for the side columns.
 - f. Banners hung at the KUC must be retrieved from the KUC Information Desk no later than five (5) business days following the removal date. MT Unions is NOT responsible for banners left after five (5) days, and is not responsible for the loss or damage to any banner.
 - g. Banner space is available on a first come, first serve basis.
2. Greek Row: Subject to approval by the appropriate MTSU office, residents of the houses located on MTSU's Greek Row may hang appropriate exterior banners, posters, and signs (collectively "banners") that promote student organization or campus events. The dimensions of banners on the exterior of Greek Row houses may not exceed eight (8) feet by six (6) feet. Houses that are leased from MTSU by Greek organizations must obtain approval from the Office of Fraternity and Sorority Life prior to hanging the banner. Houses that are occupied by individuals pursuant to a Housing License Agreement with the Office of Housing and Residential Life must obtain approval from this office prior to hanging the banner.

In evaluating a request for approval, the appropriate office shall confirm that the sign promotes student organization or campus events and that it is of a quality that does not detract from the appearance of Greek Row. In addition, the appropriate office can also determine if safety concerns require that Facilities Services hang and remove the sign. All charges for the hanging and removal of the sign shall be paid in advance by the applicant.

F. Speakers

Faculty and/or Affiliated Entities are authorized to extend invitations to uncompensated, unaffiliated guest speakers for regular class sessions and/or meetings, without prior application as set forth in this policy as long as the following conditions are met:

1. Attendance at the class session or meeting will be limited to members of the class or Affiliated Entity; and
2. No fee or compensation from state funds will be paid to the speaker.

G. Camping

Except in the circumstances provided below, all individuals or groups engaging in activities covered under this policy are prohibited from constructing or erecting any permanent or semi-permanent structure(s) on MTSU property and from erecting, maintaining, or occupying any temporary sleeping equipment, including, but not limited to, tents, sleeping bags, hammocks, and other non-permanent structures, sleeping quarters, or apparatus.

The above prohibitions shall not apply in the following circumstances:

1. Erecting, maintaining, and occupying temporary sleeping equipment between the hours of 7:00 a.m. and 11:00 p.m.;
2. Maintaining or occupying a motor vehicle or trailer equipped with living space and amenities found in a home, such as a recreational vehicle, camper van, motor home, or the like, provided that: (1) the vehicle or trailer is licensed for use and operation, and a license plate demonstrating this fact is affixed to the vehicle; (2) the use of the vehicle or trailer has been approved in advance by either the Blue Raider Athletic Association, Tennessee Livestock Center, or the Tennessee Miller Coliseum (collectively the "approving entity") in a manner consistent with the existing policies of the approving entity and all required fees have been paid; and (3) the vehicle or trailer is parked in a space for such vehicles or trailers as designated by the approving entity;
3. Maintaining or occupying motor vehicles or trailers equipped with office space or living space and amenities found in a home, such as a recreational vehicle, camper van, motor home, or the like, on MTSU property that has been leased by MTSU to another entity or on property assigned to, and under the control of, a contractor of MTSU. Activities under this paragraph must specifically be permitted by contract and/or lease and be conducted in accordance with the terms of the contract or lease;

4. Participants in events being held in unsecured or open buildings or structures, including specifically the animal barns at the Tennessee Livestock Center and the Tennessee Miller Coliseum, may erect, maintain, or occupy overnight sleeping equipment to stay overnight with belongings, including livestock, for purposes of protecting or securing said belongings. Participants shall notify the organizer of the event of their intent to remain on the premises overnight.

X. Notice of Policy

The MTSU Event Coordination Department and all Responsible Offices set forth in this policy shall maintain a copy of this policy for inspection by groups, organizations, and individuals interested in the use of campus property and/or facilities and shall provide a copy of such policy upon request.

Forms:

[Properties/Facilities Available for Use](#)

[User Fees](#)

[Sidewalks and Right of Ways](#)

Revisions: none.

References: Policy 101 Minors Participating in University-Sponsored Programs or Programs Using University Facilities; 170 Charitable Solicitations; 540 Student Disciplinary Rules; 560 Student Organizations; 600 Approval of Agreements-Delegation of Authority; 623 Lease Standards; 661 Purchasing of Meals and Refreshments for Both on and Off-Campus; 662 Food Service Self Catered or Off-Campus Vendor; 775 Traffic and Parking; T.C.A. § 8-50-1001.



775 Traffic and Parking

Approved by Board of Trustees

Effective Date:

Responsible Division: Business and Finance

Responsible Office: Administration

Responsible Officer: Assistant Vice President, Administration

I. Purpose

This policy facilitates the orderly and efficient flow of traffic on the Middle Tennessee State University (MTSU or University) campus, to provide a safe atmosphere for both pedestrians and motor vehicle operators, and to provide order with regard to parking within limited space. This policy shall be published, at least annually, and, as appropriate, through signage, traffic/parking handbooks, student/faculty handbooks and Institutional websites. It shall also serve to acquaint all administrators, faculty, staff, and students of the policy pertaining to registration of motor vehicles, traffic and parking policies, and the penalties for violation of said policy.

II. General Information

- A. The University reserves the right to regulate the use of all vehicles, including motorcycles, motor scooters, mopeds, golf carts, and bicycles/bikes, on the campus and to forbid the use of a vehicle by any person whose conduct indicates that he/she is not complying with University policies, City of Murfreesboro ordinances, and/or state laws pertaining to motor vehicles.
- B. The registrant of a permit is held responsible for the safe and lawful operation of the vehicle, the parking of the vehicle, and all traffic/parking citations issued against the vehicle, regardless of who is operating the vehicle at the time of the incident. A violation notice is not excused on the plea that another person was driving the vehicle or using another's parking permit.
- C. Parking on the MTSU campus is permitted only in those areas designated for parking. Parking in all other areas is prohibited.
- D. The University regards the possession and use of a vehicle on the campus as a privilege which may be revoked for justifiable reason. These reasons may include, but are not limited to, any of the following:

1. Operating a vehicle while under the influence of alcohol/drugs.
 2. Failure to observe the policies, ordinances, and laws governing the operation and parking of a vehicle.
 3. Leaving the scene of an accident.
 4. Five or more parking citations in a semester.
 5. Obtaining an MTSU parking permit through false pretenses. Parking and Transportation Services may remove any permit which has been forged, altered, or obtained illegally.
 6. Failure to yield the right-of-way to an emergency vehicle when displaying red/blue flashing lights.
 7. Failure to obey an officer directing traffic.
- E. Unless noted otherwise, all aspects of the traffic and parking policy are enforced 24 hours a day, 7 days a week.
- F. The University assumes no responsibility for damage or loss to a vehicle while it is parked or operated on the campus.
- G. Any vehicle receiving two (2) or more citations in one semester for "No Campus Permit" or failure to have a permit displayed as required by these policies will receive a written warning. If after three (3) business days following the issuance of the warning, the vehicle is found parked on campus without being properly registered and having the permit properly displayed as set forth in this policy, the vehicle will be towed at the owner's/registant's expense.

III. Registration of Motor Vehicles

- A. All vehicles operated on the campus of MTSU must be registered with the Parking and Transportation Services Office. Any vehicle parked on campus must have a current valid parking permit displayed in the vehicle.
- B. Parking permits are issued only after all registration fees are paid. Permits are issued at the Parking and Transportation Services Office located at 1403 East Main Street in the rear of the building. In order to receive a parking permit, a photo ID and the vehicle's license plate number will be needed. The issuance of permits will be limited to one permit per person with the exception of Womack Lane Apartments residents (who will be allowed two permits per family) and those who also have a motorcycle (who will be

allowed a permit for a vehicle and one (1) sticker permit for a motorcycle). All registrants will be responsible for their issued permits throughout the academic year.

- C. The registrant of a permit will be responsible for parking violations received by any vehicle bearing his/her parking permit. Permits may only be used by the permit holder registered with Parking and Transportation Services. Dependents, friends, and/or associates of any authorized permit holder are not authorized to use that person's permit while parking for their personal convenience.
- D. Students are eligible to receive a student parking permit upon payment of all registration fees. Faculty and staff permits are payable at the Parking and Transportation Services Office located at 1403 East Main Street.
- E. Cost of permits can be found on the [Parking Services](#) website.
- F. Parking permits will be denied for faculty/administration/staff who have outstanding fines from prior semester(s) until they are paid in full. The first fine after permit expiration will result in towing of vehicle.
- G. Permit colors. The area authorized for parking is denoted by the color of the permit.
 - 1. White - Available to Faculty/Administrators/Staff (including resident directors and graduate assistants). Vehicles displaying white permits also are permitted in Green and Red parking areas. Faculty, administrators, and staff may not transfer their permit to any student (or student vehicle).
 - 2. Green - Available to commuter students.
 - 3. Blue - Students and Employees with Disabilities: Available to qualified students and employees.
 - 4. Red - Available to On-Campus Residents only. Vehicles displaying Red permits also permitted in Green parking areas.
- H. Any person who changes parking category should bring his/her original permit to Parking and Transportation Services. Any additional fees associated with the change in permit will be paid at this time.
- I. Damaged permits must be replaced within three (3) working days. The remnants must be turned in to Parking and Transportation Services at the time of replacement. Failure to do so will result in the individual having to pay the full registration fee.
- J. Temporary Parking Permits will be issued as follows:

1. To any employee or student operating a vehicle as a temporary substitute for a registered vehicle. The permit will be valid for seven (7) days from the date of issuance and a total of three (3) temporary permits may be issued during any semester. The permit will indicate the appropriate color code area in which the vehicle may park. This permit is subject to a fee.
 2. Temporary Parking Permits are available to visitors at Parking and Transportation Services Office and are valid for metered spaces, white, red, and green color coded areas that are not marked as reserved. A fee is charged for visitor parking permits. The permit is valid for the day of issuance.
 3. Temporary Loading/Unloading Permits may be issued at the discretion of Parking and Transportation Services. This permit allows the operator of the vehicle up, to but not to exceed, thirty (30) minutes parking in a loading/unloading zone for the express purpose of loading or unloading his/her vehicle.
- K. Disabled Parking Permits-Any person, whether student or employee, may apply for disabled parking privileges.
1. For parking on the MTSU campus, persons must have a state-issued license plate or placard to obtain a Disabled Parking Permit. Persons must prove ownership of the state-issued plate or placard.
 2. Temporary disabled permits will be issued for injuries or disabilities of limited duration as specified by a physician's statement certifying an impairment. Those with temporary permits must park in white or green spaces only. The blue disabled parking spaces are reserved for those holding permanent disabled parking permits. Those holding temporary state-issued disabled placards may also park in the blue disabled parking spaces.
 3. Applicants denied a parking permit have the right to appeal to the Committee on Programs for Students and Employees with Disabilities, who will make the final decision as to whether someone receives a decal.
- L. If a parking permit is lost or stolen, a "Parking Permit Loss Report" must be provided to Parking and Transportation Services along with a replacement fee to obtain a new parking permit.
- M. The acceptance by any person of a parking permit, whether temporary or permanent, shall constitute the acceptance of the policies, ordinances, and/or laws governing the safe and responsible operation and parking of a vehicle on the campus.
- N. The MTSU parking permit must be properly attached to the front windshield in the extreme lower corner on the driver's side or hung from the rearview mirror of the

vehicle being operated with the decal number facing the outside of the car and clearly readable. In those cases where compliance with the above is not feasible, the permit must be clearly visible through the front windshield when viewed from outside or the registrant must consult with Parking and Transportation Services for proper placement of the permit. The responsibility of transferring and properly displaying the hang tag rests with the individuals to whom the permit was originally issued. If for some reason the hang tag is not transferred to the vehicle being parked on campus, the individual originally purchasing the hang tag will be required to obtain a temporary one-day permit. If an individual with a current permit receives a citation for a display violation, the citation will be cancelled only if the citation is taken to the Parking and Transportation Services Office within seven (7) class days of issuance of the citation and the violator can show the current permit at that time. (Vehicle must be parked in designated parking area according to permit color for citation to be cancelled). No more than three (3) such citations will be cancelled per semester. (Note: In the event that a vehicle receives more than one "No Campus Permit" ticket while parked in the same location during a calendar day, those tickets will be reviewed as one offense.) A class day is considered Monday through Friday, unless it is an official University holiday for faculty, staff, and/or students.

- O. Immediate family members of faculty, administrators, staff, and students must park at meters or register their vehicles with Parking and Transportation Services by obtaining a temporary parking permit. Failure to comply may result in the vehicle being issued a "No Campus Permit" citation, and the fine will not be waived.
- P. It is considered fraudulent for a registered permit holder to give his/her permit to another person for use on the campus. Permits are transferable from vehicle to vehicle provided that the vehicles are registered under the same account. Permits are not transferable from person to person. When a permit is reported as lost or stolen, but is found in another vehicle on campus, an inquiry will be made into the permit. In the event it is found that an individual reported a permit lost or stolen, but in fact gave the permit to another individual for use, both parties will be cited with a fine for their actions.

IV. Bicycle Registration and Parking

A. Authority

1. The Tennessee Rules of the Road, T.C.A. § 55-8-101 *et seq.*, govern the operation of bicycles on public roadways as set forth in T.C.A. § 55-8-172.
2. MTSU University Police Department is responsible for the regulation of moving vehicles and bicycles on University property.

3. Parking and Transportation Services is responsible for the regulation of vehicles and bicycles that are parked on University property.
- B. All bicycles should be registered with Parking and Transportation Services. Bicycles can be marked with an identifying number by MTSU Parking Services to ensure proper return if recovered after theft or confiscation due to illegal parking or abandonment. All bicycles on University property must be operated in accordance with University rules and appropriate Tennessee motor vehicle laws.
- C. Laws and regulations are designed for the safety of cyclists. When a person rides a bicycle on a roadway within the MTSU campus, the person is a driver and must operate under Tennessee Rules of the Road. He/she must follow state laws, give signals, obey stop signs and yield right of way just as car drivers do, including stopping at stop signs and red lights, yielding to pedestrians in crosswalks, displaying proper illumination, and riding with the traffic flow.
- D. Bicycle Operating Regulations
1. Persons operating bicycles and other non-motorized devices on public roadways, including roadways on campus, shall follow the Tennessee Rules of the Road as required by T.C.A. § 55-8-172.
 2. Persons operating bicycles and other non-motorized devices on campus shall practice courteous, defensive riding, giving right-of-way to pedestrians, traveling at safe speeds, and having their bicycles under control at all times.
 3. Every person operating a bicycle should obey regulatory signs and rules for MTSU and this policy.
 4. Bicycles shall not be operated in parking garages or in any areas where bicycles are restricted by policy or signs.
 5. No person operating a bicycle on University property, including bike lanes, should exceed a speed that is reasonable and prudent with respect to the number of pedestrians or other cyclists present, visibility, traffic, weather, and surface conditions that exist at the time, or that endangers property or the safety of any person.
- E. Bicycle parking is available throughout campus and is designated by the presence of bicycle racks. Bicycles must be parked within the boundaries of designated bike racks.

