

Presidents Quarterly Meeting Agenda

Wednesday, May 4, 2022

1:00 p.m. C.T. - Virtual Meeting

1. Opening Remarks – Chancellor Tydings

Action Items – Russ Deaton

2. Policy 5.01.01.20, Alternate Work Arrangements – Brian Lapps
3. Policy 5.02.04.10, Faculty Compensation During Summer Session and Policy 5.01.05.00, Outside Employment and Extra Compensation for Additional Assignments – Brian Lapps
4. Policy for Fees, Charges, Refunds, and Payments (TCATS) – Danny Gibbs
5. Policy for Fees, Charges, and Refunds (Community Colleges) – Danny Gibbs
6. Revisions to Policy 4.01.00.02 Institutional Financial Performance Review - Danny Gibbs
7. Policy 5.01.01.07, Sick Leave – April Preston

Informational Items

8. Campus Safety and Security – Kim McCormick
9. Government Relations – Kim McCormick
10. Marketing and Digital Strategy - Matthew Gann
11. Divisive Concepts Legislation – Brian Lapps
12. Other Business and Adjournment

**Presidents Quarterly Meeting
May 4, 2022**

SUBJECT: TBR Policy 5.01.01.20, Alternate Work Arrangements

PRESENTER: Brian Lapps, General Counsel

ACTION REQUIRED: Requires Vote

Summary:

The Alternate Work Arrangements Policy proposed revisions are substantial.

- Part I of the Policy includes portions applicable to all forms of alternate work.
- Part II is directed to Remote Work and is intended to reflect changes in how many people have worked in the past two years and to update the process going forward.
- One of the major goals is to make clear that employees at TBR institutions are generally expected to have a central/primary workplace in the State of Tennessee. The policy does permit exceptions in certain circumstances, but because working in other states may subject an institution to the laws of other states, approval, including by HR, is required. Any exceptions for international work (not including TnCIS and short-term travel), must have the Chancellor's approval.
- Revisions also make clear that employees who work remotely might incur tax consequences, particularly if they work in places with a state income tax. State income taxes vary widely from state to state, and thus employees are required to comply with state tax laws.
- Certain provisions of the AWA are not applicable to faculty, as set out in the Purpose.
- There are a number of other clarifications, which are intended to be self-explanatory.

The Exhibit is an AWA acknowledgement that is intended to reflect the proposed, updated policy. It is an "acknowledgment," instead of an "agreement" or "contract," in part, to make clear that there is no contractual right to such an arrangement.

Attachments

Alternate and Remote Work Arrangements: 5.01.01.20

Policy/Guideline Area

Personnel Policies

Applicable Divisions

TCATs, Community Colleges, System Office

Purpose

The purpose of this policy is to set the standards for ~~a consistent process and treatment of employees regarding~~ alternate work arrangements, including remote work, across the TBR system. Alternate work arrangements may enable an institution to retain and attract employees, increase productivity, improve morale, and optimize the use of institutional space. Availability of an alternate work arrangement is at the discretion of each institution and subject to change with or without notice. ~~This policy applies only to non-faculty employees in institutions who choose to offer alternative work arrangements. Future references to employees in this policy refer to non-faculty.~~ Any reference to ~~i~~institutions includes the TBR System Office. Given the nature of faculty work, only Sections I and Sections II (D, E, F, H, I, K, and L) of this policy are applicable to faculty. Institutions may have additional procedures applicable to faculty.

Definitions

- Remote work Telecommuting– A work arrangement in which a supervisors authorizes an employees to perform their usual job duties away from their central workplace ~~in accordance with work agreements.~~
- Flex Time - Adjusted work schedule where daily working hours may fall outside the hours of 8:00 am to 4:30 pm.
- Compressed Work Week - Adjusted schedule where the employee works a 37.5-hour week in less than 5 days.
- Flex Year - Any time period, greater than 9 but and less than 12 months, scheduled to accommodate a the cyclical workload ~~of the Institution.~~
- Job Sharing - Two or more people share a single job for which they are equally each accountable.
- Central Workplace - The employer's place of work to which where an employees is primarily assigned. ~~normally are located.~~

- ~~• Employee - A person employed by the institution pursuant to the Board of Regents policies.~~
- Alternate Work Arrangement ~~Agreement (Work Agreement)~~ - The written ~~arrangement, as documented by an acknowledgement, agreement between the institution and the employee~~ that details the terms and conditions of an employee's work schedule whether away from or at the central workplace. A remote work arrangement is one type of alternate work arrangement. ~~Work agreements are required for any alternate work arrangement.~~
- ~~• Work Schedule - The employee's hours of work in the central workplace and/or in the alternate work location.~~

Policy/Guideline

I. General Procedures

- A. ~~Requests for a~~Alternate work arrangements should ~~be initiated by the employee's supervisor, and~~ supervisor and should address and establish the business justification for the alternate work arrangement. Each institution must establish an internal procedure to review and approve/deny proposed alternate work arrangements, regardless of whether the institution, supervisor, or employee proposes the alternate work arrangement. ~~these requests.~~
- B. Alternate work arrangements are not ~~to be considered~~ a universal employee benefit or right. No employee is entitled to or guaranteed ~~the opportunity to~~ an alternate work arrangement. Management is responsible for the continued successful operations of each institution, and thus management has the sole discretion to designate positions and/or individuals for an alternate work arrangement.

- C. Alternate ~~w~~Work ~~a~~Arrangements do not change the conditions of employment or required compliance with laws and policies. Employees working on an alternate work arrangement are subject to the same policies, statutes, and procedures applicable to all employees including, but not limited to, outside employment, conflict of interest, IT acceptable use, time and attendance, and leave policies. Institutions must ensure that procedures are in place to document the work hours of employees in alternate work arrangements and to ensur~~ing~~ compliance with the Fair Labor Standards Act. Supervisors may require employees to report to a central workplace or video conference as needed for work-related meetings or other events or may meet with employees in person ~~the alternative work location~~ as needed regardless of the alternate work arrangement. ~~to discuss work progress or other work related~~ work-related issues. If a holiday falls on an employee's scheduled day off as a result of an alternate work arrangement, the employee's supervisor will make appropriate schedule adjustments to accommodate the holiday.
- D. If approved for an alternate work arrangement, the employee is expected to maintain appropriate levels of productivity and quality of work. ~~If working from a home-based location, the employee will be expected to make arrangements which allow the work site to be a productive work environment during the agreed upon work hours.~~ The supervisor will use the institution's normal performance management system to clearly define the performance expectations and to assess the employee's performance. If a decline in performance is noted, the arrangement will be canceled.

- E. Approved alternate work arrangements must be supported by initiated through a written formal alternate work arrangement agreement. At a minimum, this arrangement agreement will must include and establish:
1. That the arrangement agreement may be revoked any time without cause by written notification of the ~~h~~institution or upon request by the employee, if approved by the supervisor;
 2. That the agreement will be reviewed periodically (and no less than annually) for compliance and to insure the continued business justification for the work arrangement agreement;
 3. The employee's work schedule;
 4. The employee's work location(s); and
 5. ~~How communications between the employee, supervisors, colleagues and others will be maintained~~;
 6. ~~Exclusions of liability for the institution and the State related to injury or property damage to third persons at employee maintained home-based work locations~~;
 7. ~~6. An indemnification and hold harmless clause releasing the institution and the State from any and all claims, demands, judgments, liabilities, losses, damages, or expenses resulting or arising from any injury or damage to any person, corporation or other entity caused directly or indirectly by the employee's acts, omissions, bad faith, willful misconduct or negligence excluding acts within the scope of the employee's employment pursuant to TCA 9-8-307(h);~~ The employee will be responsible for the tax consequences of any alternate work arrangement;

~~8.7. The institution's right to inspect home-based work facilities upon request;~~

~~9.8. The employee's status during emergency or weather-related closings. Employees whose alternate work location is in their home are expected to continue working during emergency or weather-related closings, unless otherwise determined by the institution or the employee requests annual leave.~~

~~F. Requests for alternate work arrangements as an accommodation for a disability will be addressed through the institution's accommodation request process.~~

~~G. A sample Alternate Work Arrangement Acknowledgement Agreement is provided in Exhibit 1.~~

II. Remote Work Procedures

~~A. Remote work may be viable in certain instances. Remote work arrangements may be for partial, or in certain situations, on a full-time basis. This policy does not apply to remote work on an informal basis, such as occasional work from home or while traveling.~~

~~B. The majority of job positions require staff to be on campus to support students, faculty, fellow staff, and other members of the institutional community. Remote work thus is not suitable for all employees and all jobs. In determining the appropriateness of a remote work arrangement, the supervisor should consider:~~

~~1. Job responsibilities—the amount of required in-person interaction with faculty, students, and other employees and the ability for the individual and operational unit to perform as competently and efficiently as if working at the central workplace.~~

2. Needs of the unit and other units—whether the unit obtains optimal performance by collaborating in person, whether employees are able to interact sufficiently via remote means, and whether working remotely adversely affects other units.
3. Resources—whether the institution can save money by having certain units and certain employees work remotely and whether the employee has appropriate resources at the remote location, including reliable, high-speed internet service.
4. Employee suitability—whether the employee has demonstrated traits necessary to work remotely, such as the ability to work independently, good organization and time-management skills, satisfactory attendance and punctuality, and self-motivation.

C. ~~If working from a home-based location, An employee working remotely has the same responsibility as one working at a central workplace for maintaining regular work hours consistent with the core workday of the institution (unless a variation is approved by a supervisor) and for devoting working time to work-related functions. The employee is responsible for maintaining a productive workplace and for limiting interruptions during working time, which includes making appropriate dependent-care arrangements. A remote work arrangement is not a substitute for dependent care or for taking leave. Requests for leave to address such issues should be made pursuant to the appropriate leave policy. ~~the employee will be expected to make arrangements which allow the work site to be a productive work environment during the agreed upon work hours.~~~~

A.D. _____ Employees working from a location within their home are responsible for maintaining their work environment as a safe and productive work space workspace. The employee is responsible for

making arrangements for a safe work environment. Work related injuries occurring while working away from the central workplace at the employee's home-based work location should be reported consistently with those occurring at a central workplace. ~~are subject to Tennessee Worker's Compensation laws. Alternate work locations are considered extensions of the employee's central work location during the time period outlined in the Alternate Work Arrangement Agreement.~~

E. The supervisor should consider material and equipment needs when drafting a proposal for an alternate work arrangement with the goal of making the arrangement cost-neutral, i.e., no more equipment, supplies or expense should be necessary as a result of the alternate work arrangement than would be needed at the central workplace~~in the original work location~~. However, at the ~~i~~Institution's discretion, ~~appropriated~~ funds may be used to provide office equipment, such as docking stations or scanner/printers if doing so enhances the cost efficiency of the arrangement or is otherwise in the institution's best interests.

~~F.~~

- ~~1. Pay for leased telephone lines in employee's alternate work location;~~
- ~~2. Install and provide basic telephone service in employees' alternate work location or;~~
- ~~3. Provide cell phones or cell phone allowances to employees for business use;~~
- ~~4. If cell phones or cell phone allowances are not provided, institutions may reimburse employees for business-related long distance calls made from their~~

~~personal telephones upon submission of appropriate documentation.~~

- F. The ~~i~~Institution will not be responsible for any additional costs associated with alternate work locations such as utilities, home maintenance, furniture etc. The employee is responsible for maintaining reliable, secure high-speed internet and telephone service capability at their alternate work location.
- G. In the event an employee is unable to work remotely due to internet outages or other reasons, the employee should contact the supervisor and may be required to report to the central workplace or take leave.
- H. Employees with remote work arrangements shall not receive mileage for travel to their central workplace. Travel to a central workplace is not working time.
- I. ~~The employee will be responsible for any tax implications of a home-based work location.~~ For a home-based work location, the employee will be responsible for providing insurance coverage for equipment, supplies, etc. provided by the employee, as the institution is not responsible for damage to an employee's personal property. The employee will be responsible for compliance with any local zoning ordinances or other restrictions related to maintaining a home-based work site. The ~~i~~Institution will not be liable for any fines, penalties, taxes or other expenses that may accrue as a result of any violation of applicable restrictions.
- J. Employees are not permitted to have in-person, work-related meetings in their homes, unless with an individual employed by a TBR institution or State of Tennessee agency.
- K. Out of state ~~alternate~~ remote work locations.

