661 Food and Beverages

Approved by President

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Sidney A. McPhee, President

Effective Date: ____________, 2019

Responsible Division: Business and Finance
Responsible Office: Business and Finance
Responsible Officer: Associate Vice President, Business and Finance

I. Purpose

All Middle Tennessee State University (MTSU or University) funds, regardless of their source of origin, are considered to be public funds, and, as such, must withstand the test of public scrutiny. University officials authorized to approve the purchase of meals should exercise prudent judgment when determining whether the expenditure is appropriate. The following principles should be used as a guide when determining the appropriateness of the expenditure:

A. The expenditure must support the mission and purpose of the University.

B. If for an event, the event must be an authorized official University event.

C. The expenditure should not be personal in nature.

D. It should be apparent to the Internal Revenue Service (IRS) that the expenditure is not additional compensation to the claimant.

E. The amount expended should be reasonable.

F. State funds may never be used for the purchase of alcoholic beverages.

II. Scope

Provisions of this policy apply to all purchases of food and beverages. Under no circumstances will the purchase of alcohol be permitted. Food and beverage purchases should not be self-serving for the sole enjoyment of department personnel.

II. Provisions

A. The Food Payment Authorization form must be used for the purchase of all food and beverages being purchased with University funds. It is recommended that the

Food

Payment Authorization form be used for all purchases of food and beverages.
**Payment Authorization** be approved prior to the event. If the purchase is not approved prior to the event, the employee may be held personally responsible for all related costs. Requests for reimbursement must be submitted on a timely basis. Requests submitted more than sixty (60) days from the date of the event are subject to being made to the employee on a taxable basis and added to the employee’s Form W-2 compensation.

B. The University's food service contractor has the exclusive right to provide on-campus meals, pursuant to the terms contained in the University’s food service contract. All departments are required to utilize the University food service contractor when the total food cost for an event exceeds $500.00 unless the contractor declines to provide services for the requested event. If the food service contractor declines to cater the event, written documentation of the contractor’s decision must be attached and submitted along with the **Food Payment Authorization** form.

C. Food and beverage purchases may be paid, or reimbursed, with proper documentation and when the primary purpose of the meal is business related. Business meals generally include at least one (1) non-university employee. Expenses may be incurred only for those individuals whose presence is necessary to the business discussion.

In addition to an itemized receipt, IRS rules of substantiation of business expenses require documentation of the time, date, place, specific topic of discussion, and attendees at the meals. Please note that the documentation requirements apply to all on-campus or off-campus business meals, regardless of payment method. Accordingly, all on-campus dining facilities require this documentation for all meals charged to departmental accounts.

If guest meals are purchased while in travel status, the reimbursement of the guest meal (including the employee's meal) will be made subject to this policy. The request for reimbursement of guest meal(s) should be submitted separately on the **Food Payment Authorization**, but must be submitted at the same time as the **Travel Expenses Claim**. If more than one (1) University employee in travel status was included in the guest meal party, travel claims for all University employees must be submitted with the guest meal reimbursement request.

The University will deny reimbursement for meal expenses that lack documentation or a clear business purpose. Gatherings that are primarily social in nature, such as holiday events, do not qualify for payment or reimbursement as business meals.

D. Food and beverage expenditures associated with banquets, receptions, and ceremonies may be reimbursed only within the following guidelines:

1. Food and beverage consumed by a visiting lecturer, entertainer, or guest of the University.
2. Food and beverage which may be an essential part of a program, such as, but not limited to, that needed for day care locations, science laboratories, and those events that promote or provide cultural awareness.

3. Food and beverage which is an integral element of a program that is institutionally supported and recognized, such as, but not limited to, approved conferences, extended training sessions, seminars, and outreach efforts between the University and other groups, communities, organizations, or associations.

4. University funds may be used to purchase food and non-alcoholic beverages for recognition, appreciation, and/or retirement events. Events should be reasonable in their number and occurrence per fiscal year, as well as the amount spent. Events must be institutional rather than departmental, with attendance open to all University employees. Payment for departmental recognition, appreciation, and/or retirement events are not allowed from University funds.

E. Food Purchases for Students. The University hosts a variety of student-oriented functions that are designed to enhance campus life and a sense of community, in addition to furthering student education. Meals may be provided to students attending University events, including student recognition or outreach events, programmatic activities, or other events with a documented business purpose which are intended to further the University’s mission. The frequency and related costs of these events must be appropriate to the situation(s) and the nature of business conducted by the University. A statement of the reason or purpose, including the benefits of the program to the University, must be clearly indicated and understood by anyone outside the department reviewing the payment request. The events cannot be purely social in nature. Examples of official student functions are as follows:

1. Sanctioned Student Events. Functions and receptions sponsored by recognized student groups and other campus events, open to the general student body, and designed to further the development and education of students.

2. Official University Events. Functions and receptions for students and their families, in conjunction with academic achievements or recruiting.

3. Housing Functions. The University recognizes that student-housing residents have needs beyond those of commuter students. To support their needs, Housing and Residential Life may provide funds aimed at the development of the whole student. Food purchases for residence hall functions that address this goal are allowable, provided documentation explains the relationship between the expenses and the criteria established for the development of the whole student and student retention.

4. Athletic Teams. Including training-table meals, game-related meals, and occasional meals provided in accordance with the rules of the National Collegiate Athletic Association (NCAA).
F. Reimbursement of actual expenses for meals and related costs shall be allowable when the University is acting as designated host(s) to guests of the University or other official business functions. The University official requesting reimbursement must have been present when the meal was purchased or refreshments occurred. Reimbursement shall not exceed amounts that are reasonable and appropriate for the location and circumstance. In determining reasonableness, consider the type of function being hosted and the per diem meal allowance allowed for travel within the same location.

