

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

a. Undergraduate

Centennial Scholar	\$100,000
Athletic Position Scholarship	\$100,000
Academic and Leadership Performance Scholarship	\$ 50,000
Scholarship	\$ 25,000

b. Graduate

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 FZRBDS 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