1. Employees working for Tennessee Board of Regents institutions are generally expected to have a central workplace in Tennessee. For that reason, institutions will not routinely enter into remote work arrangements that involve working entirely or primarily in another state. Any -requests for out-of-state remote work must be approved by the president (or Chancellor for System Office employees) supervisor and human resources in advance. Because working outside of Tennessee may subject the institution to the laws of other states, remote work will not be approved from all states. If a supervisor is considering hiring an employee who wishes to spend a significant amount of working time in another state, the supervisor should consult human resources and obtain the required approvals early in the recruiting process. The Chancellor must approve any international remote work arrangement. Approval to work remotely is not needed for the following:

- a. while traveling on institutional business;
- b. while traveling on a Tennessee Center for International Studies program;
- c. while on personal travel or on weekends and holidays;
and
- d. where the employee commutes to a central workplace in Tennessee from across state lines.

B2. Working outside of Tennessee may create state and local income tax obligations for an employee. State and local income tax laws differ significantly and may be based on both personal residence and work location. The employee is responsible for understanding the tax consequences associated with a remote

work arrangement and for properly paying any applicable state and local income taxes that result from remote work as a result of residing outside the state of Tennessee. TBR institutions do not withhold income and remit taxes to other states. The employee must indemnify the institution for any unpaid tax liability resulting from a remote work arrangement.

L. G. — Employees working remotely must protect institution-owned equipment, records, data, and material. Employees must follow the institution's approved data security policies and procedures for protecting confidential information. The employee will be responsible for any materials and documents transported from the institution and/or printed at the alternate work location. The employee is responsible for appropriate disposal of records. Employees must report loss, damage, theft, or unauthorized access at the earliest opportunity and cooperate with the institution in following up on such matters. Institution-provided equipment and supplies must be returned in good working order upon termination of the remote work arrangement, or at any time upon request by the institution.

Exhibits

-  [Exhibit 1 - Alternative Work Arrangement Acknowledgment Agreement Sample](#) (docx /35.62 KB)

Sources

Authority

T.C.A. §§ 49-8-203, 9-8-307

History

TBR Meeting: December 4, 2008; TBR Meeting: December 5, 2013, this policy was revised and renamed. The previous revision was named "Telecommuting:" Revised, 2022.

Alternate Work Arrangement

Acknowledgement Agreement (Sample)

EMPLOYEE INFORMATION:

Name: _____ ID# _____

Title: _____ Department: _____

~~Telecommuting~~ Remote Work Flex Time Compressed Work Week Flex Year
 Job Sharing

Alternate Work Location(s) (if applicable): _____
 (If one or more locations is not in Tennessee, Human Resources and President (Chancellor for System Office employees) must approve in accordance with TBR Policy 5.01.01.20.)

~~Agreement B~~egin date: _____ ~~Agreement E~~nd/review date: _____

<input type="checkbox"/> Exempt employee <input type="checkbox"/> Non-exempt employee (1 hr.)	Alternate Work Schedule (hours)				Total hours
	On-Site		Off-Site		
Days	Begin	End	Begin	End	
Monday					
Tuesday					
Wednesday					
Thursday					
Friday					
Saturday					
Sunday					
Total Hours					

If the chart above is not sufficient to explain the AWA, provide description: _____

Employee acknowledges the following Conditions:

- This ~~arrangement agreement~~ may be ~~ended/severed~~ at any time without cause by written notification of the Institution or upon request of the employee, if approved by the supervisor.
- ~~If working from a home-based location, the Institution, upon consultation with HR, maintains the right to inspect the employee's work facilities upon request.~~
- ~~The employee will indemnify and hold the institution and the State harmless from any and all claims, demands, judgments, liabilities, losses, damages, or expenses resulting or arising from injury or property damage to third persons at employee maintained home-based work locations.~~
- ~~The employee will indemnify and hold the institution and the State harmless from any and all claims, demands, judgments, liabilities, losses, damages, or expenses resulting or arising from any injury or damage to any person, corporation or other entity caused directly or indirectly by the employee's willful, malicious, or criminal acts or omissions or for acts or omissions done for personal gain.~~
- Employee is responsible for complying with college information and data security policies and procedures.
- Employee will maintain appropriate communication with supervisors, colleagues, and others via: (list home office number/cell phone number, etc.,) _____
- During emergency or ~~weather related~~ weather-related closings, the employee will be expected to maintain their normal work schedule unless otherwise instructed by the supervisor.: _____
- (For remote work) Any employee working outside of Tennessee is solely responsible for any and all

tax liability, including for state and local income tax, that results from working remotely and will indemnify the institution for any of employee's unpaid tax liability resulting from a remote work arrangement. Any employee planning to work remotely from a state other than Tennessee is urged to understand the tax consequences of doing so.

Comments: _____

~~This document establishes an alternate work arrangement per the stipulations of TBR Policy 5:01:01:20, Alternate Work Arrangements (attached). This document is not a contract that obligates the Institution.~~ **By signing below, the employee acknowledges the requirements stated above and also those contained in TBR Policy 5.01.01.20, Alternate and Remote Work Arrangements- agrees to abide by all stipulations stated therein.**

Employee Signature

Date

Approved:

Supervisor Name (Print)

Signature

Date

(Each institution should insert appropriate signature lines per local approval process, including Human Resources and President for remote work locations outside of Tennessee.)

Please return completed acknowledgement agreement to the Department of Human Resources

**Presidents Quarterly Meeting
May 4, 2022**

SUBJECT: TBR Policy 5.02.04.10, Faculty Compensation During Summer Session
TBR Policy 5.01.05.00, Outside Employment and Extra Compensation for Additional Assignments

PRESENTER: Brian Lapps, General Counsel

ACTION REQUIRED: Requires Vote

Summary:

The impetus behind revisions to the Faculty Compensation During Summer Session and the Outside Employment and Extra Compensation for Additional Assignments policies is to reflect current practices and to clarify payment during some of the shorter, non-traditional academic periods, primarily Maymester and Wintermester.

- Summer Session and thus Maymester, which is attached to Summer Session, continue to be paid at the 1/32 rate in policy.
- If a teaching assignment is not part of Summer Session (including Maymester), it is paid at Overload Rates. This includes Wintermester, which is attached to either Fall or Spring Semester.
- This approach ensures consistency among community colleges.
- Given the varied nature of TCAT programs, their presidents have more flexibility to establish overload pay rates.

The revisions to the Outside Employment and Extra Compensation for Additional Assignments policy recognize that part-time employees are likely to have other employment, and because that additional employment is expected, it need not be approved as required of full-time employees. All employees remain subject to the conflict of interest policy.

Other revisions in the policy are intended to be self-explanatory and to clarify the process for outside employment, including approval processes.

Because the policies are interrelated, they are presented at the same time, and a single vote is requested.

Attachments

Faculty Compensation During Summer Session and Inter-Sessions: 5.02.04.10

Policy Area

Personnel Policies

Applicable Divisions

Community Colleges

Purpose

The Tennessee Board of Regents recognizes and considers summer session ~~and inter-session~~ assignments ~~for of~~ faculty as separate assignments from academic year appointments. Summer session includes any mini-term that is academically attached to summer semester (e.g., a Maymester session). It is further recognized that compensation for faculty assignments during summer sessions ~~and inter-sessions~~ should be a factor of the regular academic year salary which takes into account the nature and extent of the duties and responsibilities involved in these separate appointments. To provide for such appropriate levels of compensation for faculty service during summer sessions ~~and inter-sessions~~, the Board hereby adopts the following compensation provisions.

Policy

I. Classifications

- A. Category I: Regular Academic year faculty personnel who serve the institution as teaching faculty during ~~inter-sessions and~~ summer sessions.
 1. Faculty in this category shall be compensated at the rate of 1/32 of their academic year salary per semester hour of teaching load.
 2. The maximum summer ~~and inter-session~~ pay may not exceed 25 percent of the preceding academic year salary. ~~However,~~ based on the needs of the institution, except as needs are determined by the institution, the Chief Academic Officer may approve a faculty member ~~may to~~ teach and receive ~~be compensation ed~~ for up to nine semester hours for the summer term and up to an additional three hours for an additional class offered through TNeCampus. ~~with appropriate documentation of need maintained at the institution.~~ The additional hours for the course offered through

TNeCampus will be paid as overload hours and not at the summer session rate.

- B. Category II: Regular academic year faculty who serve under sponsored contracts for research and other professional services between academic years.
 - 1. Compensation for personnel in this category shall not exceed the rate equivalent to one-ninth per month of the preceding academic year salary.
 - 2. If the faculty member works on a part-time basis on a sponsored contract project, the pay should be adjusted accordingly.
- C. Category III: Division/Department Heads on an academic year appointment.
 - 1. The level of compensation for these administrators should be commensurate with the duties assigned.
 - 2. For a full-time assignment, the rate of pay shall not exceed 25 percent of the preceding academic year salary.
- D. Category IV: Part-time faculty.
 - 1. The level of compensation for faculty in this category should follow the schedule set forth as an exhibit to ~~in~~ TBR Policy 5.01.00.00 (General Personnel Policy).

II. **Exceptions**

- A. The above compensation provisions do not apply to campus-based study abroad programs or study abroad programs included in the Tennessee Consortium for International Studies (TCIS).
 - 1. Compensation for these programs will be determined by the institution or the Executive Director of TCIS, respectively.

~~B. The number of total hours can be increased beyond the nine (9) hours for the summer term to a maximum of twelve (12) hours (four classes), if the additional course (three credit hours) is offered through TNeCampus. The three additional hours for the course offered through TNeCampus will be paid as overload hours versus the normal summer school rate.~~

~~1. This exception is optional for campuses and the Chief Academic Officer must sign a request for the waiver.~~

~~C.B.~~ The number of total hours can be increased beyond the nine (9) hours for the summer term to a maximum of twelve (12) hours (four classes), if the additional course (three credit hours) is deemed an institutional need and approved by the president.

~~C.~~ Any exception to the compensation provisions indicated above requires prior approval by the Chancellor.

III. Other Assignments

~~A. Teaching assignments that do not qualify as summer session (e.g., winter-session) are treated as overload pay in accordance with TBR Policy 5.01.05.00, Outside Employment and Extra Compensation for Additional Assignments.~~

Sources

Authority

T.C.A. § 49-8-203

History

TBR Meetings: March 4, 1977; March 17, 1989; March 16, 1990; October 2, 1998; September 28, 2007; Revision approved at Board Meeting June 20, 2019; Revision approved at the Board Meeting _____, 2022.

Outside Employment and Extra Compensation for Additional Assignments: 5.01.05.00

Policy Area

Personnel Policies

Applicable Divisions

TCATs, Community Colleges, System Office

Purpose

The purpose of this policy is to establish standards for permissible outside employment and the payment of extra compensation for additional assignments for employees throughout the TBR system.