G. The request for reimbursement or payment should include identification of the function and the identification of all persons being served. However, it need not necessarily include specific names. Those served can be identified, for example, as 34 registered conference participants and guests, subject to there being available for audit a roster, registration list, or other information which could be used to identify the persons being served. The approving official is responsible for seeing that adequate documentation exists to support payment under this provision.

H. The Food Payment Authorization must be submitted for each meal or event. A description of the event, and a statement of purpose, must be included on the form together with original receipts. The statement of purpose should be more descriptive than “Business”. Credit card receipts will be accepted as documentation for reimbursement, providing the vendor name is legible and the receipt is itemized. The form must be signed by the claimant and approved by the department head or next level of approving authority.

I. The department head, or next level of approving authority, is responsible for insuring the reasonableness of the meal costs and the legitimacy of the business purpose. Departments should clearly communicate to employees the acceptable business purposes that will be approved.

III. Guidelines for Self-Catered or Off-Campus Vendor

A. University Event. If the total food cost for a University planned event or activity is less than $500.00, then such service may be obtained from other sources including off-campus caterers. For events costing over $500.00, the University food service contractor must be used unless they decline to provide services for the requested event. If the food service contractor declines to cater the event, written documentation of the contractor’s decision must be attached and submitted with the Food Payment Authorization form.

B. Co-sponsored Groups. If the total food cost for an organized co-sponsored activity is less than $500.00, then such service may be obtained from other sources including off-campus caterers. For events costing over $500.00, the University food service contractor must be used unless they decline to provide services for the requested event. If the food service contractor declines to cater the event, written documentation of the contractor’s decision must be attached and submitted with the Application for Use of Facilities form.
C. External Groups. External, non-University affiliated groups or organizations holding events on campus where food is being served must utilize the University food service contractor unless the contractor declines to provide services for the event.

D. University funds may not be used to purchase beverages that compete with products supplied under the University’s exclusive on-campus beverage distribution and pouring rights contract.

E. When an organization/activity is allowed to bring/serve food on campus, or the food service is provided by an off-campus caterer, no food service equipment belonging to either the University and/or the food service contractor may be utilized. It should be understood that the University food service contractor is responsible for the care and protection of the University-owned food service equipment.

F. Unless otherwise approved by the Vice President for Business and Finance, assigned food service space may not be utilized. It should be understood that the University food service contractor is responsible for the cleanliness and care of assigned food service space.

G. If an off-campus caterer fails to provide supplies for an event (i.e., paper products, serving utensils, linens, etc.), the University food service contractor is not expected to provide additional services or supplies.

H. This policy does not apply to:

1. individuals bringing food on campus for personal, individual consumption or having same delivered to their office or residence hall room for personal, individual consumption;

2. office/department parties, i.e., retirement, holidays, birthdays, etc., as long as the food is being brought from home, or purchased off-campus, and the party is not being catered by an outside vendor; or

3. pre-packaged snacks that include cookies, nuts, chips, mints, candy, and soft drinks (punch, orange juice, cola, etc.) for on-campus University departments, activities, or registered student organizations for members and invited guests only at closed meetings and activities that are not open to the general public.

I. This policy requires that all health requirements are met and that food is properly handled.

IV. Student Fundraising Activities

A. Sale of food for fund-raising activities must meet all fund-raising approval requirements and is limited to bake sales, candy sales, and group dinners not open to the public. The
fund-raising sale of candy, etc., may not be solicited door-to-door in office facilities or solicited in classroom buildings.

B. The Vice President for Student Affairs or designee will permit registered student organizations to conduct a fund-raising bake sale or candy sale, once per semester, in a designated student programming area. No branded concepts (i.e., Chic-Fil-A, Jersey Mike’s, Domino’s Pizza, etc.) or licensed products may be sold. Departments or registered student organizations desiring to engage in the sale of food for fund-raising shall submit requests to the Vice President for Student Affairs or designee on the Request to Provide Food for Fund Raising Activities form.

C. As appropriate, authorization to utilize space, i.e., Alumni House, JUB, Keathley University Center, Student Union, Foundation Reception House, Tennessee Miller Coliseum, residence hall space, building lobbies, etc., must be appropriately secured, in addition to permission granted, hereunder. See Policy 100 Use of Campus Property and Facilities Scheduling.

D. The applicant should complete and submit the original Request to Provide Food for Fund-Raising Activities form to the appropriate officials with required signatures for review, approval, and routing. The form should be submitted in sufficient time to permit the request to be fully approved but no later than five (5) days prior to the event. The approved form will be returned to the requesting department/registered student organization to retain on file.

V. Exceptions

A. Only on-campus University departments, University-sponsored activities, and registered student organizations may request an exception to bring/serve food on campus. Exceptions may only be granted for single, non-regular events (functions), and will not be granted in food service venues, including the James Union Building (JUB) Tennessee Room and the Student Union ballroom.

B. Only the President or designee may approve written requests for exception consistent with this policy. The request should include explanation for the necessity of an exception. The cost of an event alone may not justify an exception. If an exception is granted, documentation of the approval must be sent to the University food service contractor and facility manager when application is made for use of the facility.

Forms:

Food Payment Authorization

Request to Provide Food for Fund Raising Activities

Application for Use of Facilities
Revisions: June 5, 2017 (original); ______________, 2019.

Last Reviewed: August 2019.

References: Policy 100 Use of Campus Property and Facilities Scheduling.