- F. Parking and/or placement of any non-motorized devices not covered under these regulations must be approved by Parking and Transportation Services.
- G. The following are general guidelines regarding bicycle parking on campus:
1. Racks are not to be utilized as long term bicycle storage.
 2. Bicycle related gear (or other items) should not be left at the bicycle racks.
 3. Bicycles shall be parked in accordance with federal, state, and local fire and safety regulations.
- H. Bicycles shall not be parked or stored:
1. In any public access, ingress, or egress area inside any University building (e.g. hallways, classrooms or parking structures) without express permission of the appropriate department head, such as a director or dean, in academic space. For policies regarding the storage or parking of bicycles inside residence halls, please refer to [Policy 541 Housing and Residential Life Rules](#).
 2. Against or fastened to any tree, plant, bush, or foliage;
 3. Against or fastened to any water, steam or gas pipe, fitting, electrical fixture, fence, sign post, railing, public seating fixture, or emergency safety device;
 4. Upon or attached to any ingress/egress ramp, stairway or stairwell railing or otherwise fastened to or blocking any exit/entrance or handicap access to any University building;
 5. In any other area not designated for bicycle parking or where parking is specifically prohibited by this policy or by signs.
- I. Impounding may be necessary in an effort to have bicycle parking available for those using their bicycles and to address improperly parked bicycles:
1. Bicycles that are inappropriately parked, in a state of disrepair or which appear to be abandoned are subject to impoundment. Bicycles subject to impoundment will be booted and/or tagged before impounding, giving the bicycle owner time to remedy the situation before impoundment.
 - a. State of disrepair means the bicycle has flat tire(s), bent rims, rusted or broken chain links, broken or rusted brakes, etc., and is otherwise in poor condition.

- b. Signs of abandonment include, but are not limited to, appearance of non-use, spider webs, missing parts, etc.
 2. It may be necessary to move a bicycle before it is booted or tagged for impoundment due to safety because it is blocking or impeding ingress or egress to a fire exit, stairwell, or handicapped ramp. If moving the bicycle is necessary, it will be moved to a nearby bicycle rack and booted to maintain security of the bicycle or immediately impounded.
 3. In cases that result in the removal of the chain/lock, the owner will absorb the cost of replacement.
 4. After the close of the spring semester, all abandoned bicycles will be removed from all on-campus racks. Bicycles that appear to be abandoned will be impounded. In cases that result in the removal of the chain/lock, the owner will absorb the cost of replacement.
- J. MTSU is not responsible for the safety of bicycles that are booted or impounded as a result of violations of this policy or State, Federal, or local law. MTSU will attempt to take reasonable steps necessary to contact bicycle owners in the event that their bicycles are booted or impounded and to confirm the identity of the individual claiming booted or impounded bicycles. Obviously, if MTSU does not know who owns a booted or impounded bicycle (e.g., because it was not registered) it will not be able to contact the owner and will have a difficult time conclusively determining the ownership of the bicycle when it is claimed. The best course of action to ensure that MTSU can contact the bicycle owner in the event that the bicycle is booted or impounded is to register the bicycle with MTSU and ensure that the registration information remains up-to-date.
1. After booting or impounding a bicycle that has been registered under this part, MTSU will use reasonable efforts to attempt to contact the owner using the owner's registration information. Registered bicycles will only be released to the registered owner with valid photo identification.
 2. An owner of a bicycle that has not been registered may still reclaim his/her bicycle as long as the purported owner can provide an accurate description of the bicycle, a valid MTSU identification card (for students, faculty, and employees) or photo identification (for outside parties), and the key or combination to the lock that was being used to secure the booted or impounded bicycle. Parking and Transportation Services will verify the information provided and confirm that the key/combination provided opens the bicycle lock. The bicycle owner will be required to register the bicycle before the bicycle will be released.

3. Impounded bicycles that are not claimed will be disposed of in accordance with the Tennessee Uniform Disposition of Unclaimed Property Act, T.C.A. § 66-29-103 *et seq.*

V. Parking Policies

- A. Color-coded parking is used to regulate the parking of vehicles. The color of the parking permit denotes the area in which a person may park.
- B. The following spaces are reserved as noted:
 1. Students and employees with disabilities - reserved 24 hours a day
 2. Health Services - reserved 24 hours a day
 3. Library staff - reserved 24 hours a day
 4. Housing staff - reserved 24 hours a day
 5. Maintenance spaces - reserved 24 hours a day
 6. Speech Clinic spaces - reserved Monday through Thursday from 8:00 a.m. to 4:00 p.m.
 7. CDC Parent spaces in Fairview parking lot - reserved Monday through Thursday from 8:00 a.m. to 4:00 p.m.
 8. President, Vice-Presidents, University Deans – reserved 24 hours per day
- C. Special Event Parking - It may occasionally be necessary to close spaces or a lot due to construction, a workshop or conference, or a special event. Parking and Transportation Services will give advance notice of closings whenever possible.
- D. Vehicles are not to be parked at any time where parking is not designated, where curbing is painted yellow, where sidewalks intersect streets, on sidewalks, across parking lines, on campus lawns (grass), or other places where signs indicate no parking. Parking is allowed only in clearly designated parking spaces. Vehicles that are parked or waiting in a fire lane will be towed. In gravel lots, legal parking spaces are designated by concrete bumper blocks, except for those painted yellow. Only one (1) vehicle/motorcycle is permitted to park per space.
- E. Vehicles are not to be parked in any manner as to constitute a traffic/pedestrian hazard or to impede the flow of traffic/pedestrians.

- F. Every vehicle stopped or parked upon a roadway where there are adjacent curbs shall be so stopped or parked with the right-hand wheels of the vehicle parallel to and within eighteen (18) inches of the right-hand curb.
- G. All students and employees are to park in their assigned areas, Monday through Friday, 7:00 a.m. to 5:30 p.m., except for the following streets and parking lots which will open for all permitted parking at 6:30 p.m.:
 - 1. Old Main Circle and Faulkenberry Drive (on-street parking).
 - 2. Davis Science Lot.
 - 3. Honors Lot.
 - 4. Founders Lot.
- H. After 6:30 p.m. Monday through Friday and on weekends, White, Red, and Green permit parking areas are open for any permitted vehicle. Yellow curbs, no parking zones, disabled and reserved spaces are in effect 24 hours a day, seven days a week.
- I. Short-term parking is governed by parking meters. The parking meters are considered in operation from 7:30 a.m. to 6:30 p.m., Monday through Friday. A charge of fifty cents (50¢) for 30 minutes is required while parked in these spaces.
- J. Vehicles are not permitted to park in campus directory drives. This is enforced 24 hours a day.
- K. Vehicles will be towed from campus streets, parking areas, lawns, drives, restricted areas, loading areas, etc., if the vehicles are parked or left in violation of University policies, City of Murfreesboro ordinances, and/or state laws pertaining to motor vehicles, or if said vehicle constitutes a traffic/pedestrian hazard. The cost of towing and any penalties will be the responsibility of the owner/registrant. All tow zones are enforced 24 hours a day.
- L. The operator of any disabled vehicle parked in violation of University policies must report the vehicle immediately to Parking and Transportation Services. Failure to report may result in traffic citations and/or towing. The vehicle must be called in each day it is disabled and parked in violation of University policies.
- M. No personal recreational or work travel trailers should be parked or stored on campus property, except for equipment purchased by academic/administrative departments for University related purposes.

- N. Advertising vehicles "For Sale" in University parking lots is prohibited. Any vehicle identified for such wrongful display for a period of 48 hours or more will be identified as a disabled vehicle and may result in traffic citations and/or towing.
- O. Garage parking is restricted to currently enrolled student displaying a current student parking permit.

VI. Operation of Motor Vehicles

- A. All state laws, City of Murfreesboro ordinances, and University policies pertaining to motor vehicles are applicable 24 hours a day, unless otherwise noted.
- B. Speed limits are posted throughout the campus. All speed limits are radar enforced.
- C. Passing on campus is prohibited.
- D. All vehicles must come to a complete stop at intersections where a stop sign (either mounted on a post or painted on the street surface) is displayed.
- E. Motorists are to yield the right-of-way to all pedestrians in a cross walk.
- F. Upon the immediate approach of an authorized emergency vehicle making use of audible and visual signals, or a police vehicle properly and lawfully making use of an audible signal only, the drivers of all other vehicles shall yield the right-of-way and shall immediately drive to a position parallel to and as close as possible to, the right hand edge or curb of any intersection and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.
- G. All persons riding on a motorcycle, either as operator or passenger, must wear a helmet of the type approved by the Commissioner of Safety for the State of Tennessee.
- H. All vehicles must come to a complete stop for a school bus loading or unloading children.
- I. Littering from a vehicle (as well as littering in general) is prohibited and subjects those littering to a fine.
- J. Any person who drives in willful and wanton disregard for the safety of persons or property is guilty of reckless driving.
- K. The driver of any vehicle shall obey the instructions of any official traffic-control device unless otherwise directed by a traffic or police officer.
- L. U-turns are prohibited on the campus.

- M. Loud mufflers, cut-outs, and any other noise-making devices attached to or located within or on any vehicle are prohibited.
- N. Excessive loud playing of radios and stereos in vehicles is prohibited. The playing shall be deemed excessively loud if it is disturbing the academic environment of the campus.

VII. Towing/Booting of Vehicles

- A. Vehicles will be towed/booted if the vehicle is parked or left in violation of University policies, City of Murfreesboro ordinances, and/or state laws pertaining to motor vehicles, or if said vehicle constitutes a traffic/pedestrian hazard. The owner/registrant of the vehicle will be responsible for any fines assessed against the vehicle and the cost of towing/booting. Vehicles may be towed/booted for, but not limited to, the following:
 - 1. Parking in a disabled parking space/ramp without disability permit.
 - 2. Blocking a fire hydrant.
 - 3. Parked in a fire lane.
 - 4. Blocking the roadway, walkway, or disabled ramp.
 - 5. Parking so as to constitute a traffic/pedestrian hazard.
 - 6. Parking in a loading zone.
 - 7. Abandoned/immobile.
 - 8. Five or more traffic/parking citations (paid or not paid) in a semester.
 - 9. Parking in a campus directory drive.
 - 10. Excessive No-Campus-Permit violations.
 - 11. Displaying a forged or altered permit.
 - 12. Parking on campus while parking privileges have been revoked.
 - 13. Displaying a lost or stolen permit.
 - 14. Any vehicle parked on campus with no visible means of identification; i.e. the license tag has been removed and the vehicle identification number covered or removed.
 - 15. Faculty/staff/administration with outstanding fines from prior semester who receive first fine after permit expiration.

- B. Any person whose vehicle is impounded may appeal such action.
- C. If a boot is removed by the owner/registrator of the vehicle and damaged, the owner/registrator will be responsible for the cost of the boot as well as the ticket fine and boot removal fee. The owner/registrator of the vehicle will be prosecuted if a boot is improperly removed and damaged.

VIII. Visitors

- A. A visitor is any person who has business or other reason to be on the campus but who is not a current student, member of the faculty, staff, or administration.
- B. All visitors are requested to use parking meters or obtain a visitors parking permit at either the Parking and Transportation Services Office at 1403 East Main Street, or its website. -Visitor parking permits will not be issued to vehicles registered to current students or employees. See [Visitor Parking](#) website.
- C. Upon securing a visitor parking pass, visitors may park in the Visitor Lot, or any white, red, or green color-coded space that is not marked as reserved. Visitors are reminded that they are subject to the policies, ordinances, and laws pertaining to motor vehicles while on the campus and that violation of such may result in a citation and/or towing of the vehicle.
- D. Requests for special guest parking should be submitted to the Parking and Transportation Services Office as far in advance as possible. Special event parking requests should be submitted at least seven (7) days in advance. This time is needed to coordinate because of the numerous parking requests received.

IX. Resident Parking

- A. All on-campus residents are required to obtain a parking permit according to their residential area. A maximum of two permits may be obtained by any family residing at Womack Lane Apartments.
- B. Any on-campus resident who holds a valid MTSU Blue parking permit may park in any legal Blue, White, Red, or Green parking space as well as the parking meters.
- C. Any resident who holds a valid MTSU White parking permit may park in any legal White, Red, or Green permit parking area.

X. Judicial Procedures

- A. Any student, other than one holding a faculty/administrative/staff permit, who receives a parking/traffic citation may appeal the citation within fifteen (15) days of issuance by going to the [SGA web site](#). Specific hearing procedures are at the website.
- B. Any employee or student holding a faculty/administrative/staff permit who receives a citation may appeal the citation within fifteen (15) days of issuance by filing an appeal form or by going to the [Parking Services](#) web site. An appeal form may be obtained at the Parking and Transportation Services Office. Attach the citation to the appeal form and forward to Parking and Transportation Services, P.O. Box 147. The MTSU Parking and Traffic Committee will handle disposition of the appeal. Specific hearing procedures are described at the website.
- C. Any student or employee who has his/her vehicle towed may appeal such action to the appropriate judicial body. This can be done only after the vehicle has been secured from impoundment and within seven (7) days of the towing date. Specific hearing procedures are described at the website.
- D. The payment of citations will in no way restrict the Office of Judicial Affairs or the University Parking and Traffic Committee from revoking parking privileges.

XI. Accidents

- A. All accidents involving a vehicle must be reported to the University Police as soon as possible. The vehicle(s) are not to be moved until the investigating officer instructs the parties to do so. Failure to comply with the provisions of this paragraph may result in criminal prosecution.
- B. A copy of the accident report will be furnished to all involved parties at \$1.00 per page. The copy may be secured at the University Police, Monday through Friday, 8:00 a.m. - 4:00 p.m.

XII. Violations and Penalties

- A. Fines will be assessed for violations found at www.mtsu.edu/parking/sec10.php.
- B. Vehicles of violators with five (5) or more citations (paid or not paid) in a semester will be towed/booted at the owner's/registrator's expense.
- C. Citations may be given every four (4) hours. No more than two (2) tickets will be issued per day for the same violation at the same location. This does not apply to being parked in a parking meter.

- D. Overtime parking citations (meters) will be given every hour.
- E. All fines are to be paid at the Business Office in the Student Services and Admissions Center, Monday through Friday, 8:00 a.m.-4:00 p.m.
- F. Any student with unpaid parking fines will not receive grades or transcripts or be able to register for the next semester until the fines are paid.

XIII. Parking and Transportation Services/Public Safety

- A. The Parking and Transportation Services Office is located in 1403 East Main Street. The phone number is 615-898-2850. The office is open 7:30 a.m. to 5:30 p.m. Monday through Thursday and 7:30 a.m. to 4:30 p.m. on Friday. Note: During non-peak times when classes are not in session, hours of operation will be 7:30 a.m. to 4:30 p.m.
- B. The University Police Department is recognized by the State of Tennessee as an independent police agency and is empowered to perform all duties required by law.

Forms: none.

Revisions: none.

References: T.C.A. § 55-8-101, § 55-8-172, § 66-29-103, Policy 541 Housing and Residential Life Rules.

MIDDLE TENNESSEE STATE UNIVERSITY
NOTICE OF PART-TIME EMPLOYMENT AND AGREEMENT
FOR PRESIDENT EMERITUS

TO: Dr. Sam Ingram
2435 Tomahawk
Murfreesboro, TN 37129-6201

This is to confirm your part-time appointment to a position approved by the Board of Trustees as President Emeritus of Middle Tennessee State University for a period beginning July 1, 2017 at a monthly salary of \$1,496.42 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, and the requirements and policies of Middle Tennessee State University.
2. The term of this agreement is July 1, 2017 to June 30, 2018. It may be renewed on an annual basis following review of the emeritus work performed and approval by the Middle Tennessee State University Board of Trustees.
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:
 - ❖ Legislative relations, state and local
 - ❖ Relations with community colleges
 - ❖ Work with alumni
 - ❖ Foundation Board Member
 - ❖ Assist 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 university at selected functions and professional meetings.
 - ❖ Recruit students and provide advice to prospective students and their parents.

President Emeritus Report 2016-2017

During this fiscal year, I performed the following functions (attached) for
Middle Tennessee State University.

(Please type your report and attach it to this work sheet)

I spent at least 89.8 hours performing the work but less than 120 days.

Sam H. Ingram
President Emeritus

5-12-17
Date

I have reviewed the work of Dr. Sam Ingram for 2016-2017 and am satisfied that it was well performed.