Definitions

- Outside Employment - any employment outside an employee's regular employment with a TBR institution or the System Office. This includes self-employment.
- Additional Assignment - an assignment of duties within the current employing Institution or System Office, but not within the existing job description of an employee ~~of a TBR institution or the System Office.~~
- Extra Compensation - compensation over and above the regular compensation of an employee ~~of a TBR institution or the System Office~~ paid for an additional assignment.
- Overload Assignment - employment at ~~an employee's your~~ institution or another TBR institution ~~of higher education~~ of no more than 2 courses per semester or ~~trimester~~quarter for extra pay.
- Course ~~=~~ a unit of teaching that lasts one academic term, including mini-terms, and other periods shorter than a semester or trimester.

Policy

I. Introduction

- A. Full-time employment with the Tennessee Board of Regents demands an individual's full-time professional expertise, commitment, and energies ~~, and~~

~~T~~he assigned teaching load of a full-time TBR faculty member constitutes a full-time assignment.

B. However, the Tennessee Board of Regents recognizes~~ed~~ the value to its students, its personnel, ~~state its member~~ institutions of higher education, and to the citizens of Tennessee arising from outside consulting and other professional experiences ~~by employees in which members of the faculty and staff may engage~~. Such activities contribute to the economic development of the state and bring credit to the institution. These activities also create valuable links between the institutions and their communities.

~~C.~~—The Board also recognizes that, under certain conditions, employees may be requested to perform additional assignments for which extra compensation may be warranted.

II. Outside Employment – Disclosure and Approval

~~A.~~ Section II of this policy applies only to full-time employees. All employees, including part-time employees, must comply with the Conflict of Interest Policy.

~~A.B.~~ Upon initial employment, an employee must disclose any existing outside employment that they intend to continue and seek approval in accordance with this policy.

~~B.C.~~ Once employed, prior to engaging in a new outside employment opportunity, and annually for existing on-going opportunities, an employee must notify appropriate supervisors and the president/~~chancellor,~~ ~~or his or her~~ designee of the nature or activity of the work, name of the employer, the anticipated beginning and ending dates, and the expected time commitment, ~~of the nature of the employment and the expected commitment of time~~ and obtain approval. A copy of the approval must be provided to the institution's Human Resource Office. Exhibit ___ is a form approval memorandum.

~~C.D.~~ The supervisor and President or designee, may A approval may be provided only for e outside employment and additional assignments ~~only for efforts~~ that:

1. Are performed ~~entirely outside of, and~~ in addition to, normal working assignments and responsibilities;
2. Do not interfere with assigned duties and responsibilities or with regular institutional operations;
3. Are consistent with Tennessee Board of Regents policies, ~~and~~ guidelines, and ~~with~~ state law;
4. Do not constitute a conflict of interest or commitment or compete with the institution's education, research, or public service programs;
5. Require only a reasonable time commitment from the employee; and
6. Are not undertaken with an inappropriate claim that the individual is officially representing the institution in connection with the employment.
- ~~7. If the employee is a part-time non-faculty employee of the system, approval may only be withheld if the outside employment creates a conflict of interest.~~

D.E. If the employment involves other agencies, departments, or institutions of Tennessee State government, it is also subject to prior approval by an of the President, or appropriate representative of the other agency, department, or institution. Services rendered by a TBR employee to another state agency or institution of higher education will be paid by the contracting agency to the institution in accordance with the applicable TBR policies and procedures, including Contracts Guideline G-030.

E.F. Each institution shall develop procedures relating to outside employment and extra compensation for additional assignments that are consistent with Tennessee Board of Regents policy.

III. Additional Assignments for Faculty

- A. Faculty acceptance of additional assignments, including overload assignments, for instruction or other purposes, is strictly voluntary.

~~Overload assignments should be employed only when situations arise which warrant such action.~~

- B. Overload assignments are based on the needs of the institution but should not be ~~used~~employed on a long-term basis or in lieu of hiring qualified faculty or instructors to fill a continuing need.
- C. Supervisors must be careful to ~~protect untenured faculty~~ protect faculty against excessive time commitments. ~~when making overload assignments and should make every effort to distribute overloads as staffing needs allow.~~
- D. Institutions may develop policies for faculty regarding outside employment, overload assignments, and/or extra assignments that are more restrictive than the TBR policies. Any such standards ~~but~~ must be ~~applied~~ consistently for all full-time faculty members within that institution. All policies regarding outside employment, overloads, and extra compensation must be approved by the Tennessee Board of Regents Offices of Academic Affairs and General Counsel.

IV. Rates of Compensation for Overload~~Additional~~ Assignments to Faculty

- A. Community Colleges: ~~t~~The minimum rates per credit hour of instruction, as articulated in TBR Guideline P-055 must be applied when calculating compensation for overload assignments~~extra service~~ for full-time faculty or staff teaching credit courses at community colleges~~or universities~~. This includes courses that are taught in any mini-term that is academically attached to fall or spring semester (e.g., i.e. winter-mester courses).
 - 1. Compensation for overload assignments~~extra service~~ must be based on commensurate with the instructor's highest degree, rank, and experience, within their academic unit at their institution.
 - 2. With the approval of the Chancellor, ~~P~~presidents or their designees may approve exceptions to these minimum rates ~~when circumstances warrant~~.
 - 3. Presidents or their designees may approve rates that are greater than those stated in TBR Guideline P-055 as long as the rates are applied consistently for similar faculty (degree, rank, and experience) within the same academic unit.

~~B. The minimum rates per clock hour of instruction, as articulated in TBR Guideline P-0550 must be applied when calculating compensation for extra service for full-time faculty or staff teaching at colleges of applied technology.~~

~~C. Compensation for extra service must be commensurate with the individual's highest degree, rank, and experience, within their academic unit at their institution.~~

~~D.B. With the approval of the Chancellor, Presidents or their designees may approve exceptions to these minimum rates when circumstances warrant.~~

TCATs: Presidents or their designees may establish overload rates and assignments based on factors including highest degree, rank, experience, salary, and area of expertise. ~~approve rates that are greater than those stated in TBR Guideline P-0550 as long as the rates are applied consistently for similar faculty (degree, rank and experience) within the same academic unit.~~

V. **Exceptions** - This policy does not apply to:

A. To ordinary short-term professional activities such as participation in symposia, accreditation visits, speaking engagements, exhibitions, or recitals, even though honoraria may be received for such participation, or to sporadic extra-professional activities such as providing occasional child care. Such activities are subject to the applicable laws and policies regarding conflicts of interest.

~~B. B.~~ To activities to be performed outside the employee's contract, e.g., summer for faculty. ~~period or during annual leave.~~

~~C.B.~~ To salaries paid to academic year faculty for teaching in ~~inter-session or~~ summer session, which are addressed in TBR Policy 5.02.04.10.

VI. **Sanctions**

A. Failure to comply with the requirements of this policy will result in disciplinary action, up to and including termination of employment.

Sources

Authority

T.C.A. §§ 49-8-203; 49-5-410

History

TBR Meetings, March 10, 1979; September 30, 1983; TBR Meeting September 21, 1990; TBR meeting March 15, 2002, TBR Meeting December 2, 2005; Revised at Board Meeting March 21, 2019; Revised at Board Meeting _____, 2022.

Related Policies

- Faculty Compensation During Summer Session and Inter-Sessions
- Faculty Compensation for Teaching Credit Courses as an Overload
- Part-Time Faculty Compensation
- Contracts Guideline
- Conflict of Interest

MEMORANDUM

TO: Supervisor/President/Chancellor
FROM: Employee (printed and also signed)
DATE: Date
RE: Outside Employment

As we discussed, this memorandum will confirm our conversation about my outside employment.

This form should describe the following

- An outline the nature or type of activity or work you engage in.
- The name of the entity or employer you anticipate working for.
- The anticipated begin and end dates of employment covered by this request.
- The expected commitment of time per week.

~~I A statement that you have read and understand TBR Policies 5.01.05.00, Outside Employment and Extra Compensation for Additional Assignments and 1.02.03.10, Conflict of Interest. and that~~
~~The requested outside employment activity will not violate those at policies or any other TBR Policy. You should specifically state your understanding of whether T~~the proposed activity will not
~~constitutes a conflict of interest or commitment with my your TBR duties, and it or will not~~ interfere
~~with my ability to fulfill my your TBR responsibilities. The outside employment will be performed~~
~~in addition to normal working assignments and responsibilities.~~

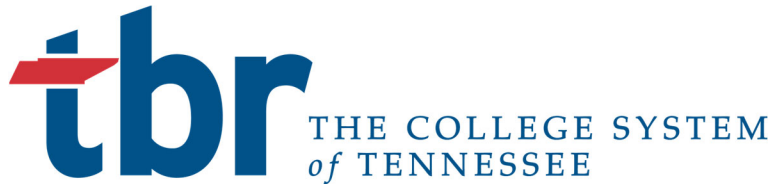
~~A statement that the work will be performed entirely outside of, and in addition to, normal working hours, assignments and responsibilities. And that you will not have to alter your normal working hours, nor perform work from the TBR Central Office.~~

Employee Signature: _____ Date: _____

Supervisor Approval: _____ Date: _____

Chancellor/President Approval: _____ Date: _____

Copy: Human Resources



**Presidents Quarterly Meeting
May 4, 2022**

SUBJECT: Policy for Fees, Charges, Refunds, and Payments – TCATS

PRESENTER: Danny Gibbs

ACTION REQUIRED: Requires Vote

Summary:

TBR Guideline B-060 Fees, Charges, Refunds, and Fee Adjustments; TBR Policy 4.01.03.00 Payment of Student Fees & Enrollment; and TBR Guideline TCAT-080 Fees and Refunds will be merged into one policy and updated with various revisions.

The versions provide to you today should be reviewed for content. The versions will still require formatting, etc.

Attachments

1 Fees, Charges, Refunds, and Payments, ~~and Fee~~ 2 ~~Adjustments: B-060-TCAT:~~

3 ~~Guideline Policy Area~~

4 Business and Finance ~~Guidelines~~Policy

5 ~~Applicable Divisions~~

6 ~~TCATs, Community Colleges~~TCATS

7 Purpose

8 The purpose of the following ~~guideline-policy~~ is to outline significant provisions for consistent
9 administration of fees, charges, ~~and~~ refunds, payment of fees and enrollment of students at the
10 institutions governed by the Tennessee Board of Regents. ~~These guidelines~~The policy largely
11 represents a consolidation of existing statements and practices. ~~They are intended to serve as a~~
12 ~~reference document for institutional staff responsible for implementing and communicating fee-~~
13 ~~related matters.~~The ~~guideline-policy~~ contents include general and specific provisions for:
14 ~~maintenance-tuition (sometimes referred to as maintenance fees)~~fees; ~~out-of-state tuition; debt~~
15 ~~service fees;~~ student activity; ~~technology access fee~~miscellaneous and incidental fees; ~~deposits;~~
16 and refunds; payment of fees and enrollment of students.

17 ~~These guidelines~~The policy supersedes all previous fee and refund ~~guidelines~~policies, and may
18 be revised by action of the Tennessee Board of Regents or the Chancellor. Exceptions to the
19 ~~guidelines-policies~~ may be made by the Chancellor upon written request by a president.

20 ~~Guideline~~

21 I. General Provisions

22 A. Establishment of Fees and Charges

- 23 1. The Tennessee Board of Regents must establish or approve all institutional fees and
24 charges unless ~~specific exceptions are provided~~authority has been delegated to the
25 chancellor or presidents. ~~The Board has adopted a practice of approving changes in~~
26 ~~non-mandatory fees and charges one time per year at the March Board meeting and~~
27 ~~maintenance fees and mandatory fees when the annual operating budgets are~~
28 ~~considered. This is usually at the regular June meeting of the Board.~~
- 29 2. The institution president is responsible for the enforcement and collection of all fees
30 and charges. Fees and charges which specifically do not require Board approval
31 must receive formal approval by the chancellor, president or designee ~~as applicable~~.
- 32 3. Institutions should attempt to follow a general format in publishing information on
33 fees and charges, including but not limited to the following:

- 34 a. All statements which include the fee amount should be complete and specific
35 enough to prevent misunderstanding by readers.
- 36 b. When a fee is quoted, the refund procedures should be clearly stated. If there
37 are qualifying conditions for refunds, those conditions also should be stated. If
38 there is no refund, it should be labeled as non-refundable.
- 39 c. Whenever possible, specific dates related to the payment of fees and the refund
40 procedures should be stated.
- 41 d. It should be made clear that all fees are subject to change at any time.

42 ~~B.— Approval of Exceptions~~

- 43 ~~1.— In accordance with this these guidelines policy, the president of an institution or~~
44 ~~designee has the authority to determine the applicability of certain fees, fines,~~
45 ~~charges, and refunds, and to approve exceptions in instances of unusual~~
46 ~~circumstances or for special groups.~~
- 47 ~~2.— All such actions should be properly documented for auditing purposes.~~

48 ~~C.— Appeals Process~~

- 49 ~~1.— An appeals process should be established by each institution, and communicated to~~
50 ~~students, faculty, and staff.~~
- 51 ~~2.— The process should provide for final appeal to the president or designee.~~
- 52 ~~3.— Separate appeals processes may exist for different types of fees, charges, and~~
53 ~~refunds.~~

54 ~~D.— Payment of Student Fees~~

- 55 ~~1.— As provided in the Tennessee Board of Regents Policy on Payment of Student Fees~~
56 ~~and Enrollment of Students (No. 4:01:03:00):~~
- 57 ~~a.— An applicant for admission to an institution will be considered and counted as a~~
58 ~~student when all assessed fees have been paid in cash, when the initial~~
59 ~~minimum payment due under the deferred payment plan has been paid, or when~~
60 ~~an acceptable commitment from an agency or organization approved by the~~
61 ~~institution has been received by the institution.~~

62 b. ~~An applicant shall possess an acceptable commitment when they have timely~~
63 ~~submitted an application(s) for financial aid with the reasonable probability of~~
64 ~~receiving such.~~

65 ~~2. Pursuant to the above condition, institutions with a continuous registration process~~
66 ~~must require payment of all applicable fees or payment of the initial minimum~~
67 ~~payment due under the deferred payment plan prior to the regular registration period~~
68 ~~as defined by each institution.~~

69 a. ~~Students who do not prepay all fees or have an acceptable approved financial~~
70 ~~aid deferment will forfeit pre-registration privileges and must enroll under the~~
71 ~~normal registration process.~~

72 ~~3. A prepayment plan to assist parents and students with planning and budgeting their~~
73 ~~academic year expenses is authorized.~~

74 a. ~~Under the plan, students may choose the expenses they wish to prepay~~
75 ~~including tuition, and fees.~~

76 b. ~~Expenses can be prepaid over a period of eight months.~~

77 II. Maintenance Fees Tuition

78 A. Description of Fees

- 79 1. ~~The Maintenance Fee Tuition is a charge to students, whether residents or non-~~
80 ~~residents, enrolled in credit clock hour courses. This is the in-state portion of tuition~~
81 ~~that is charged to all in-state and out-of-state students. It is an enrollment or~~
82 ~~registration fee and is calculated based on the number of Student Credit-Clock~~
83 ~~Hours (SCH's) for two-year institutions community colleges or student contact hours~~
84 ~~for colleges of applied technology for which the student enrolls. TCAT students who~~
85 ~~enroll concurrently in two or more programs/classes will be assessed fees~~
86 ~~appropriate to the number of contact hours scheduled to attend in each~~
87 ~~program/class. Fees are established by the Tennessee Board of Regents.~~
- 88 2. The same fee charge is applicable to courses for which the student is enrolled on an
89 audit basis.

90 B. Rates

91 ~~4.—Rates are established by the Board and incorporated in a fee schedule. The hourly~~
92 ~~rate will be discounted when undergraduate community college students enroll in~~
93 ~~greater than 12 hours stated otherwise elsewhere in this guideline.~~

94 ~~2.—Developmental courses are charged at the two-year institution hourly rate. If a~~
95 ~~student enrolls in both regular and developmental courses, the rates shall be~~
96 ~~assessed at the hourly rate for each up to the current amount of 12 undergraduate~~
97 ~~hours. The discounted tuition rate will then apply to any additional courses.~~

98 ~~For institutions community colleges with multiple summer sessions, maintenance fees and out-~~
99 ~~of state tuition may be assessed by using the current part-time rate with no maximum amount~~
100 ~~for total credit hours enrolled.~~

101 For TCATS

102 Secondary Students (Public Schools)

103 ~~The TCAT will follow the established current fee schedule that is specific to secondary students~~
104 ~~(public schools) unless there are extenuating circumstances that would warrant a special rate~~
105 ~~which would be negotiated by the president.~~

106 Secondary Students (Non-Public Schools)

107 ~~Students enrolled in state-recognized home schools or private schools will be assessed~~
108 ~~fees in accordance with the current fee schedule.~~

109 3-1.

110 4-2. ~~Maintenance fee~~Tuitions may not be waived. However, specific exceptions are
111 provided in the following instances:

- 112 a. Pursuant to T.C.A. § 49-7-113, exceptions exist for certain disabled and elderly
113 students, as well as state service retirees. For audit courses, ~~no fee~~no tuition or

114 ~~mandatory fee~~ is required for persons with a permanent, total disability, persons
115 60 years of age or older and domiciled in Tennessee and persons who have
116 retired from state service with 30 or more years of service, regardless of age.
117 For ~~courses taken for~~ credit, a fee of ~~\$70 per semester or~~ \$60 per trimester may
118 be charged to persons with a permanent, total disability, and persons who will
119 become 65 years of age or older during the academic ~~semester-trimester~~ in
120 which they begin classes and who are domiciled in Tennessee. (Note: This fee
121 includes all mandatory fees ~~(including but not limited to debt service, student~~
122 ~~activity, general access student activity fee, SGA, and technology access,~~
123 ~~campus access, sustainable campus, and international education);~~ it does not
124 include ~~course-specific fees such as all miscellaneous course fees, materials~~
125 ~~fees, application fee, online course fees and parking fees~~ any other non-
126 ~~mandatory fees.)~~ ~~No regular full tuition paying student shall be denied enrollment~~
127 ~~in a course because this waiver. This only applies to enrollment on a space~~
128 ~~available basis, which permits registration no earlier than four (4) weeks prior to~~
129 ~~the first day of classes.~~

- 130 b. Pursuant to T.C.A. § 49-7-102, certain statutory fee exceptions exist for
131 dependents and spouses of military personnel killed, missing in action, or
132 officially declared a prisoner of war while serving honorably as a member of the
133 armed forces during a period of armed conflict. If these provisions are invoked
134 by a student, the correct applicable law should be determined ~~and followed~~.

135 5-3. Military reserve and national guard personnel who are mobilized to active military
136 service within six months of attendance at a TBR institution and whose mobilization
137 lasts more than six months shall be charged upon re-enrollment at such institution
138 the tuition, ~~maintenance fees~~, student activity fees and required registration or
139 matriculation fees that were in effect when such student was enrolled prior to
140 mobilization. After re-enrollment, no increase in tuition, ~~maintenance fees~~, student
141 activity fees or required registration or matriculation fees shall be assessed to such

142 student until a period of time equal to one year plus the combined length of all
143 military mobilizations has elapsed. In no event, however, shall a student's tuition and
144 fees be frozen after re-enrollment for more than four years.

145 a. To be eligible for the tuition and fee freeze, the student shall have completed
146 military service under honorable conditions and shall re-enroll in a TBR
147 institution within six months of release from active duty.

148 b. A student eligible for the tuition and fee freeze may transfer from one state
149 institution of higher education to another state institution of higher education one
150 time with such student's tuition and fees calculated at the institution to which the
151 student transfers as if the student had been in attendance at that institution
152 before the mobilization that resulted in the student's tuition and fee freeze at the
153 initial institution.

154 C. Accounting Treatment

155 1. A revenue account for ~~Maintenance Fees~~ tuition is used to record both the revenue
156 assessed and refunds made.

157 2. As provided in GASB Statements 34 and 35, summer school revenues and
158 expenditures must be accrued at fiscal year-end. Summer school activity will not be
159 allocated to only one fiscal year.

160 3. In some cases full fees are not assessed to students. These occur when statutes
161 establish separate rates for such groups as the disabled, elderly, and military
162 dependents. The difference between normal fees and special fees is not assessed.
163 Fees not assessed in these cases do not represent revenue. For administrative
164 purposes the fees may be calculated and credited to revenue, then written off
165 against a contra revenue account.

166 4. Agreements/contracts may be executed with a third party (federal agency,
167 corporation, institution, etc.), but not with the individual student, to deliver routine
168 courses at a fixed rate or for the cost of delivering the course and may provide for
169 fees not to be charged to individual students. Individual student fees will be

170 assessed as usual and charged to the functional category Scholarships and
171 Fellowships. The amount charged to or paid by the third party is credited to the
172 appropriate Grants and Contracts revenue account.

173 5. In some cases, a non-credit course provides an option to grant regular credit. If a
174 separate (or additional) fee is collected because of the credit, that amount is
175 reported as ~~Maintenance Fees~~ tuition revenue.

176 6. Full-time employees of the Tennessee Board of Regents, the Locally Governed
177 Institutions (LGIs), and the University of Tennessee systems may enroll in one
178 course per term at any public postsecondary institution, with feestuition and
179 mandatory fees waived for the employee. No tuition paying student shall be denied
180 enrollment in a course because of enrollment of TBR, LGI, and UT employees.

181 5-7. Spouses and dependents of employees of the Tennessee Board of Regents system
182 may be eligible for a student fee-tuition and mandatory fee discount for
183 undergraduate courses at Tennessee Board of Regents institutions, the LGIs, and
184 the University of Tennessee.

185 ~~6. Full-time employees of the Tennessee Board of Regents and the University of~~
186 ~~Tennessee systems may enroll in one course per term at any public postsecondary~~
187 ~~institution, with fees waived for the employee.~~

188 ~~No tuition paying student shall be denied enrollment in a course because of~~
189 ~~enrollment of TBR and UT employees.~~

190 ~~a. Spouses and dependents of employees of the Tennessee Board of Regents system~~
191 ~~may be eligible for a student fee discount for undergraduate courses at Tennessee~~
192 ~~Board of Regents institutions and the University of Tennessee.~~

193 7. Tennessee Board of Regents institutions exchange funds for tuition ~~fees and~~
194 ~~mandatory fee discounts~~ of employees' spouses and dependents who participate in
195 a Tennessee Board of Regents educational assistance program. This also applies to

196 exchanging of funds for ~~maintenance fee~~tuition discounts between Tennessee
197 Board of Regents institutions, the LGIs, and the University of Tennessee
198 institutions.

199 8. ~~To the extent they are not reimbursed by the State, fee~~Fee waivers for full-time
200 State employees and fee discounts to children of certified public school teachers
201 shall be accounted for as a scholarship.