President

Date

Chairman of the Board

Date

TO: President Sidney A. McPhee

FROM: Sam H. Ingram

DATE: May 10, 2017

SUBJECT: President Emeritus Report - 2017

This year, as I have attended the many events and meetings required by my work at MTSU, I noticed the tremendous progress that has been made in all areas. I do not recall talking with a single person on campus who did not feel a personal responsibility for assisting our students in achieving their goals. This level of commitment can only result from many years of dedication.

Each semester in my session with the President, we frequently discussed articulation problems between community colleges and MTSU. Most of those resulted from a minimal interest in assisting students with their concerns. Good higher education institutions have staff who are interested in their students. Great higher education institutions are also working on acquiring additional resources to provide more assistance to their students.

Every year, hundreds of people throughout the state talk with me about higher education and MTSU. I am hopeful that my discussions with them and the work I do at this university will provide a minor contribution both to MTSU and President Sidney McPhee.



Middle Tennessee State University
President Emeritus Comparisons
May 2017

<u>Institution</u>	<u>Annual Amount</u>
Austin Peay State University	\$ 40,406.16
East Tennessee State University	55,208.04
Middle Tennessee State University	17,957.04
Tennessee Technological University	28,539.96
Tennessee Technological University	49,378.08
University of Memphis	67,921.92
University of Tennessee	69,792.00

May 2, 2017

To: Joey Jacobs, Chair
Middle Tennessee State University Board of Trustees Finance and Personnel Committee

Ms. Brenda Burkhart currently serves as the Director of Audit and Consulting Services and was just affirmed as the Chief Audit Executive for the University at the April 10, 2017 Board of Trustees meeting.

Ms. Brenda Burkhart has served as the Director of Audit and Consulting Service at Middle Tennessee State University (MTSU) since July 1987. She began employment at MTSU as the Internal Auditor in December 1986. Prior to that she was employed with the Comptroller of the Treasury, Division of State Audit for nearly 5 years.

While employed at the University, Ms. Burkhart has been involved with audits of numerous areas and departments on campus, as well as a key part of setting up many of the internal controls in place today. She is well respected by the campus community and departments welcome her assistance and knowledge when it comes to implementing new systems and controls. She has built an office and staff that campus departments have come to rely on when they see or experience problems. Departments do not fear calling Audit and Consulting Services as they know Ms. Burkhart and her staff will assist with any issues at hand. These proactive engagements across the University campus are also reflected in the University's external audit record during this time.

Ms. Burkhart's current salary is \$83,049. Her position is a pay grade 10 in our current pay plan, which has a minimum salary range of \$68,377 and a maximum of \$106,440. I am recommending a salary increase of \$17,000 for Ms. Burkhart effective July 1, 2017. Currently, she is one of the lowest paid of all Internal Auditors of the six public universities, as well as the University of Tennessee. With Ms. Burkhart's extensive audit experience, low salary as compared to other institutions, and the additional responsibilities to be undertaken with working with the Audit Committee of the Board, the proposed salary of \$100,049 appears to appropriately compensate Ms. Burkhart for the job she is performing for the University.

I respectfully request the approval of this recommendation by the Finance and Personnel Committee and the Board of Trustees.

Sincerely,



Sidney A. McPhee
President

Middle Tennessee State University
 Chief Audit Executives Salary Comparisons
 May 2017

Institution	Annual Salary	Fall 2016 Headcount	July 2017 Budget
Austin Peay State University	\$ 89,760	10,023	\$ 135,528,600
East Tennessee State University	84,742	13,419	227,935,900
Middle Tennessee State University	83,050	22,050	313,612,200
Tennessee State University	90,000	8,754	153,539,100
Tennessee Technological University	95,000	10,520	156,095,000
University of Memphis	103,837	21,301	369,209,900

Compensation Pay Plan Middle Tennessee State University

Faculty Market Study

In 2016, MTSU established a new list of 50 peer institutions for market salary purposes (See Appendix I). The original market study collected market data by discipline and rank from CUPA-HR using a peer grouping of approximately 37 institutions that are similar in scope and mission to MTSU. 22 of the original 37 peers are still included in the new peer list. The 28 additional peers were chosen based on participation in the CUPA 2014-15 Salary Study to add data stability. Carnegie Classification of Doctoral/Research Universities or Research Universities, Public Doctoral Granting Institutions, enrollment data and program mix were also used to select the new peers. 6 Master's Large Institutions were added for representation of Agribusiness/Agriscience and Aerospace Programs. AACSB data will be used for business disciplines not represented by CUPA data. Data is purchased from CUPA-HR and AACSB every three years. The data currently utilized is FY 14-15 data. The total number of peer institutions may fluctuate with any update period due to the voluntary nature of the data collection process.

The market salary study includes tenure-track and tenured faculty only. Faculty on temporary contracts are excluded.

Market data is updated every three years. Midpoint of the range represents the average (mean) salary provided by the CUPA-HR/AACSB salary study. A salary range (minimum to maximum) is established around the average salary by discipline by rank. The salary mean for each discipline and rank is established as midpoint of a salary range configured as follows:

Professor	65%
Associate	60%
Assistant	55%
Instructor	50%

Within the pay range for the rank for each discipline, equal weights are assigned to three variables important to salary differentiation (total years experience, total years in rank and highest degree). Application of the three factors multiplied by the weight factors developed by William M. Mercer, Inc. in 1993 calculates a range penetration factor. Each faculty member's equitable projected range penetration is calculated as the weighted average of relative standing on each variable, i.e., the range penetration factor is multiplied by the salary range to determine a predicted market salary for each faculty member. Predicted salary is capped at the midpoint of the range. Full professors with greater than 10 years at the full professor rank may progress beyond the midpoint.

Salary adjustments are calculated as the positive difference, if any, between current salary and projected market value. Implementation is planned incrementally over a three-year period to adjust the faculty member's current salary by one-third of the gap between predicted market salary and current year salary. Thus, the employee's salary would reach the CUPA-HR/AACSB average salary for a specific rank and discipline at the third year of implementation of market adjustments.

Faculty Promotion Awards

The award for promotion in rank is as follows:

Professor - \$7,500
Associate Professor - \$6,000
Assistant Professor - \$4,500

These increases are subject to the availability of funding in each fiscal year.

Faculty Salary Adjustments for Terminal Degree Completion

A \$2,000 base salary adjustment is provided to tenure and tenure-track faculty upon the completion of a terminal degree.

Executive Market Study

MTSU uses the same 50 peer institutions as noted above for all benchmarked executive positions from CUPA-HR. Market data is updated every three years. Midpoint of the range represents the average (mean) salary provided by the CUPA-HR salary study. A salary range (minimum to maximum) is established by using a formula established in the 1993 Mercer Study. The minimum is calculated by dividing the midpoint by 1.30. The maximum of the range is determined by multiplying the new minimum by 1.60. Subtracting the minimum from the maximum of the pay grade and dividing by 30 determines the range penetration factor. The formula assumes it takes an individual 30 years to reach the maximum of the range.

Each executive is given credit for total years of experience at MTSU and previous Administrative/Professional Experience. Taking the minimum of the salary pay grade and adding the range penetration factor for each year of experience calculates the predicted salary. Predicted salary is capped at midpoint of salary pay grade.

Salary adjustments are calculated as the positive difference, if any, between current salary and predicted salary. Implementation is planned incrementally over a three-year period to adjust the executive's current salary by one-third of the gap between predicted salary and current year salary. Thus, the employee's salary would reach the CUPA-HR average salary at the third year of implementation of market adjustments.

Administrative Market Study

In 2012, MTSU implemented the administrative pay plan developed by Mercer, Inc. which collected market data on 120 administrative positions. These positions were priced locally at the lower levels, locally and regionally at the professional levels and from a more broad regional area at management levels. Director levels and above are priced exclusively with higher education data targeted to MTSU's size (based on operating budget) as well as using a cut of a selected peer group of organizations similar in size and scope to MTSU. This cut included the 37 institutions initially used by the Faculty/Executive group and an additional 27 institutions which were chosen based on Carnegie classification and budget size. In 2016, MTSU changed the administrative pay plan to use the 50 peer institutions selected for faculty as noted above instead of the 64 institutions previously used by Mercer Inc. Data below the director level is obtained from higher education (CUPA) for jobs specific to higher education and from a

combination of higher education and general industry for those jobs recruited from other industries (finance, IT, human resources, etc.)

The formula assumes it takes an individual 30 years to reach the maximum of the range. As funding permits, the university will propose increases to employees based on years at MTSU up to the midpoint of the salary range.

~~For new hires, a control point of 90% below the midpoint will be established as the hiring range.~~ Salary recommendations for new hires will be based on relevant experience for the position vacancy and applied up to the ~~90% control factor~~ midpoint. Exceptions can be approved by the Vice President up to the midpoint of the salary range. Exceptions over the midpoint of the salary range require the approval of the President.

Administrative/Executive Promotions, Demotions and Reclassifications

Salary recommendations for internal promotions will be based on the number of relevant years of experience for the position and the individual will be placed in the new range up to ~~90% of~~ the midpoint. Exceptions can be approved by the Vice President up to the midpoint of the salary range. Exceptions over the midpoint of the salary range require the approval of the President.

Reclassifications for positions to a higher pay grade will receive the greater of the minimum of the new pay range or 3% of their current salary. If the employee's current salary is past the maximum of the new pay grade no increase in pay will be given. Exceptions can be approved by the Vice President up to the midpoint of the salary range. Exceptions over the midpoint of the salary range require the approval of the President.

Demotions may occur when an employee moves from a job at a higher pay grade to a job with a lower pay grade. In the case of a demotion, the manager, along with Human Resources, should consider whether or not a salary reduction is appropriate. The Vice President of the area will review and approve the recommendation.

Administrative Salary Adjustments for Terminal Degree Completion

No salary adjustments are provided to administrative employees for the completion of college degrees.

Classified Study

In January 2012 MTSU implemented the new salary ranges and structure for the Classified Staff based on data provided by Mercer.

Mercer collected market data on 43 classified positions, of those positions only 14 of them are core titles used in TBR's classified structure. The salary data for these 14 positions was used to calculate the salary ranges. The market data is reflective of Nashville/Tennessee data for the classified jobs since they are recruited from the local area. The plan targets 100% of the current market. The formula assumes it takes an individual 30 years to reach the maximum of the range.

As funding permits, employees will be placed in the range based on the total years at MTSU as the experience factor. Individuals that receive their CAP Certification after coming to MTSU will receive the 9% increase in pay. This 9% increase in pay will be considered a part of the employee's base pay when salary calculations are made regarding future market adjustments.

~~For new hires, a control point of 90% below the midpoint of the hiring range will be established.~~ Salary recommendations for new hires will be based on relevant experience for the position vacancy and applied up to the ~~90% control factor~~ midpoint. Exceptions can be approved by the Vice President up to the midpoint of the salary range. Exceptions over the midpoint of the salary range require the approval of the President.

Classified Promotions, Demotions and Reclassifications

Salary recommendations for internal promotions will be based on the number of relevant years of experience for the position and the individual will be placed in the new range up to ~~90% of~~ the midpoint. Exceptions can be approved by the Vice President up to the midpoint of the salary range. Exceptions over the midpoint of the salary range require the approval of the President.

Reclassifications for positions to a higher pay grade will receive the greater of the minimum of the new pay range or 3% of their current salary. If the employee's current salary is past the maximum of the new pay grade no increase in pay will be given.

Demotions may occur when an employee moves from a job at a higher pay grade to a job with a lower pay grade. In the case of a demotion, the manager, along with Human Resources, should consider whether or not a salary reduction is appropriate. The Vice President of the area will review and approve the recommendation.

Classified Salary Adjustments for Terminal Degree Completion

No salary adjustments are provided to classified employees for the completion of college degrees.

Equity Adjustments – All Employee Groups

The Mercer study also included a statement that “the University might elect to address a limited number of special cases where identifiable, documentable and pronounced inequities continue to exist, including, but not limited to, those inequities produced by compressed or even inverted pricing in markets or submarkets. Such adjustments might also be appropriate where faculty salary concerns have been specifically indicated by accrediting agencies in the particular disciplines.”

This category is included to provide a mechanism for redress in the rare instance that an employee believes s/he is paid unfairly when compared with MTSU employees in similar positions with similar responsibilities, assuming comparable qualifications and satisfactory performance.

Requests for equity adjustments may be made at any time during the year. However, these requests, both amount and implementation date, are subject to President approval unless the employee reports directly to the President. If the employee reports directly to the President, the Board of Trustees' approval is required. Implementation of salary adjustments will be handled consistently throughout the University.

Other Adjustments – All Employee Groups

Based on the special cases language in the Mercer study as noted in quotations in the equity adjustments section, this category is included to provide a mechanism for a salary increase when an MTSU employee's job responsibilities have increased but the pay plan does not allow movement to a higher level position. Requests for other adjustments may be made at any time during the year but are subject to the approval of the President approval unless the employee reports directly to the President. If the employee

reports directly to the President, the Board of Trustees' approval is required. Implementation of salary adjustments will be handled consistently throughout the University.

Recommended Peer Institutions for 2015-16 Faculty Salary Study

Count	Institution	State	Carnegie	Fall 2014 Enroll
	Middle Tennessee State University	TN	DRU	23,881
1	Auburn University	AL	RU/H	24,864
2	University of South Alabama	AL	RU/H	15,065
3	Arkansas State University	AR	Master's L	13,144
4	Northern Arizona University	AZ	RU/H	26,606
5	University of Colorado Denver	CO	RU/H	17,815
6	Florida Atlantic University	FL	RU/H	30,759
7	Georgia Southern University	GA	DRU	20,517
8	Illinois State University	IL	DRU	20,272
9	Northern Illinois University	IL	RU/H	21,138
10	Southern Illinois University-Edwardsville	IL	Master's L	13,850
11	Western Illinois University	IL	Master's L	11,707
12	Ball State University	IN	RU/H	20,503
13	Indiana State University	IN	DRU	12,448
14	Western Kentucky University	KY	Master's L	20,448
15	Louisiana Tech University	LA	RU/H	11,014
16	University of Louisiana at Lafayette	LA	RU/H	16,646
17	University of Massachusetts Boston	MA	RU/H	16,277
18	University of Massachusetts Lowell	MA	RU/H	16,932

19	Central Michigan University	MI	DRU	26,841
20	Oakland University	MI	DRU	20,169
21	Western Michigan University	MI	RU/H	24,294
22	Missouri State University	MO	L Master's	23,092
23	University of Central Missouri	MO	L	12,513
24	University of Missouri - Kansas City	MO	RU/H	15,746
25	University of Southern Mississippi	MS	RU/H	15,249
26	East Carolina University	NC	DRU	26,887
27	University of Northern Carolina at Charlotte	NC	DRU	26,571
28	University of North Carolina at Greensboro	NC	RU/H	18,074
29	University of North Dakota Main Campus	ND	RU/H	15,143
30	University of Nebraska at Omaha	NE	DRU	15,227
31	University of Nevada - Las Vegas	NV	RU/H	27,848
32	University of Nevada, Reno	NV	RU/H	18,776
33	Bowling Green State University	OH	RU/H	19,408
34	Cleveland State University	OH	RU/H	17,730
35	Kent State University Main Campus	OH	RU/H	28,968
36	Miami University	OH	RU/H	23,743
37	University of Akron, Main Campus	OH	RU/H	26,000
38	University of Toledo	OH	RU/H	20,782
39	Wright State University Main Campus	OH	RU/H	17,595
40	Portland State University	OR	RU/H	29,452
41	Indiana University of Pennsylvania	PA	DRU	14,369
42	Clemson University	SC	RU/H	21,303
43	Lamar University	TX	DRU	14,452

44	Sam Houston State University	TX	DRU	19,210
45	Texas Woman's University	TX	DRU	15,058
46	University of North Texas	TX	RU/H	33,168
47	University of Texas at Dallas	TX	RU/H	21,193
48	University of Texas at San Antonio	TX	RU/H	28,623
49	George Mason University	VA	RU/H	33,917
50	Old Dominion University	VA	RU/H	24,828

Budget Impact of Removing 90% Midpoint Cap

	2016	2017
Positions Filled (and still employed in 2017)	133	77
Salary Exceptions Beyond HR Recommendation	49	32
% of Exceptions	37%	42%
Salaries at Midpoint	\$ 4,945,118	\$ 2,845,870
Currently Approved Salaries	4,826,544	2,800,016
Budget Impact	\$ 118,574	\$ 45,854

Turnover Rate 2012 - 2016

Year	Number of Employees	Resignations and Terminations	% Turnover Rate
2012	1,166	76	6.5%
2013	1,214	76	6.3%
2014	1,238	86	6.9%
2015	1,226	96	7.8%
2016	1,222	109	8.9%

Salary Pool Allocation Recommendation

In February 2017, Dr. McPhee formed a Compensation Advisory Committee, made up of members of Faculty Senate, Chairs Council, Deans, Administrative and Classified Staff, to make a recommendation on allocating the 3% Salary Pool in the Governor's 2017-18 budget.