202 ~~III. Out of State Tuition (community colleges only)~~

203 ~~A. Description of Fee~~

204 1. ~~This is an additional fee charged to students classified as non-residents who are~~
205 ~~enrolled for credit courses, including audit courses. This fee is in addition to the~~
206 ~~maintenance fee.~~

207 2. ~~Out-of-state tuition fee rates are established by the Tennessee Board of Regents~~
208 ~~and are incorporated in the annual fee schedule.~~

209 3. ~~Applicability of out-of-state tuition is determined pursuant to Tennessee Board of~~
210 ~~Regents Policy on Regulations for Students In-State and Out-of-State for the~~
211 ~~Purpose of Paying College Fees and Tuition and for Admission Purposes (No.~~
212 ~~3:05:01:00). The business office will collect fees based upon student classification~~
213 ~~as determined by the appropriate authority within the institution.~~

214 ~~B. Accounting Treatment~~

215 1. ~~A revenue account for out-of-state tuition is used for recording both credits for fees~~
216 ~~and debits for refunds.~~

217 2. ~~Other accounting is the same for out-of-state tuition as that outlined under~~
218 ~~Maintenance Fees except that separate out-of-state accounts are used.~~

219 a. ~~In the case of fees not collected from students under grants and contracts, the~~
220 ~~same expense account under Scholarships and Fellowships may be used.~~

221 ~~IV. eRate (community colleges only)~~

222 ~~A. Description of Fee~~

- 223 ~~1.— The eRate is available to students who enroll at TBR institutions, who are classified~~
224 ~~as non residents of Tennessee, and who are enrolled exclusively in online courses.~~
- 225 ~~2.— The eRate is 150% of the institution's approved undergraduate maintenance fee.~~
- 226 ~~3.— The hourly rate will not be discounted for students receiving the eRate and enrolling~~
227 ~~in greater than 12 undergraduate hours.~~
- 228 ~~4.— To qualify for an eRate, students must:~~
- 229 ~~a.— Meet all institution admission requirements and must~~
- 230 ~~b.— Be verified as an online out-of state student enrolled exclusively in courses~~
231 ~~delivered online by a procedure documented by the institution.~~
- 232 ~~c.— Out-of state students in item 2. above refers to geographic location and does not~~
233 ~~include undocumented students living in Tennessee.~~
- 234 ~~5.— Students enrolled in any type courses other than online (on-ground, telecourse,~~
235 ~~distance education, etc.) will not be eligible for the eRate specified in this guideline~~
236 ~~and will instead incur traditional non-resident fees and charges.~~
- 237 ~~a.— Students who enroll in both online courses and other type courses and~~
238 ~~subsequently drop the other type courses will not then become eligible for the~~
239 ~~eRate.~~
- 240 ~~6.— Institutions enrolling eRate students as defined in this guideline must provide a~~
241 ~~method to mitigate any negative impact on the opportunity for Tennessee student~~
242 ~~enrollment in online courses.~~

243 **B.— Accounting Treatment**

- 244 ~~1.— The eRate is comprised of the maintenance fee and a 50% markup that represents~~
245 ~~the out-of state tuition portion.~~
- 246 ~~2.— The maintenance fee and the out-of state tuition should each be recorded as~~
247 ~~outlined in sections II and III above.~~

248 **III. Mandatory Fees**

249 Mandatory fees are generally fees to support various programs that are assessed to all
250 enrolled students and are not course dependent.

251 ~~V. Debt Service Fees~~

252 ~~A. The amount of debt service fees will be approved by the Tennessee~~
253 ~~Board of Regents. Separate rates are recommended by each institution~~
254 ~~based on requirements of the institution.~~

255 ~~B. For simplicity of administration and communication, institutions may~~
256 ~~combine debt service with maintenance fees in quoting fee rates, in fee~~
257 ~~billings and charges, and in making refunds.~~

258 ~~C. Revenue from debt service fees will be recorded in the unrestricted~~
259 ~~current fund and then transferred to the retirement of indebtedness fund~~
260 ~~as either a mandatory transfer or a non-mandatory transfer. The portion~~
261 ~~of debt service fee revenue used for current-year debt service will be~~
262 ~~reported as a mandatory transfer. Any additional debt service fee revenue~~
263 ~~will be transferred to the retirement of indebtedness fund as a non-~~
264 ~~mandatory transfer.~~

265 ~~D. At the conclusion of the debt retirement for a given project, the debt~~
266 ~~service fee attributed to the project will cease. Any new project requires~~
267 ~~the approval of a new debt service fee on its own merits without the~~
268 ~~reallocation of any existing fee. Any continuation of fees necessary for~~
269 ~~renewal and replacement of a project for which the debt is totally retired~~
270 ~~must be approved for that purpose by the Tennessee Board of Regents.~~

271 ~~VI.A. Student Activity Fees~~

272 ~~A.A student government activity fee may be established pursuant to T.C.A.~~
273 ~~§ 49-8-109. Any increase in this fee shall be subject to a referendum for~~
274 ~~student body approval or rejection. The fee will be administered in~~
275 ~~accordance with the provisions adopted by each institution. These fees~~
276 ~~will be restricted current funds additions. These fees are refundable on~~
277 ~~the same basis as maintenance fees or as established by the institution.~~

278 ~~Student~~ activity fees ~~se (other than student government activity fees)~~ will
279 must be approved by the Tennessee Board of Regents. Such fees may be
280 recommended by each institution based on facilities and services to be provided
281 which are related to the activity fee. These services include but are not limited to
282 access to all social and cultural functions sponsored by the school. Per TCA 49-
283 8-109, these services are available to any student upon the payment of the
284 regular activity fee.

285 ~~B.~~ These fees will be unrestricted current funds revenues. These
286 fees are refundable on the same basis as maintenance-feestuition or as
287 established by the institution.

288 IV-B. Technology Access Fees

289 A.1. A fee shall be levied by each institution for the purpose of providing
290 student access to computing and similar technologies. It is refundable on
291 the same basis as maintenance-feestuition or as established by the
292 institutions. Institutions shall establish expenditure accounts and
293 designated revenue accounts for purposes of recording technology
294 access fees and expenditures.

295 B.2. Use

296 ~~1. Technology Access Fees (TAF) are composed of two pools. Pool 1~~
297 ~~represents the TAF prior to FY 1997-98 when it did not exceed \$30~~
298 ~~annually. Pool 2 represents the difference between the current TAF rate~~
299 ~~and the pre 1997-98 TAF rate. Items 2 and 3 below shall apply to use of~~
300 ~~Pool 2 TAF funds.~~

301 ~~2.~~ The TAF should be used by TBR institutions for direct student
302 benefit, for items such as new and improved high technology laboratories
303 and classrooms, appropriate network and software, computer and other

304 equipment, and technological improvements that enhance instruction.
305 Use ~~of Pool 2 of~~ TAF ~~funds include but is not limited to~~ ~~is limited to~~ the
306 following items:

- 307 ~~a.1.~~ a.1. Computers and other technical laboratory supplies,
308 equipment, and software and maintenance.
- 309 ~~b.2.~~ b.2. Network costs (~~WWW internet~~ internet service, interactive
310 video, etc.)
- 311 ~~e.3.~~ e.3. "Smart" or multimedia classroom equipment and
312 classroom modifications.
- 313 ~~d.4.~~ d.4. Lab and course staffing - student and staff assistance for
314 lab and classroom uses; ~~community colleges expenditures~~
315 are limited to 25% maximum (~~Pool of 2~~ current-year TAF
316 revenues) for student or staff employees.
- 317 ~~e.5.~~ e.5. Renewal and replacement reserves as necessary.
- 318 ~~f.6.~~ f.6. New machines for faculty use when faculty are actively
319 engaged in developing and conducting on-line courses.
- 320 ~~g.7.~~ g.7. Faculty and staff development directly related to the
321 introduction or application of new technology which
322 impacts students. ~~These guidelines. This policy~~ should
323 have the flexibility to place instructional technology in a
324 faculty lab where course materials are being prepared. For
325 example, TAF funds can be used to create faculty labs to
326 include the purchase of computers and to conduct faculty
327 training and course development. (Travel costs for faculty
328 and staff are excluded; however, consultants may be hired
329 as needed for training.)
- 330 ~~h.8.~~ h.8. Infrastructure (wiring, network, servers, etc.) necessary to
331 provide students maximum computing capability. A ceiling

332 is established of 50% of the total project costs from which
333 technology access fees can be used.

334 ~~1.9.~~ Expand technology resources in library, i.e., video piped
335 anywhere on campus, interactive video room for distance
336 education, network for web video courses.

337 ~~3. As part of the July budget process, each institution shall prepare a~~
338 ~~detailed spending plan for the use of funds generated by the TAF. Prior to~~
339 ~~submission of July budgets, the Chancellor or his designee shall~~
340 ~~randomly select 25% of institutions for review of TAF spending plans.~~
341 ~~Each institution selected shall submit their TAF spending plan as part of~~
342 ~~their July budget. These spending plans shall be reviewed by the~~
343 ~~Chancellor or his designee for compliance with TAF use guidelines and~~
344 ~~Board policy. A report of this review shall be filed with the Board.~~

345 ~~4. The spending plan will be maintained by the institution and will be~~
346 ~~updated throughout the year as needed. The President shall ensure that~~
347 ~~the spending plan is prepared. At the end of the fiscal year, a summary of~~
348 ~~the actual money generated and actual use of the money shall be~~
349 ~~prepared and maintained by the institution.~~

350 ~~3.~~ Compliance with ~~these guidelines this policy~~ will be audited by the internal
351 audit staff and reported to the Board as determined by the internal
352 auditor's annual risk-based planning process or other appropriate means.

353 ~~Campus Access Fee. At institutions where registration of specific vehicles is not~~
354 ~~necessary a campus access fee may be assessed in lieu of a motor vehicle registration~~
355 ~~fee. It is refundable on the same basis as maintenance fees or as established by the~~
356 ~~institution.~~

357 ~~5.~~

Commented [DG1]:

358 H.V. Specialized Academic Program Fees

359 ~~A.~~ Certain academic programs require expensive maintenance/updating of equipment and
360 software and the employment of highly qualified staff. The high costs of instruction for these
361 programs can be offset by establishing specialized academic fees, with the Board's
362 approval. To receive approval for a specialized academic fee, a program will be required to
363 meet criteria 1., High Cost of Instruction as defined below. Additionally, the program should
364 preferably document meeting criteria 2.-7. ~~as well, if~~ applicable.

- 365 1. High Cost of Instruction. Programs qualifying for charging specialized academic fees
366 must demonstrate that they are more costly than other programs offered by the
367 institution. If appropriate, the extraordinary cost of the program must be validated
368 including benchmarking with similar programs in the region and nation.
- 369 2. High Demand. The number of students enrolled in the program and the student
370 ~~credit clock~~ hours generated are sufficient to justify additional fees.
- 371 3. High Cost of Updating/Maintaining Equipment and Software. Programs qualifying for
372 charging specialized academic fees are expected to be those that require extensive
373 maintenance and regular updating of equipment and/or software, all of which are
374 very expensive. An average hardware/software cost per student ~~credit clock~~ hour
375 serves as the basis for determining the amount of the fee.
- 376 4. Accreditation. Meeting standards of specific accrediting agencies may also qualify a
377 specialized program for charging specialized academic fees. The accrediting
378 standards that justify a fee are those that specify the possession and use of certain
379 equipment and unique software that are extraordinarily costly and/or the
380 employment of faculty with specific credentials that demand high salaries.
- 381 5. High Recognition and Quality. The programs approved for specialized academic
382 fees are expected to be distinctive and with a regional ~~or national~~ reputation. The
383 program ~~must should~~ demonstrate that it has achieved exceptional recognition in its
384 particular enterprise.

385 6. High Value to Tennessee. The program ~~must-should~~ demonstrate that it is a good
386 investment for the State of Tennessee to justify charging extra fees to the student.
387 ~~The program should be distinctive and not one duplicated in other TBR institutions~~
388 ~~and should be of integral value to Tennessee.~~ The graduates' earning potential and
389 the associated benefit to the state economy should be projected, as well as the
390 efforts taken by the institution to aid graduates in finding appropriate employment in
391 Tennessee.