The committee met on March 1, 2017 and was given its charge by Dr. McPhee. The committee was asked to explore different avenues for allocating the salary pool of funds. The committee considered the following avenues:

- Market increases for faculty and staff
- 3% Across the Board increases for faculty and staff
- 3% Across the Board or a specified minimum amount for faculty and staff
- Allocate resources available to include an Across the Board Increase for all faculty and staff, and a percentage set aside for merit and equity increases

After much discussion, the committee recommended the University allocate the salary pool as a 3% Across the Board increase with a \$1,000 minimum to all employees.

The President recommends your approval of the following:

- 3% Cost of Living Allowance (COLA) or \$1,000, whichever is greater for regular employees, both full and part-time, on the payroll as of June 30, 2017, effective July 1, 2017.
- Funding will be a combination of state appropriations and institutional funds. The Governor has allocated \$3.0 million in the budget. A 3% salary pool is estimated to be a total of \$4.5 million. The remaining \$1.5 million will come from tuition and fee increases (once approved).
- The COLA will be distributed to all unrestricted and restricted regular full-time and part-time employees and participants in the post-retirement service program.
- Increases will not apply to adjunct faculty, temporary employees, graduate assistants, or student workers.
- Unless specifically excluded by statute or on terminal leave status, all eligible persons employed as of June 30, 2017, shall receive the increase, with the exception of employees with unsatisfactory work performance.

If approved, the following are the guidelines that are recommended for implementing the increase:

- 3% COLA or \$1,000 minimum payment, pro-rated for part-time employees.
- Reclassifications, degree changes, etc. previously approved to be effective prior to or on July 1, 2017, are to be applied before the 3% COLA.
- Faculty promotions are to be applied before the 3% COLA.
- An employee appeal process for those who don't receive the COLA increase due to an unsatisfactory evaluation. This is to allow the employee an opportunity to provide supporting evidence that an administrative error was made in the implementation process.

**Middle Tennessee State University
Ten Year Summary of Salary Increases
2007 - 2017**

	<u>2007-08</u>	<u>2008-09</u>	<u>2009-10</u>	<u>2010-11</u>	<u>2011-12</u>	<u>2012-13</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>	<u>2016-17</u>	<u>Totals</u>
Faculty											
ATB Increases	1,445,983	-	-	-	1,809,864	1,525,000	1,022,691	-	1,365,876	650,356	7,819,770
Equity Increases	1,364,143	-	-	-	1,419,925	400,000	-	-	-	-	3,184,068
Bonuses	580,050	301,320	-	-	824,000	674,300	-	-	-	442,500	2,822,170
Promotions	215,000	254,000	169,500	241,000	284,460	223,125	327,000	307,500	153,000	120,000	2,294,585
Total Faculty	<u>3,605,176</u>	<u>555,320</u>	<u>169,500</u>	<u>241,000</u>	<u>4,338,249</u>	<u>2,822,425</u>	<u>1,349,691</u>	<u>307,500</u>	<u>1,518,876</u>	<u>1,212,856</u>	<u>16,120,593</u>
Executives											
ATB Increases	127,990	-	-	-	237,435	142,717	88,194	-	157,202	76,692	830,230
Equity Increases	92,488	-	-	-	216,039	227,918	-	-	-	-	536,445
Bonuses	53,726	18,800	-	-	71,000	57,800	-	-	-	28,000	229,326
Total Executives	<u>274,204</u>	<u>18,800</u>	<u>-</u>	<u>-</u>	<u>524,474</u>	<u>428,435</u>	<u>88,194</u>	<u>-</u>	<u>157,202</u>	<u>104,692</u>	<u>1,596,001</u>
Administrative											
ATB Increases	752,920	-	-	-	828,518	600,065	429,335	-	675,355	321,389	3,607,582
Equity Increases	503,483	-	-	-	109,188	228,893	-	-	-	-	841,564
Bonuses	316,672	183,600	-	-	501,950	343,220	-	-	-	284,545	1,629,987
Total Administrative	<u>1,573,075</u>	<u>183,600</u>	<u>-</u>	<u>-</u>	<u>1,439,656</u>	<u>1,172,178</u>	<u>429,335</u>	<u>-</u>	<u>675,355</u>	<u>605,934</u>	<u>6,079,133</u>
Classified											
ATB Increases	478,664	-	-	-	488,840	431,560	252,734	-	414,778	246,780	2,313,356
Equity Increases	246,324	-	-	-	126,720	238,189	-	-	-	-	611,233
Bonuses	286,532	182,704	-	-	497,520	389,754	-	-	-	242,760	1,599,270
Total Classified	<u>1,011,520</u>	<u>182,704</u>	<u>-</u>	<u>-</u>	<u>1,113,080</u>	<u>1,059,503</u>	<u>252,734</u>	<u>-</u>	<u>414,778</u>	<u>489,540</u>	<u>4,523,859</u>

Additional Information:

ATB Percentages	3.00%	-	-	-	3.00%	2.50%	1.50%	-	2.00%	1.00%	13.00%
					\$750 min	\$750 min	\$250 min		\$750 min	\$500 min	

Bonus Amounts	1.00%	400.00	-	-	1,000.00	\$100 / year up to \$1,000	-	-	-	500.00	
	\$500 min										

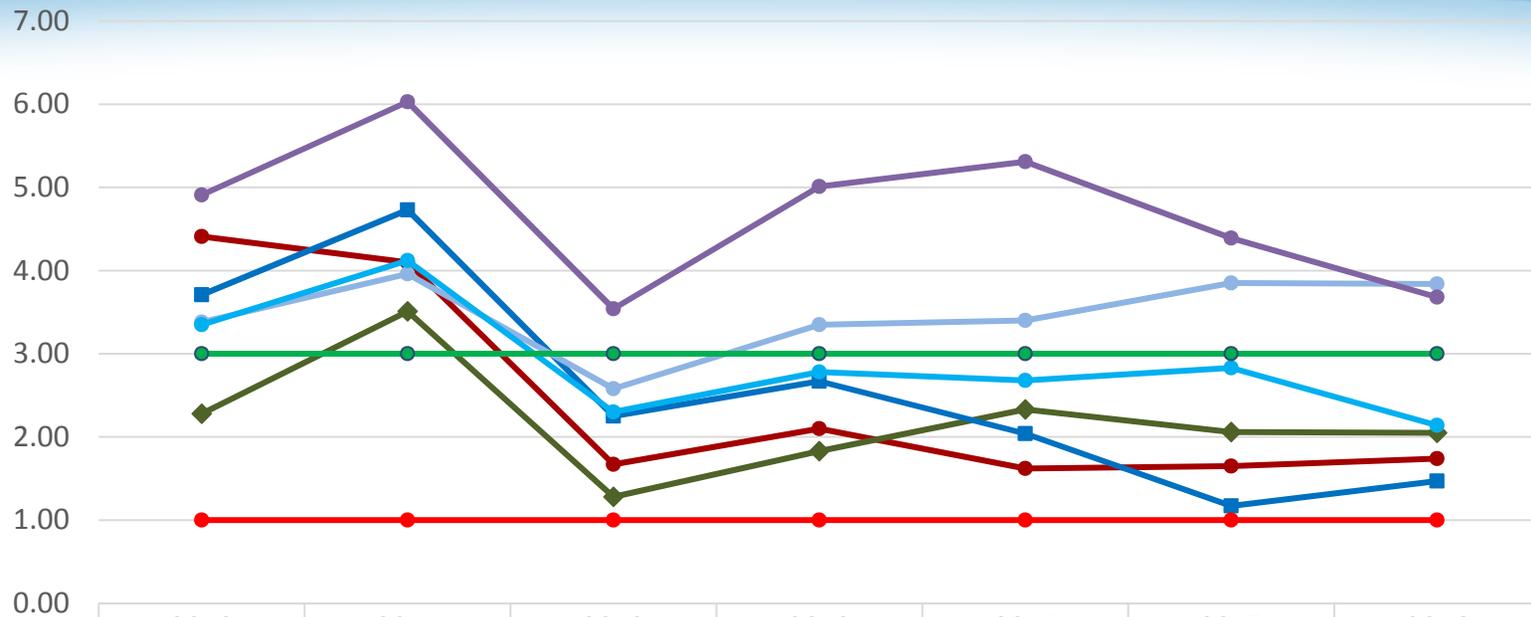
Consumer Price Index	3.70%	1.40%	1.00%	2.00%	2.90%	1.70%	1.60%	0.70%	0.70%	-	15.70%
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Composite Financial Index (CFI)

Strategic Risk Questions	Related Ratio
1. Overall – What is the institutions overall financial health?	Composite Financial Index
2. Liquidity – Does the institution have sufficient liquidity in the near and medium term?	Primary reserve ratio
3. Net Operating Revenues – Is the institution generating adequate resources in excess of its operational costs?	Net operating revenues ratio
4. Total Return - Does the institution have adequate return on all assets?	Return on net assets ratio
5. Viability – is debt managed strategically?	Viability ratio

Overall Financial Health?

Composite Financial Index (CFI)



	2010	2011	2012	2013	2014	2015	2016
APSU	4.41	4.10	1.67	2.10	1.62	1.65	1.74
ETSU	2.28	3.51	1.28	1.83	2.33	2.06	2.05
MTSU	3.71	4.73	2.25	2.67	2.04	1.17	1.47
TSU	3.38	3.96	2.58	3.35	3.40	3.85	3.84
TTU	4.91	6.03	3.54	5.01	5.31	4.39	3.68
UOM	3.35	4.12	2.30	2.78	2.68	2.83	2.14
Expected	3.00	3.00	3.00	3.00	3.00	3.00	3.00
Watch Level	1.00	1.00	1.00	1.00	1.00	1.00	1.00

Composite Financial Index

University	2014	2015	2016
APSU	1.62	1.65	1.74
ETSU	2.33	2.06	2.05
MTSU	2.04	1.17	1.47
TSU	3.40	3.85	3.84
TTU	5.31	4.39	3.68
UOM	2.68	2.83	2.14

**MIDDLE TENNESSEE STATE UNIVERSITY
ANALYSIS OF BUDGET CHANGES FOR REVENUE CATEGORIES
ESTIMATED BUDGET 2016-17**

<u>Revenue</u>	<u>2016-17 October Budget</u>	<u>2016-17 Estimated Budget</u>	<u>Difference</u>
Tuition and Fees	\$ 189,272,100	\$ 186,768,300	\$ (2,503,800)
State Appropriations	90,302,300	90,302,300	-
Federal Grants and Contracts	950,000	950,000	-
Local Grants and Contracts	60,000	60,000	-
State Grants & Contracts	55,000	55,000	-
Private Grants & Contracts	467,000	467,000	-
Private Gifts	-	2,800	2,800
Sales & Services of Educ Activities	630,600	630,000	(600)
Sales & Services of Other Activities	16,499,400	16,610,300	110,900
Other Sources	<u>272,700</u>	<u>272,900</u>	<u>200</u>
Total Revenue	<u>\$ 298,509,100</u>	<u>\$ 296,118,600</u>	<u>\$ (2,390,500)</u>

Reflects 2.6% reduction in enrollment

**MIDDLE TENNESSEE STATE UNIVERSITY
UNRESTRICTED EDUCATION AND GENERAL EXPENDITURES BY FUNCTIONAL CATEGORY
ESTIMATED BUDGET 2016-17**

	October Budget 2016-17	Estimated Budget 2016-17	Difference
Instruction	\$ 148,026,200	\$ 145,304,200	\$ (2,722,000)
Research	8,224,100	8,420,700	196,600
Public Service	4,652,500	4,675,300	22,800
Academic Support	31,252,000	31,188,400	(63,600)
Student Services	44,224,100	45,123,200	899,100
Institutional Support	25,411,800	25,718,000	306,200
Operation and Maintenance	28,638,700	28,396,500	(242,200)
Scholarships and Fellowships	15,094,400	15,094,400	-
Transfers	11,466,700	10,679,000	(787,700)
Total	<u>\$ 316,990,500</u>	<u>\$ 314,599,700</u>	<u>\$ (2,390,800)</u>

Reflects 2.6% reduction in enrollment

**MIDDLE TENNESSEE STATE UNIVERSITY
UNRESTRICTED EDUCATION AND GENERAL EXPENDITURES BY NATURAL CATEGORY
ESTIMATED BUDGET 2016-17**

	October Budget 2016-17	Estimated Budget 2016-17	Difference
Professional Salaries	\$ 133,588,100	\$ 133,313,700	\$ (274,400)
Other Salaries	20,694,700	21,069,900	375,200
Employee Benefits	54,464,800	53,214,900	(1,249,900)
Travel	5,133,200	5,180,100	46,900
Operating Expense	84,961,700	84,526,000	(435,700)
Capital Outlay	6,681,300	6,616,100	(65,200)
Transfers	11,466,700	10,679,000	(787,700)
Total	<u>\$ 316,990,500</u>	<u>\$ 314,599,700</u>	<u>\$ (2,390,800)</u>

Reflects 2.6% reduction in enrollment

**MIDDLE TENNESSEE STATE UNIVERSITY
ANALYSIS OF BUDGET CHANGES FOR REVENUE CATEGORIES
JULY BUDGET 2017-18**

	2016-17	2017-18	Difference
	<u>Estimated Budget</u>	<u>July Budget</u>	<u>Difference</u>
Tuition and Fees	\$ 186,768,300	\$ 191,644,700	\$ 4,876,400
State Appropriations	90,302,300	94,860,600	4,558,300
Federal Grants and Contracts	950,000	950,000	-
Local Grants and Contracts	60,000	60,000	-
State Grants & Contracts	55,000	55,000	-
Private Grants & Contracts	467,000	467,000	-
Private Gifts	2,800	-	(2,800)
Sales & Services of Educ Activities	630,000	633,100	3,100
Sales & Services of Other Activities	16,610,300	16,535,400	(74,900)
Other Sources	<u>272,900</u>	<u>272,700</u>	<u>(200)</u>
	<u>\$ 296,118,600</u>	<u>\$ 305,478,500</u>	<u>\$ 9,359,900</u>

The following items are reflected above:

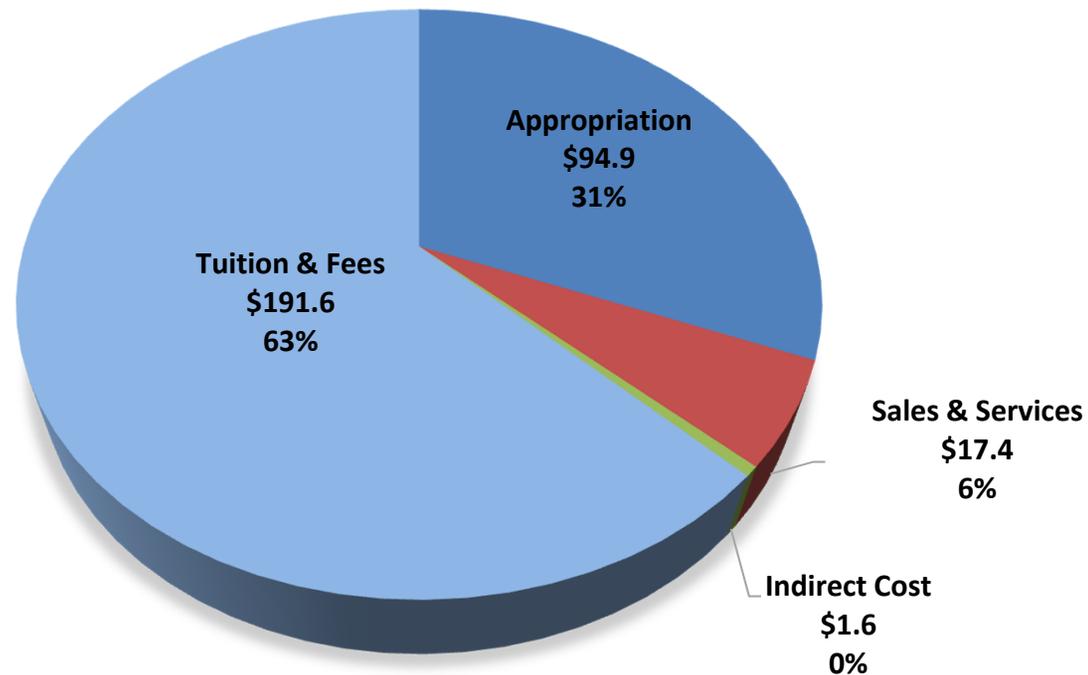
2.5% Tuition Increase

Appropriation Increases for 3% Salary Pool, Health Insurance, and Formula Funding

Mandatory Fee Increases

Education & General Revenue July 2017-18

(millions)



Total E&G Budget \$305.5

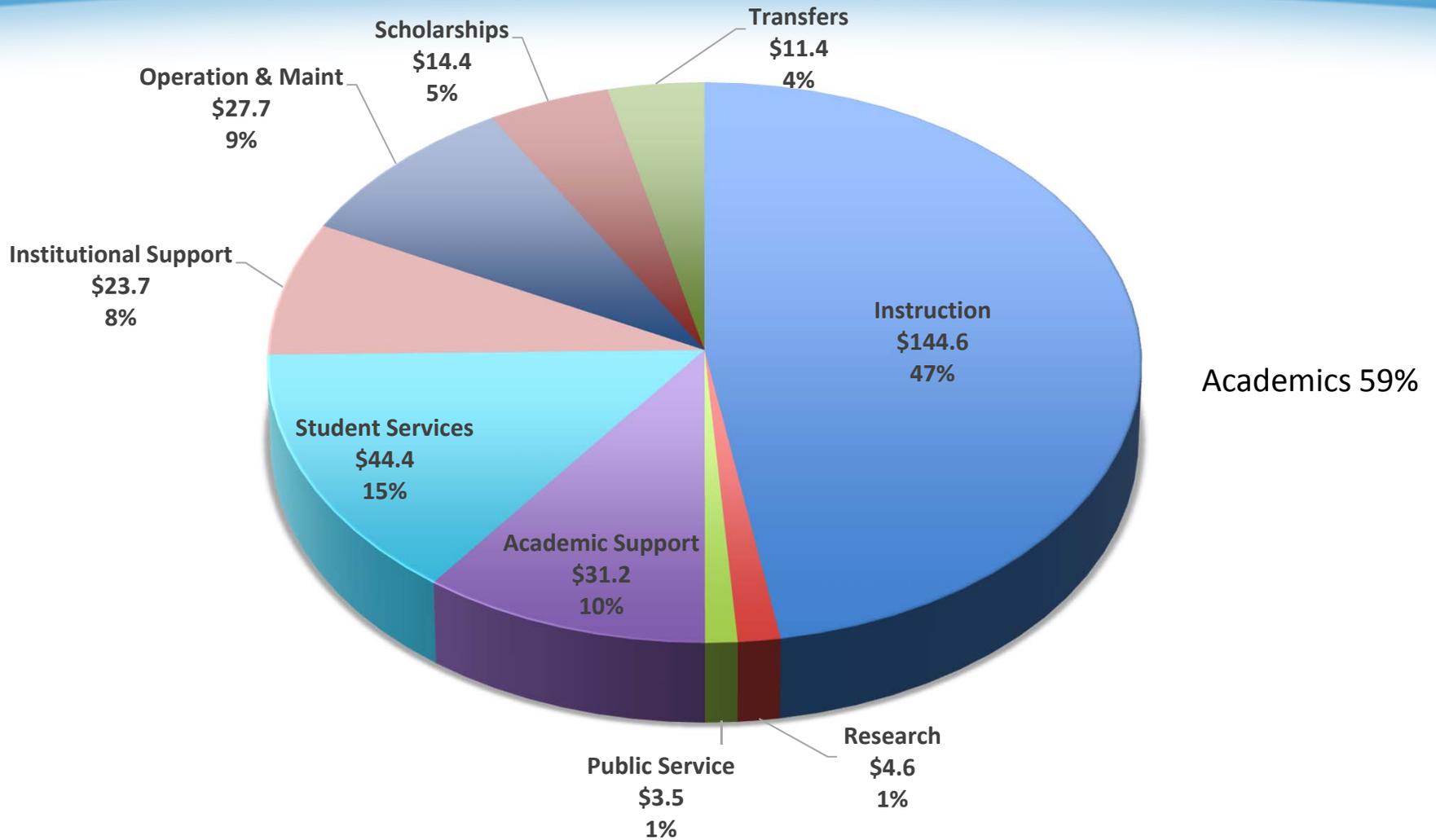
**MIDDLE TENNESSEE STATE UNIVERSITY
UNRESTRICTED EDUCATION AND GENERAL EXPENDITURES BY FUNCTIONAL CATEGORY
JULY BUDGET 2017-18**

Function	Estimated Budget 2016-17	July Budget 2017-18	Difference
Instruction	\$ 145,304,200	\$ 144,586,800	\$ (717,400)
Research	8,420,700	4,641,200	(3,779,500)
Public Service	4,675,300	3,523,700	(1,151,600)
Academic Support	31,188,400	31,171,900	(16,500)
Student Services	45,123,200	44,447,000	(676,200)
Institutional Support	25,718,000	23,736,600	(1,981,400)
Operation and Maintenance	28,396,500	27,687,600	(708,900)
Scholarships and Fellowships	15,094,400	14,400,700	(693,700)
Transfers	<u>10,679,000</u>	<u>11,283,000</u>	<u>604,000</u>
Total	<u>\$ 314,599,700</u>	<u>\$ 305,478,500</u>	<u>\$ (9,121,200)</u>

The following items are reflected above:

- 3% Salary Pool Funding
- Health Insurance Funding
- Mandatory Fee Increases
- July Budget Figures are Base Budget

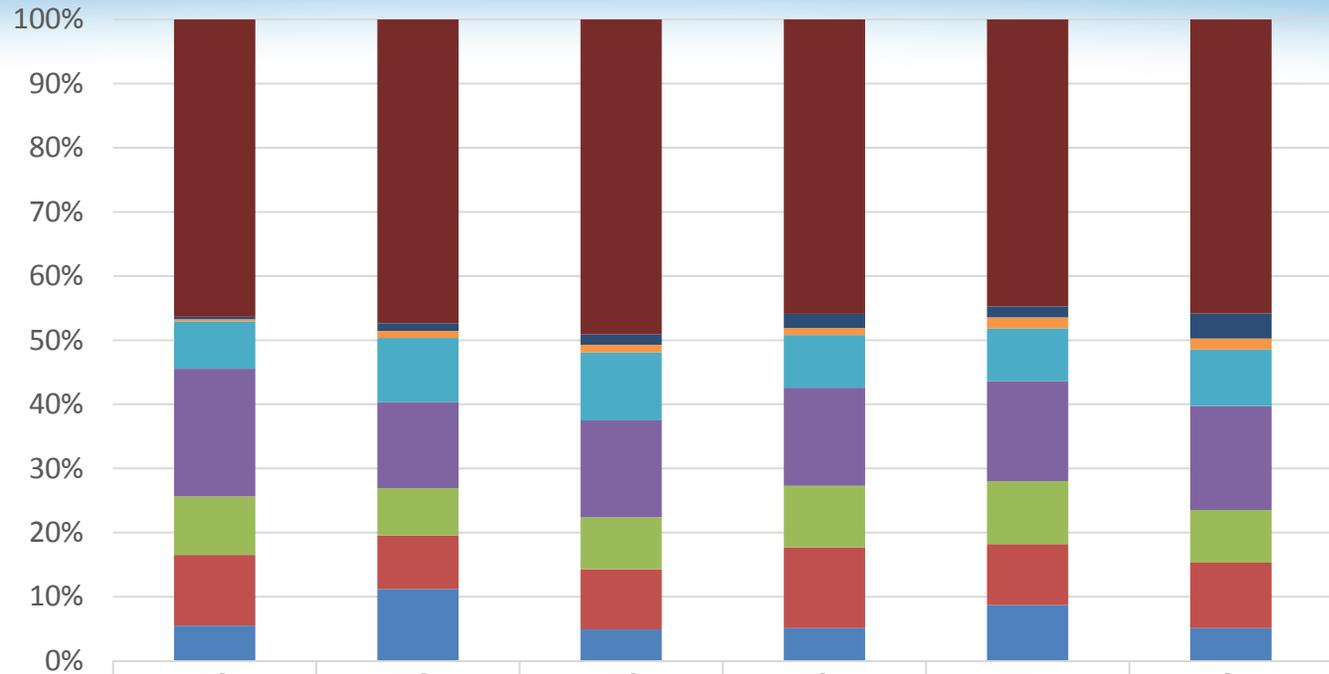
July 2017-18 E&G Budget By Functional Totals (Millions)



Academics 59%

Total E&G Budget \$305.5

July 2017-18 E&G Budget By Functional Total



	APSU	ETSU	MTSU	TSU	TTU	UOM
■ Instruction	46.3%	47.3%	49.1%	45.9%	44.7%	45.8%
■ Research	0.4%	1.2%	1.6%	2.2%	1.7%	3.9%
■ Public Svc	0.3%	1.1%	1.2%	1.1%	1.7%	1.7%
■ Acad Supp	7.4%	10.0%	10.6%	8.2%	8.2%	8.8%
■ Student Svc	19.9%	13.4%	15.1%	15.3%	15.6%	16.2%
■ Institutional Supp	9.1%	7.4%	8.1%	9.6%	9.8%	8.2%
■ O&M	11.0%	8.3%	9.4%	12.6%	9.5%	10.2%
■ Scholarships	5.5%	11.2%	4.9%	5.1%	8.7%	5.1%

**MIDDLE TENNESSEE STATE UNIVERSITY
UNRESTRICTED EDUCATION AND GENERAL EXPENDITURES BY NATURAL CATEGORY
JULY BUDGET 2017-18**

	Estimated Budget 2016-17	July Budget 2017-18	Difference
Professional Salaries	\$ 133,313,700	\$ 136,477,700	\$ 3,164,000
Other Salaries	21,069,900	20,709,300	(360,600)
Employee Benefits	53,214,900	56,188,700	2,973,800
Travel	5,180,100	4,296,700	(883,400)
Operating Expense	84,526,000	70,957,400	(13,568,600)
Capital Outlay	6,616,100	5,565,700	(1,050,400)
Transfers	10,679,000	11,283,000	604,000
Total	\$ 314,599,700	\$ 305,478,500	\$ (9,121,200)

The following items are reflected above:

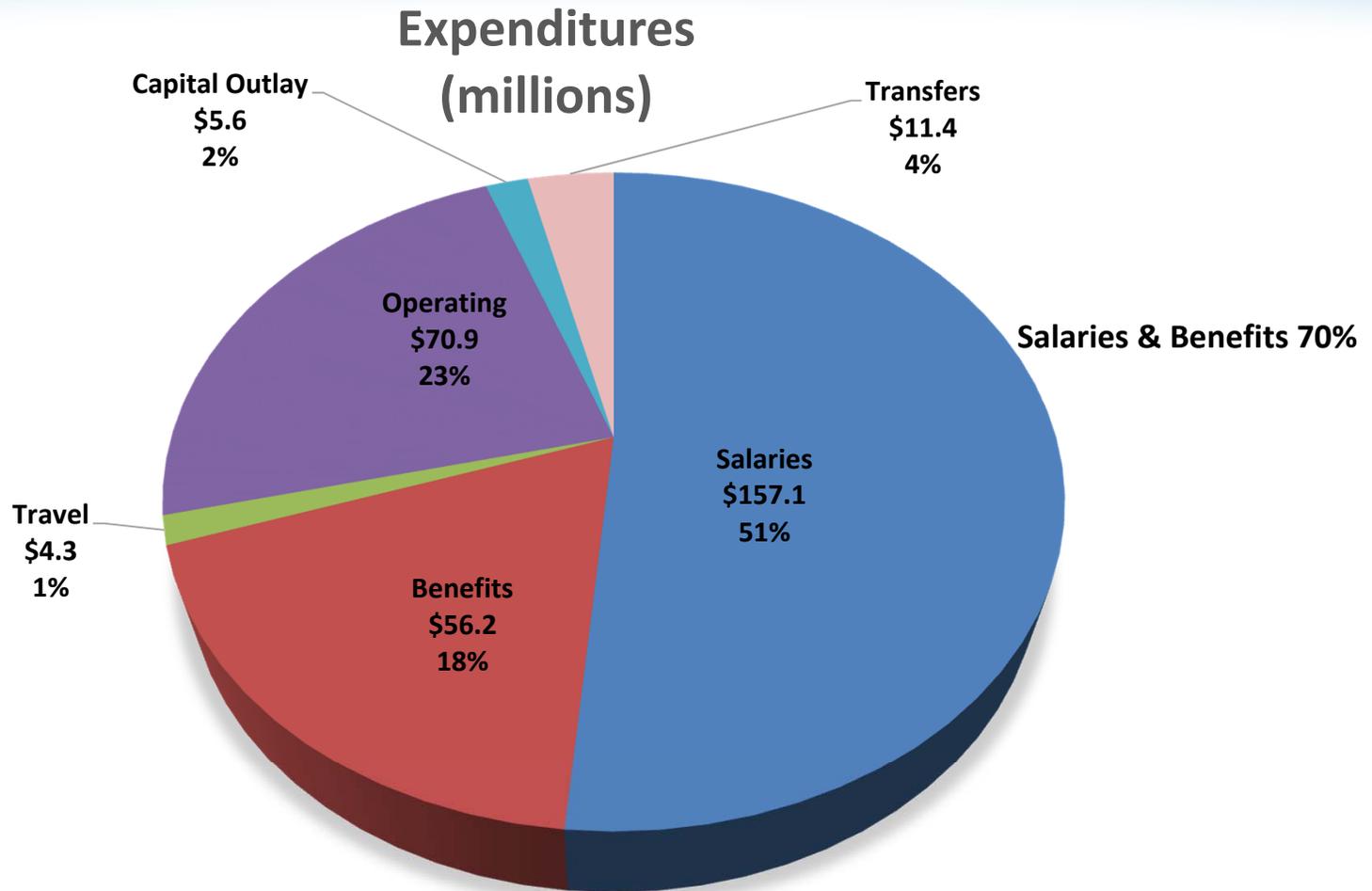
3% Salary Pool Funding

Health Insurance Funding

Mandatory Fee Increases

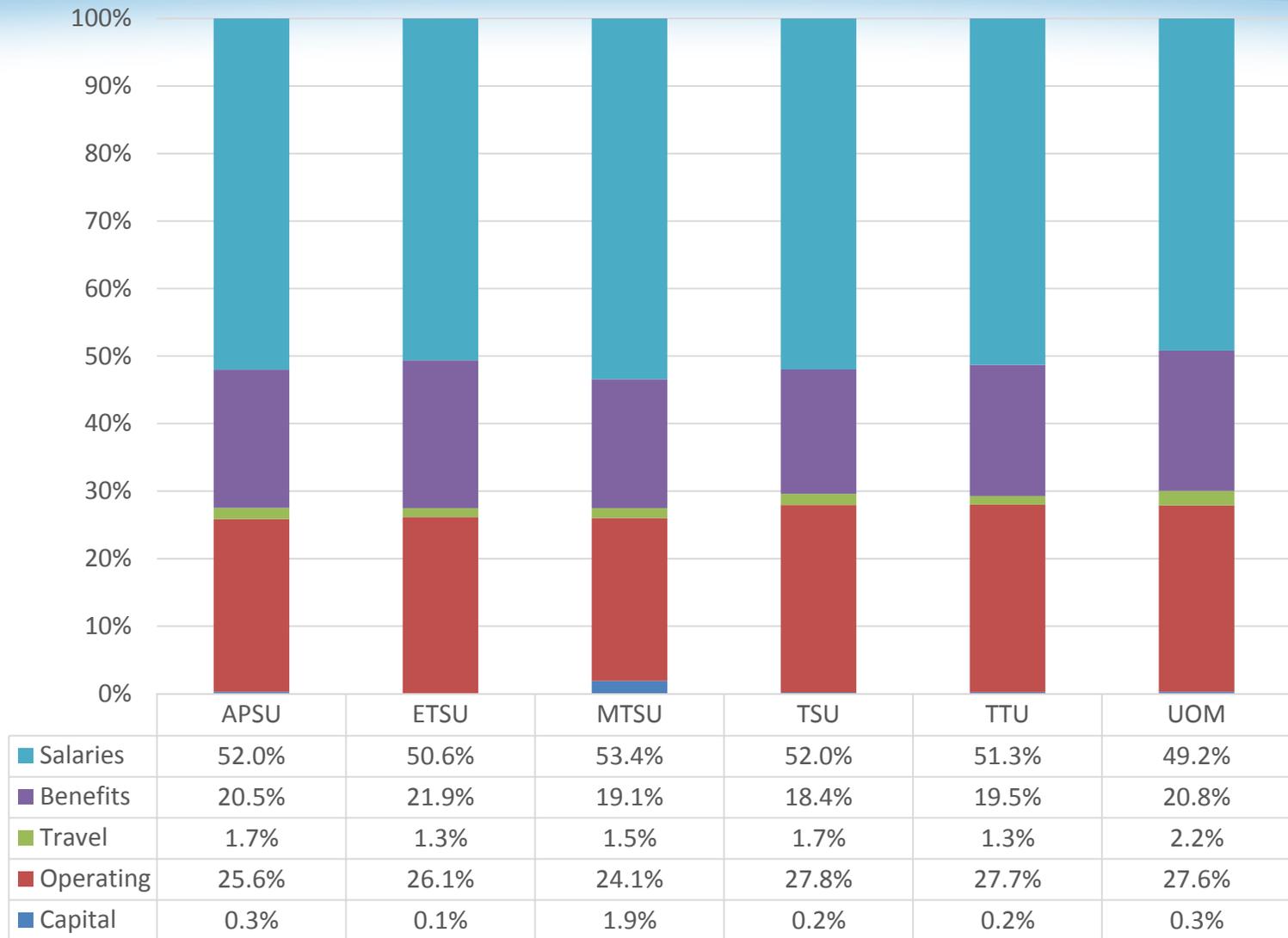
July Budget Figures are Base Budget

Education & General Budget by Natural Classification July 2017-18



Total E&G Budget \$305.5

July 2017-18 E&G Budget By Natural Classification



**MIDDLE TENNESSEE STATE UNIVERSITY
ESTIMATED BUDGET 2016-17
AUXILIARY ENTERPRISE SUMMARY SCHEDULE**

Auxiliary	October 2016-17			Estimated 2016-17		
	Revenues	Expenditures and Transfers	Excess of Revenue Over Expenditure	Revenues	Expenditures and Transfers	Excess of Revenue Over Expenditure
Bookstore	\$ 482,444	\$ 461,304	\$ 21,140	\$ 482,444	\$ 461,304	\$ 21,140
Food Service	2,233,000	2,211,860	21,140	2,233,000	2,211,860	21,140
Housing	16,738,502	16,738,502	-	16,738,502	16,738,502	-
Vending	114,000	114,000	-	114,000	114,000	-
Recreational Center	3,058,164	3,058,164	-	2,979,100	2,979,100	-
Post Office	399,136	399,136	-	397,600	397,600	-
Parking Services	5,127,800	5,106,660	21,140	5,021,200	5,000,060	21,140
Residential & Commercial Rentals	250,000	250,000	-	250,000	250,000	-
Greek Row	107,208	107,208	-	107,208	107,208	-
Health Services	4,008,373	4,008,373	-	4,008,373	4,008,373	-
TN Miller Coliseum	618,614	682,034	(63,420)	618,614	682,034	(63,420)
Student Long Distance Service	10,000	10,000	-	10,000	10,000	-
Total Auxiliaries	\$ 33,147,241	\$ 33,147,241	\$ -	\$ 32,960,041	\$ 32,960,041	\$ -

Reflects 2.6% reduction in enrollment

**MIDDLE TENNESSEE STATE UNIVERSITY
JULY BUDGET 2017-18
AUXILIARY ENTERPRISE SUMMARY SCHEDULE**

Auxiliary	Estimated 2016-17			July 2017-18		
	Revenues	Expenditures and Transfers	Excess of Revenue Over Expenditure	Revenues	Expenditures and Transfers	Excess of Revenue Over Expenditure
Bookstore	\$ 482,444	\$ 461,304	\$ 21,140	\$ 432,468	\$ 411,328	\$ 21,140
Food Service	2,233,000	2,211,860	21,140	2,367,000	2,345,860	21,140
Housing	16,738,502	16,738,502	-	16,733,902	16,733,902	-
Vending	114,000	114,000	-	114,000	114,000	-
Recreational Center	2,979,100	2,979,100	-	3,028,500	3,028,500	-
Post Office	397,600	397,600	-	397,600	397,600	-
Parking Services	5,021,200	5,000,060	21,140	5,091,200	5,070,060	21,140
Residential & Commercial Rentals	250,000	250,000	-	250,000	250,000	-
Greek Row	107,208	107,208	-	106,852	106,852	-
Health Services	4,008,373	4,008,373	-	4,078,373	4,078,373	-
TN Miller Coliseum	618,614	682,034	(63,420)	660,614	724,034	(63,420)
Student Long Distance Service	10,000	10,000	-	10,000	10,000	-
Total Auxiliaries	\$ 32,960,041	\$ 32,960,041	\$ -	\$ 33,270,509	\$ 33,270,509	\$ -

The following items are reflected above:

- 3% Salary Pool Funding
- Health Insurance Funding
- Mandatory Fee Increases

Auxiliaries Budget July 2017-18

Auxiliary	Estimated 2016-17	July 2017-18	Change
Bookstore	\$ 461,304	\$ 411,328	\$ -49,976
Food Service	2,211,860	2,345,860	134,000
Housing	16,738,502	16,733,902	-4,600
Vending	114,000	114,000	0
Recreational Center	2,979,100	3,028,500	49,400
Post Office	397,600	397,600	0
Parking Services	5,000,060	5,070,060	70,000
Residential & Commercial Rentals	250,000	250,000	0
Greek Row	107,208	106,852	-356
Health Services	4,008,373	4,078,373	70,000
TN Miller Coliseum	682,034	724,034	42,000
Student LD Service	10,000	10,000	0
TOTAL	\$ 32,960,041	\$ 33,270,509	\$ 310,468

Renewal and Replacement Reserves for Auxiliaries

Auxiliary Unit	2015-16	2014-15
Bookstore	233,974	589,274
Housing - Current	136,418	283,449
Housing - Long Term Renovations	2,113,603	3,596,723
Food Services	1,527,827	1,411,499
Greek Row	123,522	109,801
Health Services	3,052,328	3,169,798
Parking Services / Raider Xpress	1,488,161	2,865,987
Post Office	195,501	217,777
Recreation Center	2,924,500	2,633,388
Total Auxiliary	11,795,835	14,877,695

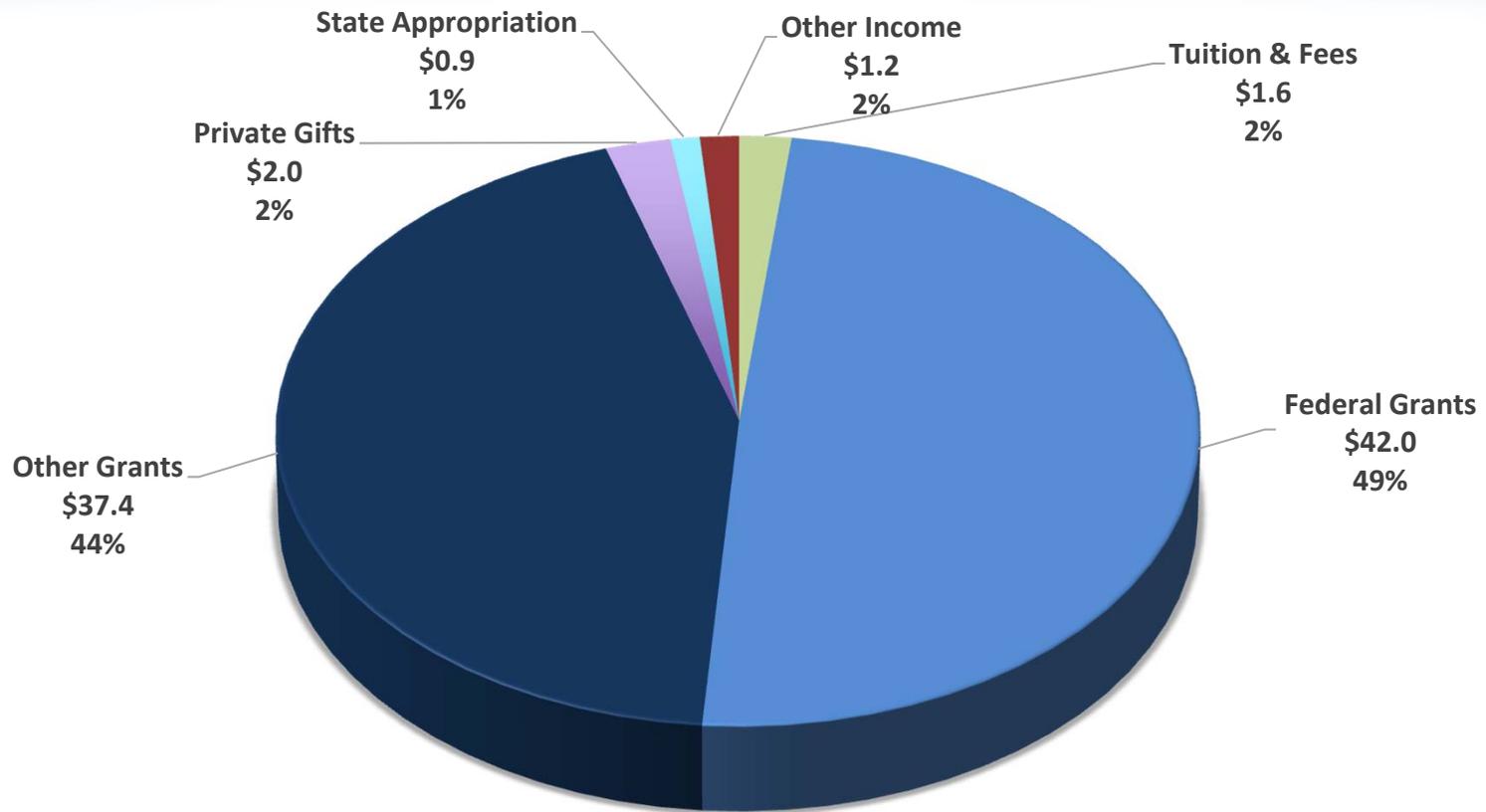
**MIDDLE TENNESSEE STATE UNIVERSITY
SUMMARY OF RESTRICTED CURRENT FUNDS AVAILABLE AND APPLIED
ESTIMATED BUDGET 2016-17**

Revenues	2016-17 October Budget	2016-17 Estimated Budget	Difference
Tuition and Fees	\$ 907,500	\$ 1,400,000	\$ 492,500
Federal Grants and Contracts	43,522,900	41,250,000	(2,272,900)
State Appropriations: Centers of Excellence	362,500	362,500	-
State Appropriations: Special Allocations	489,500	489,500	-
State Grants & Contracts	35,775,400	36,000,000	224,600
Local Grants & Contracts	85,000	80,000	(5,000)
Private Grants & Contracts	600,000	600,000	-
Private Gifts	2,000,000	2,000,000	-
Endowment Income	580,000	725,000	145,000
Other Income	450,000	500,000	50,000
Total Revenues	<u>\$ 84,772,800</u>	<u>\$ 83,407,000</u>	<u>\$ (1,365,800)</u>
Expenses			
Instruction	\$ 2,373,600	\$ 2,000,000	\$ (373,600)
Research	3,100,000	2,800,000	(300,000)
Public Service	5,302,100	4,500,000	(802,100)
Academic Support	500,000	475,000	(25,000)
Student Services	2,776,600	2,400,000	(376,600)
Institutional Support	65,000	50,000	(15,000)
Operation and Maintenance	500	2,300	1,800
Scholarships and Fellowships	70,177,500	71,000,000	822,500
Total Expenses	<u>\$ 84,295,300</u>	<u>\$ 83,227,300</u>	<u>\$ (1,068,000)</u>