392 7. Impact on Affected Students. Through surveys, questionnaires, or other suitable
393 means, the program ~~must-should~~ demonstrate that the charging of additional fees
394 will not diminish enrollment. The program should demonstrate that enrolled students
395 realize that the potential earning power in the work force justifies their additional
396 investment.

397 B. Institution must submit documentation of the above applicable criteria when requesting
398 approval of a specialized academic fee. Specialized academic course fee revenues are
399 limited to funding related costs accumulated in the instruction function.

400 ~~VI.~~ Miscellaneous Course Fees

401 ~~A.~~ All miscellaneous fees must be approved by TBR. Fees for courses requiring special off-
402 campus facilities or services do not require Board approval but should reflect the cost of the
403 facilities or services. Fees for courses requiring materials or services that are required or
404 recommended by faculty and are a direct pass-through of the actual cost charged by a third-
405 party provider may be approved by the chancellor and do not require Board approval.
406 Examples include but are not limited to, industry certification exam fees, professional liability
407 insurance, etc. Fees approved by the chancellor will be provided to the Board as an interim
408 action item.

409 ~~VII.~~ Incidental Fees and Charges

410 A. Uniform Rates and Policies - Institutions

411 ~~4.~~ The following fees will be uniformly charged (or, if applicable, to the extent that
412 they remain within the set range) at all institutions both as to the amount and
413 condition of assessment. Charges are subject to approval by the Tennessee Board
414 of Regents.

415 ~~a. Application Fee:~~

416 ~~1. Undergraduate Not less than \$5.00 or more than \$25.00.~~

Commented [DG2]: Do we still need this?

417 ~~B. All Institutions~~

418 1. Returned Check Fee: \$30.00 per check - nonrefundable. All institutions will charge a
419 returned check fee that is the maximum set by state law. This fee will apply to all
420 returned checks received by the institution, whether from students, faculty, staff, or
421 other parties. The Board will review state statutes each spring to determine any
422 changes. (T.C.A. § 47-29-102)

423 ~~C. Colleges of Applied Technology~~

424 ~~1.4.~~ Each college of applied technology will assess a nonrefundable fee for individual
425 instructional projects pursuant to a schedule approved by the Tennessee Board of
426 Regents.

Commented [DG3]: What is this?

427 ~~D.B.~~ Other Fees and Charges Subject to Board Approval

428 1. ~~All~~ Institutions

429 a. The following fees may be assessed by all ~~institutions~~. Specific rate
430 recommendations will be developed separately by each institution for approval
431 by the Tennessee Board of Regents. In review of the recommendations, the
432 Board staff will consider the consistency of fees for comparable services among
433 institutions.

Commented [DG4]: What about TCATS?

434 ~~1. Motor Vehicle Registration nonrefundable. A fee may be levied by each~~
435 ~~institution per academic year, per fiscal year and/or per academic term for~~

Commented [DG5]: Northeast has a "hang tag fee" is that the same as a motor vehicle registration fee? If not then lets do away with this fee.

436 ~~motor vehicle registration, and such fee shall be applicable to each student,~~
437 ~~faculty and staff member.~~

438 ~~2.1. Campus Access Fee—At institutions where registration of specific vehicles is~~
439 ~~not necessary a campus access fee may be assessed in lieu of a motor~~
440 ~~vehicle registration fee. It is refundable on the same basis as maintenance~~
441 ~~fees or as established by the institution.~~

442 ~~3.—Traffic Fines - nonrefundable. These fines will apply to all employees and~~
443 ~~students.~~

444 ~~4. Applied Music Fees. This fee is charged for private music lessons or small~~
445 ~~group training sessions. It is refundable on the same basis as maintenance~~
446 ~~fees or as established by the institution.~~

447 ~~1. Late Registration Fee. A late registration fee up to \$100 will be charged~~
448 ~~during the entire period of late registration. The effective date of the fee will~~
449 ~~be determined by each institution.~~

450 ~~5.2. Transcript Fee. There will be no charge for transcripts;~~
451 ~~however, institutions shall set a limit on a reasonable number of copies at~~
452 ~~any one time and may establish a nonrefundable charge for the cost of~~
453 ~~copying transcripts in excess of that number.~~

454 ~~6.—Facilities Fee. This fee will be used to improve facilities and fund~~
455 ~~expenditures such as replacing carpets in student lounges, remodeling~~
456 ~~classrooms, etc. The fee would not be used for routine maintenance or new~~
457 ~~construction, but would be used to make improvements to areas that have~~
458 ~~an impact on students. The intended projects will be disclosed during the~~
459 ~~normal budget cycles. The fee is refundable on the same basis as~~
460 ~~maintenance fees.~~

461 ~~2.—All Institutions and Colleges of Applied Technology~~

462 ~~a. Transcript Fee. There will be no charge for transcripts; however, institutions and~~
463 ~~colleges of applied technology shall set a limit on a reasonable number of copies~~

Commented [DG6]: Is this really a misc course fee?

Commented [DG7]: Do some schools charge this even if a student registers on time but pays after classes begin. What is the definition of late registration?

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~~at any one time and may establish a nonrefundable charge for the cost of copying transcripts in excess of that number.~~

Commented [DG8]: Do we still do this?

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- 3-2. Fees and Charges to be Established and Administered by the Institution.
 - a. The following fees and charges may be established and administered by each institution. No specific approval or notification to the Tennessee Board of Regents will be required unless subject to other Board or State requirements. The institution will establish appropriate refund policies.
 - 1. ~~4.~~ Sales of goods and services of a commercial nature, including bookstores (including digital textbook costs assessed on the student's account), food services, vending, ~~laundry~~ and similar activities. 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 guidelines.
 - 1. _____
 - 1-2. _____ Rental of ~~non-student housing and facilities~~. 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. [Reference Tennessee Board of Regents Policy on Access to and Use of Campus Property and Facilities (No. 1.03.02.50).]
 - 2-3. _____ Admissions fees to ~~athletic and other~~ events open to the public, including special events sponsored by campus organizations and activities.
 - 2. ~~Sales and services of educational activities such as clinical services, publications, live work fees, fees to customers for specific school instructional projects to defray incidental costs incurred by the TCAT in performing the project, -etc.~~
 - 4. _____

491 5. Registration for conferences, institutes, ~~and non-credit activities, and special~~
492 ~~industry training (see XIII.A.4.). Fees established for non-credit courses and~~
493 ~~activities shall at a minimum be sufficient to cover the total costs incurred in~~
494 ~~providing instruction and may be influenced by current market rates for~~
495 ~~comparable courses or training.~~

496 ~~3.~~

497 ~~4. Fees for use of campus facilities for recreational purposes.~~

498 ~~5. Parking permits and parking meters for use by guests and visitors.~~

499 ~~6. Colleges of Applied Technology may assess a fee for specific school~~
500 ~~instructional projects to defray incidental costs incurred by the college of~~
501 ~~applied technology in performing the project.~~

502 ~~7. Nonrefundable library fines, which will apply to students, faculty, staff, and~~
503 ~~other library users.~~

504 ~~8. Child Care Fees – Kindergarten, Preschool, Early Childhood, Day Care, or~~
505 ~~similarly defined activities. The refund policy will be established by the~~
506 ~~institution.~~

507 ~~9.6.~~ Special Exam Fee and Standardized Test Fees -
508 nonrefundable. The fee will be determined based upon cost to the institution.

509 ~~10. Standardized Test Fees – nonrefundable. The fee will be determined based~~
510 ~~upon the cost for administering the tests.~~

511 7. Identification Card Replacement - nonrefundable. There will be no charge
512 for the original identification card. A fee may be set by each institution to
513 offset the cost of replacing the card. This fee applies only to student ID cards
514 and not to faculty and staff ID's.

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~~41. —~~

~~3. Change of Course or Section Fee — nonrefundable. If the change is caused by the institution, there will be no charge for the change. If two or more forms are used at one time, they will be treated as one change/form. Institutions may waive the fee for schedule changes.~~

~~8. Deposits—Breakage deposits may be required by the institution for courses or items in which it can be shown that there is a reasonable chance of loss or damage to items issued to students. The amount of the deposit should be related to the materials issued and subject to a 100% refund.~~

~~XI. — Deposits~~

~~A. Breakage deposits may be recommended by the institution for Board approval for courses in which it can be shown that there is a reasonable chance of loss or damage to items issued to students. The amount of the deposit should be related to the materials issued and subject to a 100% refund.~~

~~B. Also, a~~ deposit may be established by the institution for rent or lease of buildings and facilities or for the issuance of other institutional 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 institution to secure reimbursement should loss or damage occur.

~~536~~ VIII. Other Fee and Charge Considerations

~~537~~ A. Institutions may submit for Board of Regents approval fees and charges not specifically
~~538~~ covered by ~~those guidelines~~ the policy when the establishment of a fee or charge is
~~539~~ justified by the institution.

Commented [DG9]: Why do we then list items 1 through 4???

540 ~~A.B. When fees and charges are incorporated in agreements with outside contractors and~~
541 ~~vendors, specific rates, refunds and conditions must be clearly stated.~~
542 ~~1. Fees may be established to control the utilization of facilities and services or to~~
543 ~~offset the cost of extraordinary requirements as a result of specific programs or~~
544 ~~activities. [Reference Tennessee Board of Regents Policy on Access to and Use of~~
545 ~~Campus Property and Facilities (No. 1:03:02:50).]~~
546 ~~2. When fees and charges are incorporated in agreements with outside contractors~~
547 ~~and vendors, specific rates, refunds and conditions must be clearly stated.~~
548 ~~3. Fees for auxiliary services must take into consideration that Auxiliary Enterprises~~
549 ~~should be a break-even operation with rates and charges generating revenue~~
550 ~~sufficient to cover all expenses as defined in operating budget guidelines.~~
551 ~~4. Fees established for non-credit courses and activities shall be sufficient to cover the~~
552 ~~total costs incurred in providing instruction plus a minimum of 25% of the annual~~
553 ~~instructional salary costs including contractual salary costs or personal services~~
554 ~~contracts.~~
555 ~~5. Students enrolled for six or more hours are eligible for full-time privileges, i.e.,~~
556 ~~access to social, athletic, and cultural functions, pursuant to T.C.A. § 49-8-109.~~

557 IX. Refunds and Fee Adjustments

558 A. Adjustments to all fees and charges must be in accordance with the following provisions
559 except as previously stated, or when required by federal law or regulation to be
560 otherwise.
561 ~~B. Pursuant to T.C.A. §§ 49-7-2301 and 49-7-2302, students called to active military or~~
562 ~~National Guard service during the semester are entitled to a 100% adjustment or credit~~
563 ~~of mandatory fees.~~
564 ~~C. Maintenance Fee Refunds and Adjustments (community colleges)~~
565 ~~1. Refunds are 100% for courses canceled by the institution.~~

566 ~~2.Changes in courses involving the adding and dropping of equal numbers of SCH's for the same~~
567 ~~term at the same time require no refund or assessment of additional maintenance fees, unless~~
568 ~~the dropping and adding involves TNeCampus courses. The change of course fee would be~~
569 ~~applicable.~~

570 ~~3.The fee adjustment for withdrawals or drops during regular terms (fall and spring) is 75% from~~
571 ~~the first day of classes through the fourteenth calendar day of classes and then reduced to 25%~~
572 ~~for a period of time which extends 25% of the length of the term. When the first day of the~~
573 ~~academic term falls on a Saturday, the 100% refund period is extended through the weekend~~
574 ~~until the following Monday morning (12:01 am). There is no fee adjustment after the 25% period~~
575 ~~ends. Dropping or withdrawing from classes during either the 75% or the 25% fee adjustment~~
576 ~~period will result in a fee adjustment of assessed maintenance fees based on the total credit~~
577 ~~hours of the final student enrollment.~~