**MIDDLE TENNESSEE STATE UNIVERSITY
SUMMARY OF RESTRICTED CURRENT FUNDS AVAILABLE AND APPLIED
JULY BUDGET 2017-18**

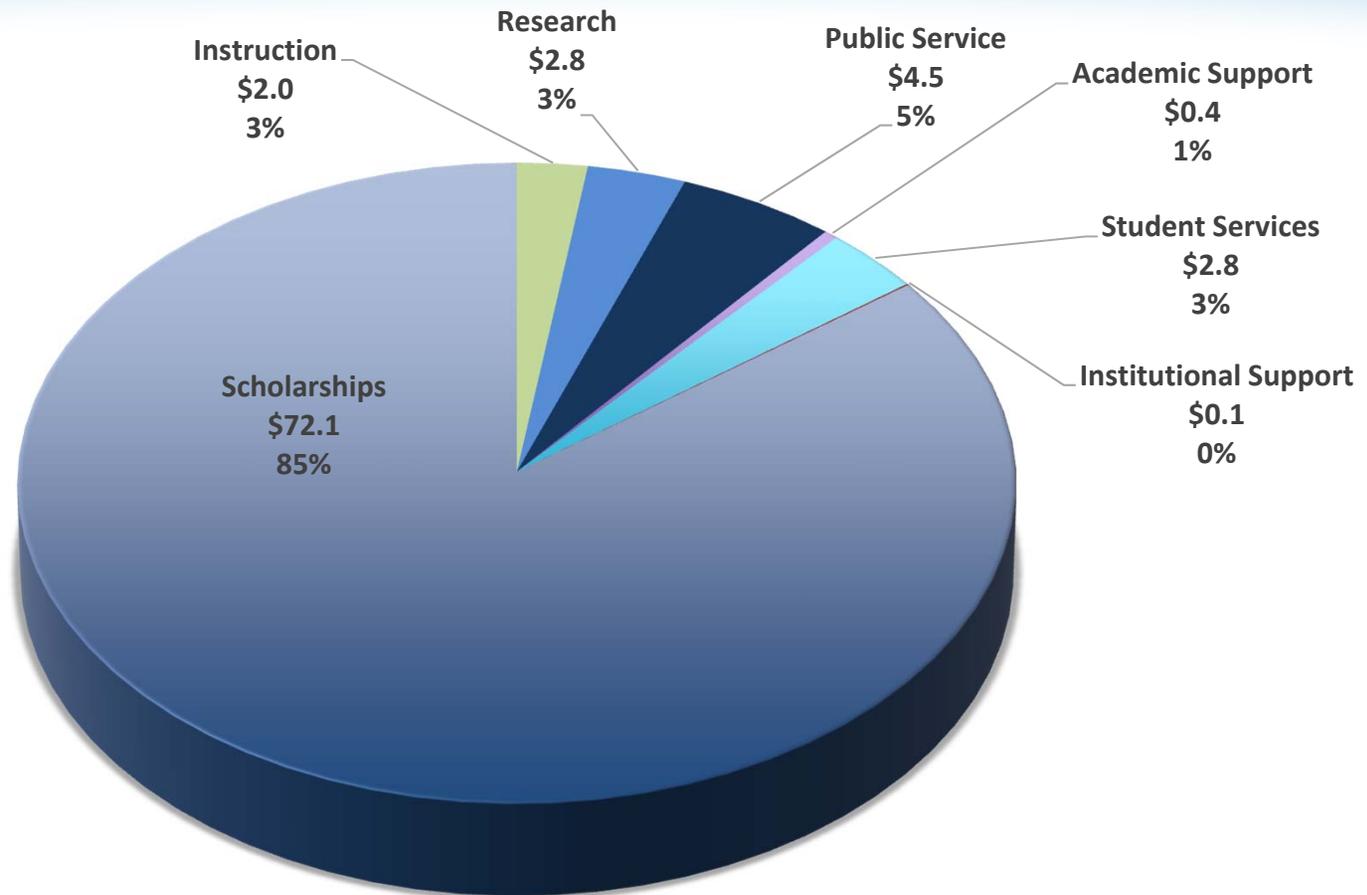
Revenues	2016-17 Estimated Budget	2017-18 July Budget	Difference
Tuition and Fees	\$ 1,400,000	\$ 1,590,000	\$ 190,000
Federal Grants and Contracts	41,250,000	42,000,000	750,000
State Appropriations: Centers of Excellence	362,500	371,800	9,300
State Appropriations: Special Allocations	489,500	489,500	-
State Grants & Contracts	36,000,000	36,750,000	750,000
Local Grants & Contracts	80,000	80,000	-
Private Grants & Contracts	600,000	600,000	-
Private Gifts	2,000,000	2,000,000	-
Endowment Income	725,000	725,000	-
Other Income	500,000	500,000	-
Total Revenues	<u>\$ 83,407,000</u>	<u>\$ 85,106,300</u>	<u>\$ 1,699,300</u>
Expenses			
Instruction	\$ 2,000,000	\$ 2,000,000	\$ -
Research	2,800,000	2,800,000	-
Public Service	4,500,000	4,500,000	-
Academic Support	475,000	475,000	-
Student Services	2,400,000	2,800,000	400,000
Institutional Support	50,000	50,000	-
Operation and Maintenance	2,300	2,300	-
Scholarships and Fellowships	71,000,000	72,100,000	1,100,000
Total Expenses	<u>\$ 83,227,300</u>	<u>\$ 84,727,300</u>	<u>\$ 1,500,000</u>

July 2017-18 Restricted Revenue Budget (Millions)



Total Restricted Revenue Budget \$85.1

July 2017-18 Restricted Budget by Functional Total (Millions)



Total Restricted Budget \$84.7

MIDDLE TENNESSEE STATE UNIVERSITY
TSSBA DEBT SERVICE COVERAGE - DISCLOSED PROJECTS ADJUSTMENT
July Budget 2017-18

<u>Project Name</u>	<u>Total Project Budget</u>	<u>Amt. Financed by TSSBA</u>	<u>Est. Annual Debt Service</u>	<u>Est. Annual Related Fee Rev</u>
Estimated Budget: None				
July Budget: Parking Services Facility	3,400,000	2,000,000	248,340	-

**MIDDLE TENNESSEE STATE UNIVERSITY
TSSBA DEBT SERVICE COVERAGE
July Budget 2017-18**

	<u>FY 2014-15</u>	<u>FY 2015-16</u>	<u>FY 2016-17 Estimated Budget</u>	<u>FY 2017-18 July Budget</u>
Debt Service Amount	\$ 17,358,610.86	\$ 17,965,391.99	\$ 19,639,996.00	\$ 19,204,328.00
Unrestricted Revenues	\$ 319,425,355.77	\$ 325,114,581.62	\$ 329,078,671.00	\$ 338,748,965.00
Debt Service Coverage	18.40	18.10	16.76	17.64

Debt Service Coverage

Institution	2015-16	2016-17
Austin Peay State University	17.23	18.38
East Tennessee State University	21.67	22.99
Middle Tennessee State University	16.76	17.64
Tennessee State University	40.60	16.00
Tennessee Technological University	16.26	13.37
University of Memphis	35.92	35.54

Calculation: Unrestricted Revenues / Annual Debt Service

Suggested Student Revenue Increase

	<u>Amount</u>
Personnel Costs	\$ 5,924,000
Scholarships & Discounts	1,551,800
Other Fixed Costs and Specific Needs	2,546,000
	<u>\$ 10,021,800</u>
Outcomes Funding	479,000
Funding for 3% Salary Pool	3,007,800
Health Ins./401k Match	1,110,000
	<u>\$ 4,596,800</u>
Unmet Need	\$ 5,425,000
Maintenance Fee Increase Needed	3.50%

Tuition and Fees Comparison

Summary of Fees Compared to Peers, FY 2016-17

Resident Undergrad	Fees 2016-17	Peer Fees 2016-17	+/- %	TN Rank	Peer Max	Peer Min
APSU	\$7,995	\$8,032	-0.5%	8	\$9,516	\$5,775
TSU	\$7,567	\$8,314	-9.0%	8	\$10,686	\$5,775
UTC	\$8,544	\$7,429	15.0%	3	\$9,516	\$5,775
TTU	\$8,551	\$7,706	11.0%	5	\$9,842	\$5,775
MTSU	\$8,610	\$8,498	1.1%	7	\$11,300	\$6,193
ETSU	\$8,671	\$7,667	12.1%	5	\$9,882	\$5,775
UTM	\$8,783	\$9,109	-3.6%	7	\$14,890	\$6,951
UM	\$9,497	\$10,197	-6.9%	10	\$13,130	\$6,410
UTK	\$12,724	\$10,632	19.1%	3	\$15,722	\$6,380

Source: THEC Training Materials

MTSU Peers

University	Tuition & Fees
George Mason University (VA)	11,300
Georgia State University	10,686
University of North Texas	10,520
Old Dominion University (VA)	9,882
The University of Texas at Arlington	9,380
University of New Orleans	8,854
Middle Tennessee State University	8,610
University of Southern Mississippi	7,659
Georgia Southern University	7,318
University of North Carolina-Greensboro	7,041
Florida International University	6,776
University of Central Florida	6,368
Florida Atlantic University	6,193

Maintenance and Mandatory Fees for 15 hours

University	2012-13	2013-14	2014-15	2015-16	2016-17
TSU	\$ 6,702	\$ 6,774	\$ 7,224	\$ 7,417	\$ 7,567
APSU	\$ 6,918	\$ 7,158	\$ 7,462	\$ 7,801	\$ 7,995
TTU	\$ 6,948	\$ 7,383	\$ 7,985	\$ 8,353	\$ 8,551
MTSU	\$ 7,492	\$ 7,840	\$ 8,188	\$ 8,404	\$ 8,610
ETSU	\$ 6,997	\$ 7,543	\$ 7,985	\$ 8,332	\$ 8,671
UOM	\$ 8,234	\$ 8,666	\$ 8,973	\$ 9,269	\$ 9,497
UTK	\$ 9,092	\$ 10,062	\$ 11,003	\$ 11,948	\$ 12,724

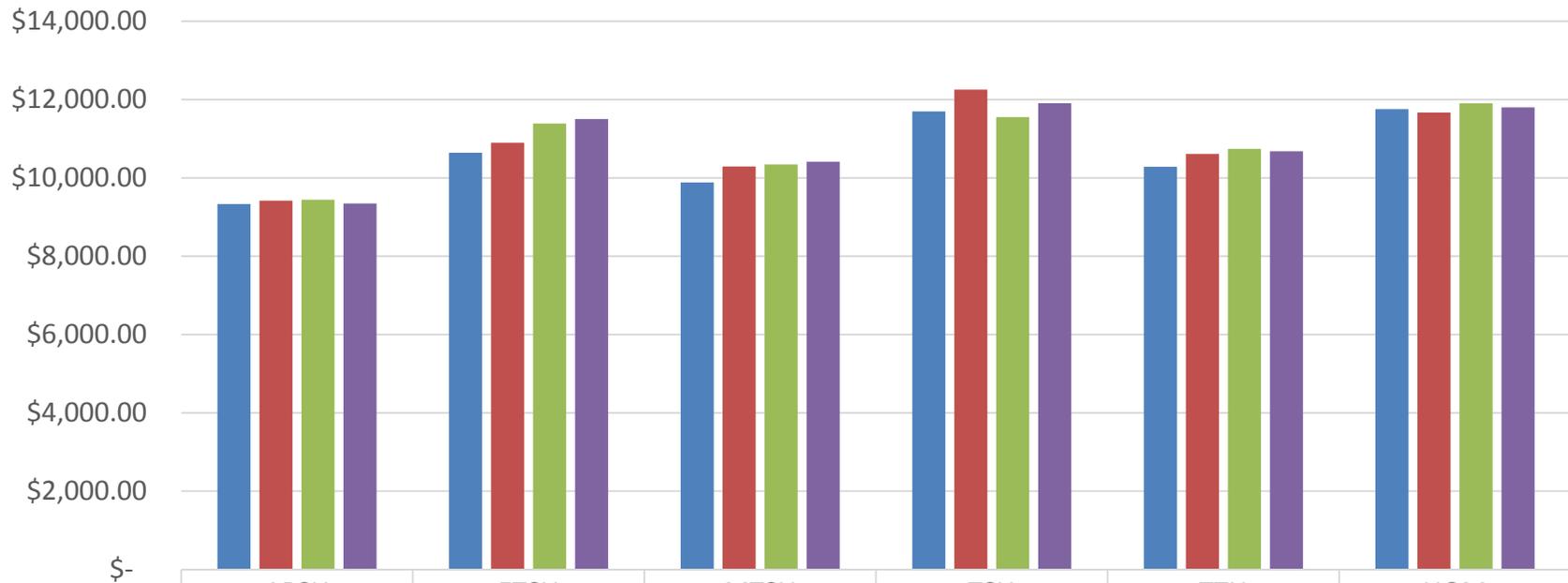
Combined Maintenance and Mandatory Fees Fiscal Year 2016-17

	15 Credit Hours		
University	Maintenance Fee	Mandatory Fees	Combined Total
APSU	\$6,522	\$1,473	\$7,995
ETSU	\$7,002	\$1,669	\$8,671
MTSU	\$6,930	\$1,680	\$8,610
TSU	\$6,528	\$1,039	\$7,567
TTU	\$7,380	\$1,171	\$8,551
UOM	\$7,860	\$1,637	\$9,497

Maintenance Fees for 15 hours Fall and Spring Fiscal Year 2016-17

Rate Descriptions	APSU	ETSU	MTSU	TSU	TTU	UOM	UTK
Undergraduate In-State Maintenance Fee (15 hour)	\$6,522	\$7,002	\$6,930	\$6,528	\$7,380	\$7,860	\$10,914
Undergraduate Out-of-State Tuition (15 hour)	\$22,518	\$25,098	\$24,930	\$19,884	\$24,036	\$19,572	\$29,104
Graduate In-State Maintenance Fee (10 hour)	\$8,632	\$9,236	\$9,212	\$8,716	\$9,564	\$10,192	\$11,044
Graduate Out-of-State Tuition (10 hour)	\$23,172	\$25,712	\$25,516	\$20,820	\$24,664	\$19,952	\$29,232

Total Maintenance and Mandatory Fees per FTE



	APSU	ETSU	MTSU	TSU	TTU	UOM
2013	\$9,331.85	\$10,643.17	\$9,883.77	\$11,700.19	\$10,283.54	\$11,755.30
2014	\$9,418.07	\$10,897.31	\$10,293.74	\$12,254.25	\$10,611.01	\$11,669.20
2015	\$9,442.18	\$11,390.54	\$10,345.42	\$11,554.34	\$10,741.17	\$11,905.55
2016	\$9,345.97	\$11,503.89	\$10,412.57	\$11,908.03	\$10,683.00	\$11,801.22

Tuition and Maintenance Fees (per credit hour)

Fee	Current	New	Increase
Undergraduate In-State Maintenance Fee	\$275	\$285	\$10
Over 12 hours	\$55	\$57	\$2
Undergraduate Out-of-State Tuition	\$989	\$1,024	\$35
Over 12 hours	\$199	\$206	\$7
Graduate In-State Maintenance fee	\$443	\$459	\$16
Over 10 hours	\$88	\$91	\$3
Graduate Out-of-State Tuition	\$1,227	\$1,270	\$43
Over 10 hours	\$244	\$253	\$9

TN E-Campus (per credit hour)

Fee	Current	New	Increase
TN eCampus Undergraduate In-State	\$385	\$399	\$14
TN eCampus Undergraduate Out-of-State	\$1,099	\$1,138	\$39
TN eCampus Graduate In-State	\$553	\$573	\$20
TN eCampus Graduate Out-of-State	\$1,337	\$1,384	\$47

-includes \$114 online course fee per credit hour

TN eCampus are online courses provided through the Tennessee Board of Regents. All courses are charged per hour and viewed separately from MTSU courses. TN eCampus courses do not apply to the full-time maximum for MTSU registration fees. Any MTSU course fees would be in addition to the hourly rate.

MTSU E-Rate (per credit hour)

Fee	Current	New	Increase
Undergraduate eRate	\$413	\$428	\$15
Undergraduate Online Course Fee	\$10	\$30	\$20
Graduate eRate	\$665	\$689	\$24
Graduate Online Course Fee	\$15	\$30	\$15

eRate is available to students who are classified as non-residents of Tennessee and who are enrolled exclusively in online courses

Corporate Partnership Rate

Fee	Current	New	Increase
Undergraduate eRate	\$413	\$428	\$15
Undergraduate Online Course Fee	\$10	\$30	\$20

The Corporate Partnership rate is available to out of state students who are employed by companies with a formal partnership with MTSU to develop and deliver a degree completion program. In-state students pay the undergraduate in-state maintenance fee.

Online vs On Ground Fall Semester 2016

Type of Course	Sections	Students Enrolled	Total Maintenance Fee / Tuition
MTSU Online	585	5,350	\$ 7,571,743
TN eCampus	274	1,359	\$ 2,494,005
On Ground	4,323	21,014	\$ 69,648,626
Total	5,182	27,723	\$ 79,714,374

Regional Scholars

Fee	Current	New	Increase
Undergraduate Rate	\$471	\$494	\$23
Graduate Rate	\$678	\$709	\$31

- Regional Scholars are non-residents of Tennessee who live within approximately 250 miles of MTSU and meet specific academic requirements.
 - Graduated from a high school located in a county within 250 mile radius of MTSU (undergrad) or have a permanent address within a 250 mile radius (graduate)
 - Have an ACT composite of 25 (SAT 1130) or above (undergrad)
 - Maintain full time enrollment (12 hours undergrad / 10 graduate)
 - Remain in good academic standing
- Rate is the in-state rate plus the state subsidy

Mandatory Fee Requests FY 2017-18

FY 2017-18 Mandatory Fee Requests

Fee	Current	Proposed	Increase	Student Exposure	Prior Increase	Revenue Generated
Athletics	\$ 175	\$ 200	\$ 25	Fee increase approved by SGA Executive Committee 11/28/2016	FY10-11 \$25	\$940,000

The Conference USA's adoption of providing athletic scholarships that provide funds to pay the full costs of attending college has had an effect on the athletic scholarship budget. This additional annual cost of \$400,000 - \$500,000 is only partially covered in the first three years by the Conference. MTSU's adoption of providing full costs of attendance to athletes is critical in leveling the recruiting field. In addition, the decline in enrollment since 2012 has also resulted in a decrease of \$1 million in the athletic fee revenue generated annually.

Athletic Fees

Fiscal Year 2016-17

University	Amount per Semester
APSU	\$ 200
ETSU	\$ 225
MTSU	\$ 175
TSU	\$ 160
TTU	\$ 228
UOM	\$ 225

FY 2017-18 Mandatory Fee Requests

Fee	Current	Proposed	Increase	Student Exposure	Prior Increase	Revenue Generated
Parking	\$ 109	\$ 111	\$ 2	Fee increase approved by SGA Executive Committee 11/28/2016	FY16-17 \$2	\$ 70,000

Parking Services is a 100% auxiliary enterprise operation and is totally dependent on the Parking fee for its shuttle services for students, utilities and maintenance cost of the Parking office and shuttle buses, and various parking lots, campus lighting, and sidewalk maintenance projects. The \$2 increase is also needed for mandatory salary and benefit increases.

FY 2017-18 Mandatory Fee Requests

Fee	Current	Proposed	Increase	Student Exposure	Prior Increase	Revenue Generated
Health Services	\$ 83.50	\$ 85.50	\$ 2	Fee increase approved by SGA Executive Committee 11/28/2016	FY16-17 \$2	\$ 70,000

Student Health Services is a 100% auxiliary enterprise operation and is totally dependent on the Student Health Services fee for its services to students and operations and its portion of the shared capital cost (with Campus Recreation) for the 202,000 square foot building. The \$2 increase is needed for: required salary and benefit increases, inflationary cost of software support and medical supplies, and overhead costs.

FY 2017-18 Mandatory Fee Requests

Fee	Current	Proposed	Increase	Student Exposure	Prior Increase	Revenue Generated
Recreation Center	\$ 55	\$ 57	\$ 2	Fee increase approved by SGA Executive Committee 11/28/2016	FY16-17 \$2	\$ 70,000

Campus Recreation is a 100% auxiliary enterprise operation and is totally dependent on the Recreation Center fee for its services to students and operations and its portion of the shared capital cost (with Student Health) for the 202,000 square foot building. The \$2 increase is needed for salary increases, benefit increases, and to cover inflationary costs of recreational programs and services provided to the student body.

FY 2017-18 Mandatory Fee Requests

Fee	Current	Proposed	Increase	Student Exposure	Prior Increase	Revenue Generated
Student Government Association (SGA)	\$ 35	\$ 40	\$ 5	Fee increase approved by SGA in 2014	FY16-17 \$10	\$ 190,000

In 2014, SGA Resolution 2-13-F proposed increasing the fee by \$5 per semester for four consecutive years to a total of \$40 per semester. The new funds will be used to fund student organization activities, student programming, SGA operations, bringing distinguished lecturers and big events to campus, and support for sports clubs. These funds are managed by the SGA. This is the final year of the previously approved increase.

Non-Mandatory Fee Requests FY 2017-18

FY 2017-18 Non-Mandatory Fees

Fee	Current	Proposed	Decrease	Prior Increase	Revenue Generated
Concrete Industry Management MBA	\$39,000 per 10 week session	\$25,000 per 10 week session	\$14,000 per 10 week session	FY13-14 New	\$ (84,000)

This is an Executive MBA cohort program designed for executives in the Concrete Industry. The program is 18 months covering 12 courses or 36 credit hours in 10 week sessions. The program is primarily taught on-line along with some on-campus weekend sessions. A reduction is recommended to put the program more in line with other MBA programs. This concentration is specifically designed for executives in the Concrete Industry and is the first of its kind in the world. The industry and trade associations have committed \$90,000 to the CIM department to support development of this industry focused graduate degree program.

FY 2017-18 Non-Mandatory Fees

Fee	Current	Proposed	Increase	Prior Increase	Revenue Generated
Chemistry Materials Fee	\$7.50 / Credit Hour	\$10.00 / Credit Hour	\$2.50 / Credit Hour	FY11-12 \$2.50	\$ 45,000

Expenses associated with instructional lab activities and consumable supplies, including gases and cryogenes, common solvents, and disposal of chemical waste has increased since FY11-12 when the fee was last increased.

FY 2017-18 Non-Mandatory Fees

Fee	Current	Proposed	Increase	Prior Increase	Revenue Generated
Nursing Course Fee	\$35 / Credit Hour	\$100.00 / Credit Hour	\$65 / Credit Hour	FY15-16 \$10	\$650,700

The Nursing program is in high demand and the current fee is not sufficient to cover the high cost of updating/ maintaining equipment and software used in the eight campus labs, providing sufficient faculty, supporting Student Advisory Board functions, clinical partnership activities, a student clinical documents management system, clinical placement system fees, and pinning ceremonies. As more of the MSN program is moving toward online courses, additional faculty are needed to support the effort. Currently, with 28 faculty in the department, only 4 Clinical Track faculty and the Health Systems Manager are funded from this fee.

FY 2017-18 Non-Mandatory Fees

Fee	Current	Proposed	Increase	Prior Increase	Revenue Generated
Theatre and Dance Course Fee		\$15.00 / Credit Hour	\$15 / Credit Hour	NEW	\$ 51,000

To support materials, instructional, and artistic support staff (accompanists, etc), equipment and technology for effective delivery of curricular program.

FY 2017-18 Non-Mandatory Fees

Fee	Current	Proposed	Increase	Prior Increase	Revenue Generated
Liberal Arts Course Fee		\$10.00 / Course	\$10.00 / Course	NEW	\$460,000

To support training and professional development for instructors, encourage pedagogical innovation by all faculty, and create and maintain spaces that support innovation in the provision of courses, such as active learning spaces and informal learning spaces for students.

FY 2017-18 Non-Mandatory Fees

Fee	Current	Proposed	Increase	Prior Increase	Revenue Generated
Distance Education Fee	\$10 / Credit Hour (undergraduate) \$15/ Credit Hour (graduate)	\$30 / Credit Hour	\$15 - \$20/ Credit Hour	FY07-08 \$10/Credit Hour (undergraduate) \$15/Credit Hour (graduate)	\$ 1,224,000

Raising the Distance Education Fee would allow the University College to further support departments' efforts to hire adequate faculty to meet student demand for online courses while also reducing reliance upon the online courses offered through the TN eCampus collaborative. This increase would support approximately 18 faculty for departments committed to offering additional online sections of high demand courses, new online courses, and fully-online degree programs.

Distance Education Fee Comparison

University	Undergraduate Online Fee	Graduate Online Fee
APSU	\$31	\$50
ETSU	\$25	\$35
MTSU	\$10	\$15
TSU	\$0	\$0
TTU	\$0	\$0
UOM	\$100	\$100
UTK	\$46	\$46
TN eCampus	\$110	\$110

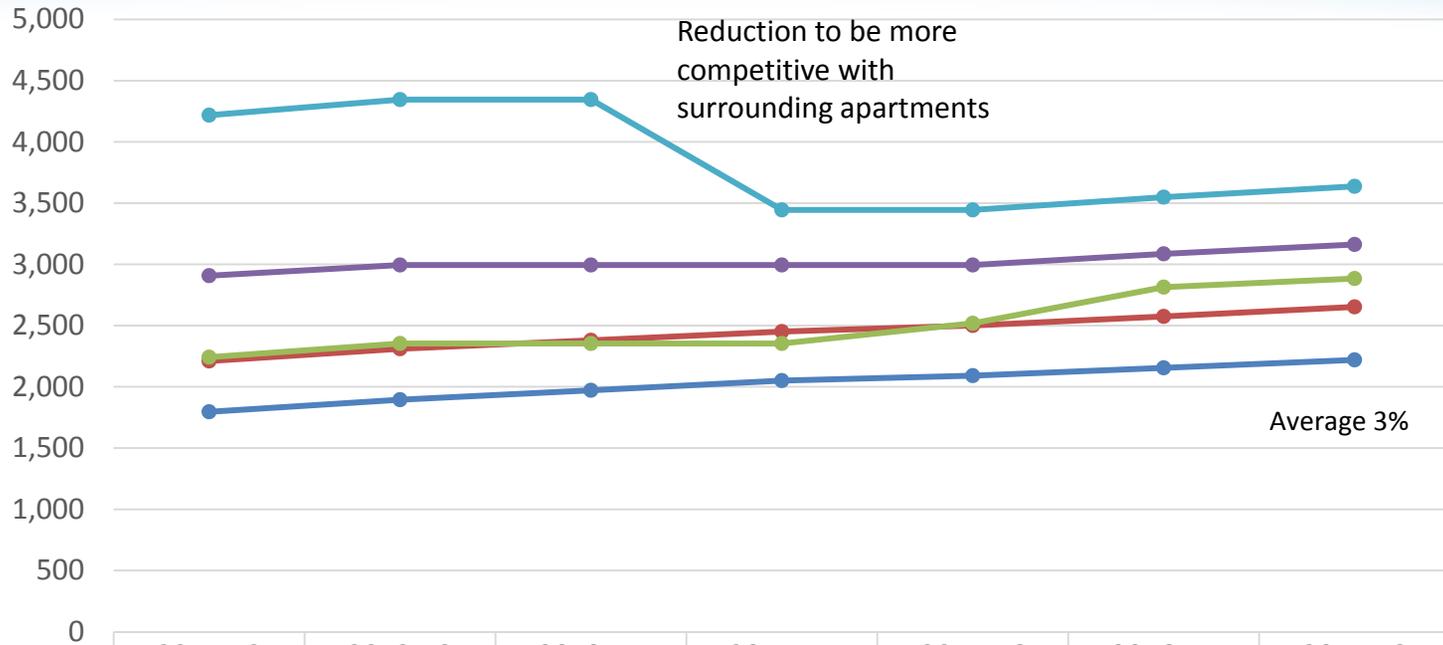
FY 2017-18 Non-Mandatory Fees

Fee	Current	Proposed	Increase	Prior Increase	Revenue Generated
Applied Music Fee	\$175/1 Credit Hour \$325/ 2 or 3 Credit Hours	\$190/1 Credit Hour \$340/ 2 or 3 Credit Hours	\$15/1 Credit Hour \$15/ 2 or 3 Credit Hours	FY08-09 \$25 / Credit Hour	\$ 8,500

Applied Music fees are paid by students for private instruction. This increase is to support the rising costs of master classes (music stands, performance scores used in lessons, technology), instrument purchases, and major repairs.

Housing Fee Requests FY 2017-18

Housing History Rates Per Semester



	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18
—●— Dorm	1,796	1,895	1,971	2,050	2,091	2,154	2,219
—●— Renovated Dorm	2,211	2,311	2,380	2,451	2,500	2,575	2,652
—●— Single Apt	2,242	2,354	2,354	2,354	2,519	2,814	2,884
—●— Scarlett Commons	2,908	2,995	2,995	2,995	2,995	3,085	3,162
—●— Family	4,218	4,345	4,345	3,444	3,445	3,548	3,637

FY 2017-18 Housing

Fee	Current	Proposed	Increase	Prior Increase	Revenue Generated
Residence Halls	\$377 - \$3,065	\$388 - \$3,162	\$11 - \$97	FY16-17 \$10 - \$90	\$ 390,448
Apartments	\$741 - \$3,548	\$759 - \$3,637	\$18 - \$89	FY16-17 \$22 - \$93	\$ 64,456

A 2.5% increase is proposed for apartments and a 3.0% increase for residence halls to cover the increasing cost of utilities, plant, and maintenance costs.

Summary of Fee Requests and the Revenue Generated

	# of Requests	Revenue
Mandatory Fees	5	\$ 1,340,000
Non-Mandatory Fees	8	\$ 2,355,200
Total Requests	13	\$ 3,695,200

Mandatory Fee Recommendations

Mandatory Fee	Increase Per Semester	Recommendation
Athletics	\$ 25	Support *
Parking	\$ 2	Support
Health Services	\$ 2	Support
Recreation Ceneter	\$ 2	Support
Student Government Association	\$ 5	Support
Total Program Services Fee Increase	\$ 36	

*The Finance and Personnel Committee passed an additional \$10 increase for Athletics to be earmarked for capital improvements for athletic facilities. This change will make the Total Program Services Fee Increase \$46 per semester.

Non-Mandatory Fee Recommendations

Non-Mandatory Fee	Increase (Decrease)	Recommendation
CIM-MBA	(\$14,000) / 10 week seccion	Support
Chemistry Materials Fee	\$2.50/ credit hour	Support
Nursing Course Fee	\$20 / credit hour	Support- Modified
Theatre and Dance Course Fee	\$15 / credit hour	Do Not Support
Liberal Arts Course Fee	\$10 per course	Do Not Support
Distance Education Fee - Undergraduate	\$20 / credit hour	Support
Distance Education Fee - Graduate	\$15 / credit hour	Support
Applied Music Fees	\$15 / credit hour	Support

Housing Recommendations

Housing	Increase Per Semester	Recommendation
Dormitories	\$11 - \$97	Support
Apartments	\$18 - \$177	Support
Conferences	\$5 / night or \$20 / week	Support

Summary of Supported Fee Requests and the Revenue Generated

	# of Requests	Revenue
Mandatory Fees	5	\$ 1,716,000
Non-Mandatory Fees	6	\$ 1,393,715
Total Requests	11	\$ 3,109,715

Projected Annual Impact of Requested Fee Increases Based on 15 hour Enrollment Fall and Spring

		% Increase
Current Maintenance Fee	\$ 6,930	
Current Mandatory Fees	\$ 1,680	
Total Maintenance & Mandatory Fees	\$ 8,610	
3.5% Maintenance Fee Increase **	\$ 243	
Requested Mandatory Fees	\$ 92	
Total Fee Increase	\$ 335	
New Maintenance Fee	\$ 7,173	
New Mandatory Fees	\$ 1,772	
New Maintenance & Mandatory Fees	\$ 8,945	3.9%

**THEC's binding recommendation for the combined maintenance fee and mandatory fee increase is 0-4%.