578 ~~4.For summer sessions and other short terms, the 75% fee adjustment period and the 25% fee~~
579 ~~adjustment period will extend a length of time which is the same proportion of the term as the~~
580 ~~75% and 25% periods are of the regular terms.~~

581 ~~5.All fee adjustment periods will be rounded to whole days and the date on which each fee~~
582 ~~adjustment period ends will be included in publications. In calculating the 75% period for other~~
583 ~~than the fall and spring and in calculating the 25% length of term in all cases, the number of~~
584 ~~calendar days during the term will be considered. When the calculation produces a fractional~~
585 ~~day, rounding will be up or down to the nearest whole day.~~

586 ~~6.B. A full refund (100%) is provided on behalf of a student whose death occurs during the~~
587 ~~term. Any indebtedness should be offset against the refund.~~

588 ~~7. A 100% refund will be provided for students who enroll under an advance~~
589 ~~registration system but who drop a course or courses prior to the beginning of the~~
590 ~~first day of class.~~

591 ~~8.— A 100% refund will be provided to students who are compelled by the institution to~~
592 ~~withdraw when it is determined that through institutional error they were~~
593 ~~academically ineligible for enrollment or were not properly admitted to enroll for the~~
594 ~~course(s) being dropped. An appropriate official must certify in writing that this~~
595 ~~provision is applicable in each case.~~

596 ~~9.— When courses are included in a regular term's registration process for administrative~~
597 ~~convenience, but the course does not begin until later in the term, the 75%/25% fee~~
598 ~~adjustment periods will be based on the particular course's beginning and ending~~
599 ~~dates. This provision does not apply to classes during the fall or spring terms which~~
600 ~~may meet only once per week. Those courses will follow the same refund dates as~~
601 ~~other regular courses for the term.~~

602 ~~— The fee adjustment is calculated as the difference between (1) the per credit hour~~
603 ~~cost of originally enrolled hours and (2) the per credit hour cost of the courses at~~
604 ~~final enrollment after adjustments have been applied for all courses~~
605 ~~dropped. Adjustments are calculated at the full per credit hour rate less the fee~~
606 ~~adjustment credit at the applicable fee adjustment percentage (regardless of the~~
607 ~~original number of hours enrolled). Not all drops/withdrawals will result in fee~~
608 ~~adjustments.~~

609 C. Maintenance Fee Refunds and Adjustments (TCATs)

610 1. Eligibility for Refunds

- 611 a. Change in a full-time student's schedule which results in
612 reclassification to a part-time student.
- 613 b. Change in a part-time student's schedule which results in a class
614 load of fewer hours.
- 615 c. Voluntary withdrawal of the student from the school.
- 616 d. Cancellation of a class by the school.
- 617 e. Death of the student.
- 618 f. Students administratively dismissed will not be eligible for refunds.

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2. Calculation of the Refund

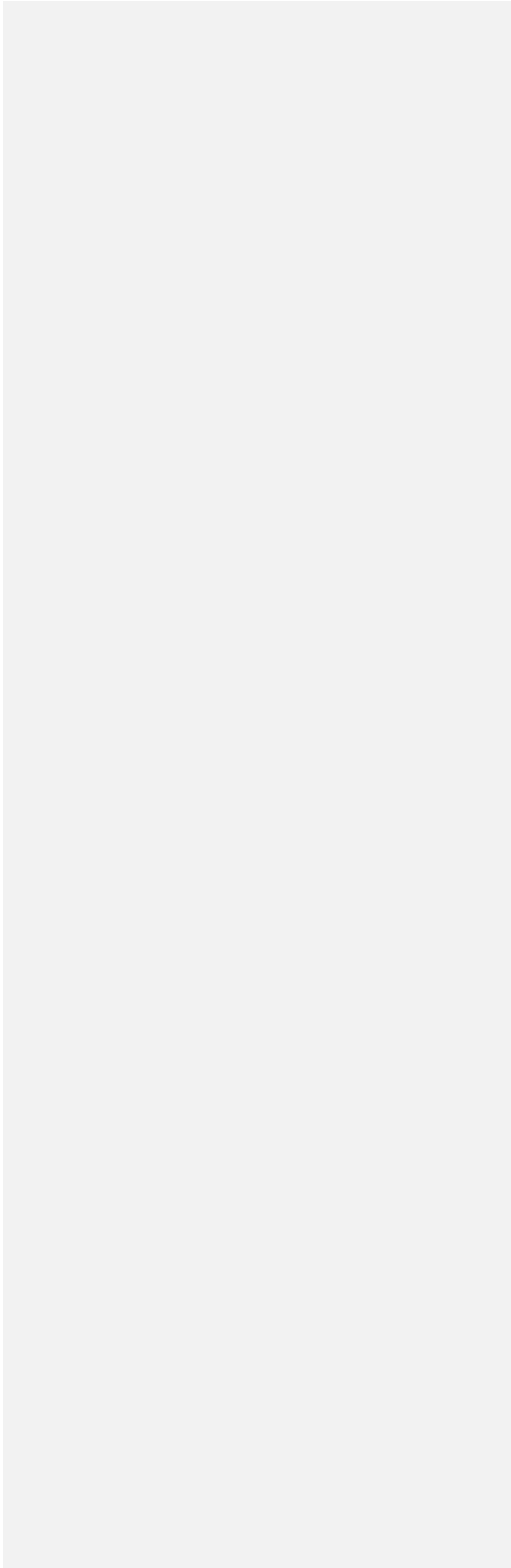
a. Full Refund:

1. 100% of fees will be refunded for classes canceled by the school.
2. 100% of fees will be refunded for drops or withdrawals prior to the first official day of classes.
3. 100% of fees will be refunded in the case of death of the student during the term.
4. -A 100% refund will be provided to students who are compelled by the institution to withdraw when it is determined that through institutional 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.
5. Students who have not visited the school facility prior to enrollment will have the opportunity to withdraw without penalty within three days following either attendance at a regularly scheduled orientation or following a tour of the facilities and inspection of the equipment.

b. -Partial Refunds

1. A refund of 75% may be allowed if a program is dropped or a student withdraws within the first 10% of the class hours.
2. A refund of 50% may be allowed if a program is dropped or a student withdraws within the first 20% of the class hours.
3. No refund may be permitted after 20% of the class hours has been completed.

3. Processing of Refunds



671 ~~1. Debt service fees will be subject to the same refund policy as maintenance fees.~~

672 ~~_____~~

673 I. Payment of Student Fees and Enrollment

674 A. All assessed fees by an institution governed by the Tennessee Board of Regents are
675 due and payable at the time of registration or at a time before classes begin as set by
676 the institution.

677 ~~1. An Community colleges institution may implement deferred payment plans as may~~
678 ~~be allowed under a TBR guideline and as authorized for the student.~~

679 B. An individual will be considered enrolled and counted as a student at a TBR institution
680 when:

681 1. all assessed fees have been paid (unless otherwise noted in policy); or
682 ~~2. the initial minimum payment due under any deferred payment plans has been paid;~~
683 ~~or~~

684 ~~2.~~ an acceptable commitment from an agency or organization approved by the
685 institution has been received by the institution.

686 ~~3.~~

687 C. An individual shall possess an acceptable commitment when an application(s) for
688 financial aid has been timely submitted with the reasonable probability of receiving such.

689 ~~1. Agencies or organizations which may be approved by the institution for purposes of~~
690 ~~making acceptable commitments for applicants shall be limited to agencies of the~~
691 ~~federal or state governments authorized to provide financial aid, established~~
692 ~~financial institutions within the state, established in state and out of state~~
693 ~~corporations which employ the applicant, foreign embassies and foreign~~
694 ~~corporations, and other organizations within the state which have previously~~
695 ~~demonstrated the ability to pay the commitment.~~

696 2.1. An acceptable commitment from an agency or organization shall be limited to a
697 commitment which identifies the applicant and promises to pay all unpaid assessed
698 fees for such applicant.

699 2. No commitments from individuals will be accepted on behalf of applicants.

700 D. Pursuant to the above condition, institutions ~~with a continuous registration process~~ must
701 require payment of all applicable fees ~~or payment of the initial minimum payment due~~
702 ~~under the deferred payment plan or have an acceptable commitment from an agency or~~
703 ~~organization. Otherwise, institutions must purge students from the class rolls that~~
704 ~~haven't satisfied the payment requirements.~~

705 ~~— At a minimum, two purges for non-payment should occur.~~

706 1. ~~One purge for non-payment must occur sometime prior to the beginning~~
707 ~~of classes.~~

708 2. ~~A final purge should must occur on or before the census date seventh~~
709 ~~calendar day of class to ensure that only students that have met the~~
710 ~~payment requirements are reported in the census reports allowed to~~
711 ~~continue in class, prior to the regular registration period as defined by~~
712 ~~each institution.~~

713 ~~— Students will not be purged for non-payment if the debt owed, whether~~
714 ~~current debt or prior debt is less than \$100.~~

715 D.3.

716 ~~E. Students who do not prepay all fees or have an acceptable approved financial~~
717 ~~aid deferment will forfeit pre-registration privileges and must enroll under the~~
718 ~~normal registration process.~~

719 ~~F. A prepayment plan to assist parents and students with planning and budgeting~~
720 ~~their academic year expenses is authorized. Under the plan, students may~~
721 ~~choose the expenses they wish to prepay including tuition, and fees. Expenses~~
722 ~~can be prepaid over a period of eight months.~~

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~~4.~~

724 ~~G.E.~~ Notwithstanding any other requirements in policy, there will be no record holds,
725 enrollment holds, or purging of students for non-payment if the debt owed, whether
726 current debt or prior debt, is less than \$100.

727 ~~H.F.~~ All outstanding debts and obligations of \$100 or greater not evidenced by an
728 acknowledgement of debt/promise to pay agreement (see Section IV) or a current
729 semester deferred payment agreement must be fully satisfied by the ~~14th-7th~~ day purge
730 of the semester.

731 ~~I.G.~~ An individual will not be considered for admission/readmission as a student until all past
732 due debts and obligations of \$100 or greater incurred in prior academic terms, of
733 whatever nature, have been paid, or the student, if allowable, has entered into an
734 acceptable acknowledgement of debt/promise to pay agreement (see Section IV) with
735 the institution for the past due debts and obligations.

736 ~~J.H.~~ When an individual tenders payment of fees by means of a personal check or credit
737 card, the individual may be considered and counted as a student. If the payment is
738 subsequently dishonored by the financial institution, and the payment is not redeemed in
739 cash, the institution has the option to not consider that student as enrolled for the term.

- 740 1. At the discretion of the institution, the student may be considered enrolled and will
741 be assessed the applicable returned payment fee, the applicable late registration
742 fee, and normal collection procedures as prescribed in TBR Guideline B-010
743 (Collection of Accounts Receivable) will be followed.
- 744 2. Institutions may deny future check writing privileges to students who have paid
745 registration fees with checks that are subsequently dishonored.
- 746 3. While institutions have discretion in how these situations will be handled, all students
747 must be treated the same at that institution.

748 ~~4. The institutions are authorized, subject to approval by the Board, to establish~~
749 ~~charges for late registration and/or payments which are returned dishonored, and~~
750 ~~such charges shall become assessed fees for purposes of admission.~~

751 II. **Records Holds**

- 752 A. Except as provided in sub-section II. B. hereof, institutions shall not issue diplomas,
753 transcripts, certificates of credit or grade reports until the student involved has satisfied
754 all debts or obligations of \$100 or greater or the debts or obligations are evidenced by
755 notes or other written contracts providing for future payment, such as, but not, limited to,
756 loans authorized under federal or state education or student assistance acts. This does
757 not prohibit the conferring of the degree. Diplomas, transcripts, certificates of credit, and
758 grade reports shall not be withheld for debts that are less than \$100.
- 759 B. The colleges in the college system of Tennessee shall issue a certificate of credit or
760 official transcript for a student seeking admission to any college in the college system of
761 Tennessee if the student has entered a written agreement (acknowledgement of
762 debt/promise to pay) to satisfy the outstanding debt or obligation owed to the college
763 issuing the certificate of credit or official transcript in the form of Exhibit 1 hereto.
- 764 1. Any credit or official transcript issued under this subsection shall indicate that it is
765 subject to an outstanding debt to the issuing college.
- 766 2. The college receiving the certificate of credit or official transcript issued shall not
767 subsequently issue a diploma, certificate of credit or official transcript to that student
768 until it receives proof that the student has satisfied the outstanding debt to the
769 college that issued the certificate of credit or official transcript. This does not prohibit
770 the conferring of the degree.

771 III. **Enrollment Holds**

- 772 A. A student must pay any past due debts and obligations owed to the institution incurred
773 in prior academic terms before being permitted to register at the institution unless the
774 debt is less than \$100, or an acknowledgement of debt/promise to pay agreement (see
775 section IV) for the prior debt or obligation has been executed.
- 776 B. Institutions shall allow enrollment when the outstanding obligation is less than \$100.

777 1. Additionally, all known debts and obligations to the institution incurred during the
778 current term of \$100 or greater must be satisfied prior to a student being allowed to
779 pre-register for any future terms.

780 C. An amount owed under the institution's deferred payment plan for enrollment fees which
781 is not yet due shall not cause an enrollment hold to be applied.

782 D. A student that is currently assigned to a collection agency will be allowed to register if
783 the student signs an acknowledgement of debt/promise to pay agreement in the form of
784 Exhibit 1 hereto that acknowledges they will not receive a diploma, certificate of credit or
785 official transcript (except as provided in II. A and B aAbove) until the debt is paid in full.
786 This does not prohibit the conferring of the degree. The student account will not be
787 recalled from the collection agency.

788 IV. **Acknowledgement of Debt/Promise to Pay Agreement for Prior Debt and Obligations**

789 A. A student who has prior outstanding debt of \$100 or more and was not enrolled in the
790 preceding semester (excluding summer semester) may execute an acknowledgement of
791 debt/promise to pay agreement with the institution.

792 1. The acknowledgement of debt/promise to pay agreement will require that the debt
793 be fully satisfied before a diploma or degree will be issued. However, this does not
794 prohibit the conferring of the degree.

795 2. The acknowledgement of debt/promise to pay agreement will require continuous
796 enrollment.

797 a. If continuous enrollment is not maintained the debt the institution may continue
798 with immediate collection efforts as prescribed in TBR Guideline B-010
799 (Collection of Accounts Receivable) or pursuant to the terms of any previously
800 executed repayment agreement.

801 3. A student may only ever execute one such agreement with the institution.

802 4. "Continuous enrollment" means a student is enrolled in the fall and spring semesters
803 of a single academic year unless granted a medical or personal leave of absence.

804 Allowable medical or personal reasons may include illness of the student; illness or

805 death of an immediate family member; extreme financial hardship of the student or
806 student's immediate family; fulfillment of a religious commitment encouraged of
807 members of that faith; fulfillment of required initial active duty for training as a
808 National Guard or Reserve member or for National Guard or Reserve mobilization.

809 V. **Applicability of Fees**

810 A. In accordance with this policy, the president of an institution has the authority to
811 determine the applicability of certain fees ~~(as defined in Guideline B-060 Fees, Charges,~~
812 ~~Refunds and Fee Adjustments)~~, fines, charges, and refunds, and to approve exceptions
813 in instances of unusual circumstances. All such actions should be properly documented
814 for auditing purposes.

815 VI. **Exceptions**

816 A. With regard to payment of student fees and enrollment, the Chancellor or designee
817 may approve exceptions to the requirements of this policy in appropriate circumstances.
818 B. Requests for exceptions must be signed by the President and include sufficient
819 justification documentation.

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822 ~~2.~~

823 **Sources**

824 **Authority**

825 T. C.A. §§ 47-29-102, 49-7-102, 49-7-113, 49-7-2301, 49-7-2302, 49-8-109

826 **History**

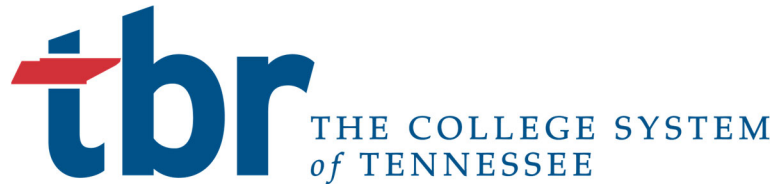
827 December 2, 1977 TBR meeting. Revised March 14, 1980 TBR meeting; November 13, 1991
828 presidents meeting; November 8, 1982 presidents meeting; July 1, 1984; November 1, 1988;
829 May 15, 1990 presidents meeting; August 14, 1990 presidents meeting; November 1st, 1992
830 presidents meeting; August 10, 1993 presidents meeting; November 9, 1993 presidents
831 meeting; August 9, 1994 presidents meeting; May 8, 1995 presidents meeting, August 8, 1995
832 presidents meeting, November 8, 1995 presidents meeting, February 6, 1996 presidents
833 meeting, May 14, 1996 presidents meeting, November 12, 1996 presidents meeting, May 6,

834 1997 presidents meeting, July 16, 1997 called Board meeting, November 5, 1997 presidents
835 meeting, February 17, 1998 presidents meeting via conference call, August 25, 1998 presidents
836 meeting, May 9, 2000 presidents meeting, August 8, 2000 presidents meeting, November 8,
837 2000 presidents meeting, February 13, 2001 presidents meeting, August 21, 2001 presidents
838 meeting, May 21, 2002 presidents meeting, February 11, 2003 presidents meeting, May 20,
839 2003 presidents meeting, February 10, 2004 presidents meeting, August 17, 2004 presidents
840 meeting, February 8, 2005 presidents meeting, May 17, 2005 presidents meeting, February 8,
841 2006 presidents meeting, May 16, 2006 presidents meeting, August 16, 2006 presidents
842 meeting, May 15, 2007 presidents meeting, August 21, 2007 presidents meeting, November 6,
843 2007 presidents meeting, February 17, 2009 presidents meeting; May 12, 2009 presidents
844 meeting; August 11, 2009 presidents meeting; November 10, 2009 presidents meeting;
845 February 16, 2010 presidents meeting; February 15, 2011 presidents meeting; May 17, 2011
846 presidents meeting; August 16, 2011 presidents meeting; May 16, 2012 presidents meeting;
847 August 21, 2012 presidents meeting; Revised at Presidents Meeting, February 4, 2014; Revised
848 at Presidents Meeting, August 18, 2015; Revised at Presidents Meeting, November 10, 2015;
849 Presidents Meeting February 2, 2016; August 8, 2017.

850 **Related Policies**

- 851 • [Access to and Use of Campus Property and Facilities](#)
- 852 • [Policy for Classifying Students In-State & Out-of-State for Paying College Fees & Tuition &](#)
- 853 [for Admission Purposes](#)

854



**Presidents Quarterly Meeting
May 4, 2022**

SUBJECT: Policy for Fees, Charges, and Refunds – Community Colleges

PRESENTER: Danny Gibbs

ACTION REQUIRED: Requires Vote

Summary:

TBR Guideline B-060 Fees, Charges, Refunds, and Fee Adjustments and TBR Policy 4.01.03.00 Payment of Student Fees & Enrollment will be merged into one policy and updated with various revisions.

Attachments

1 Fees, Charges, and, Refunds, and Fee 2 Adjustments: B-060

3 Guideline Area

4 Business and Finance Guidelines

5 Applicable Divisions

6 ~~TCATs~~, Community Colleges

7 Purpose

8 The purpose of the following guideline-policy is to outline significant provisions for consistent
9 administration of fees, charges, and refunds, payment of fees and enrollment of students at the
10 institutions governed by the Tennessee Board of Regents. ~~These guidelines~~The policy largely
11 represents a consolidation of existing statements and practices. ~~They are intended to serve as a~~
12 ~~reference document for institutional staff responsible for implementing and communicating fee-~~
13 ~~related matters.~~The guideline-policy contents include general and specific provisions for:
14 ~~maintenance-in-state tuition (sometimes referred to as maintenance fees)~~fees; out-of-state
15 tuition; debt service fees; student activity; miscellaneous and incidental fees; deposits; and
16 refunds; payment of fees and enrollment of students.

17 ~~These guidelines~~The policy supersedes all previous fee and refund guidelines/policies, and may
18 be revised by action of the Tennessee Board of Regents or the Chancellor. Exceptions to the
19 guidelines-policy may be made by the Chancellor upon written request by a president.

20 Guideline

21 I. General Provisions

22 A. Establishment of Fees and Charges

- 23 1. The Tennessee Board of Regents must establish or approve all institutional fees and
24 charges unless ~~specific exceptions are provided~~authority has been delegated to the
25 chancellor or presidents. ~~The Board has adopted a practice of approving changes in~~
26 ~~non-mandatory fees and charges one time per year at the March Board meeting and~~
27 ~~maintenance fees and mandatory fees when the annual operating budgets are~~
28 ~~considered. This is usually at the regular June meeting of the Board.~~
29 2. The institution president is responsible for the enforcement and collection of all fees
30 and charges. Fees and charges which specifically do not require Board approval
31 must receive formal approval by the ~~chancellor~~, president or designee as applicable-
32 (see section VI for pass-through charges).

- 33 3. Institutions should attempt to follow a general format in publishing information on
34 fees and charges, including but not limited to the following:
- 35 a. All statements which include the fee amount should be complete and specific
36 enough to prevent misunderstanding by readers.
 - 37 b. When a fee is quoted, the refund procedures should be clearly stated. If there
38 are qualifying conditions for refunds, those conditions also should be stated. If
39 there is no refund, it should be labeled as non-refundable.
 - 40 c. Whenever possible, specific dates related to the payment of fees and the refund
41 procedures should be stated.
 - 42 d. It should be made clear that all fees are subject to change at any time.

43 ~~B. Approval of Exceptions~~

- 44 ~~1. In accordance with thisthese guidelinespolicy, the president of an institution or~~
45 ~~designee has the authority to determine the applicability of certain fees, fines,~~
46 ~~charges, and refunds, and to approve exceptions in instances of unusual~~
47 ~~circumstances or for special groups.~~
- 48 ~~2. All such actions should be properly documented for auditing purposes.~~

49 ~~C. Appeals Process~~

- 50 ~~1. An appeals process should be established by each institution, and communicated to~~
51 ~~students, faculty, and staff.~~
- 52 ~~2. The process should provide for final appeal to the president or designee.~~
- 53 ~~3. Separate appeals processes may exist for different types of fees, charges, and~~
54 ~~refunds.~~

55 ~~D. Payment of Student Fees~~

- 56 ~~1. As provided in the Tennessee Board of Regents Policy on Payment of Student Fees~~
57 ~~and Enrollment of Students (No. 4:01:03:00):~~
 - 58 ~~a. An applicant for admission to an institution will be considered and counted as a~~
59 ~~student when all assessed fees have been paid in cash, when the initial~~
60 ~~minimum payment due under the deferred payment plan has been paid, or when~~

61 ~~an acceptable commitment from an agency or organization approved by the~~
62 ~~institution has been received by the institution.~~

63 ~~b. An applicant shall possess an acceptable commitment when they have timely~~
64 ~~submitted an application(s) for financial aid with the reasonable probability of~~
65 ~~receiving such.~~

66 ~~2. Pursuant to the above condition, institutions with a continuous registration process~~
67 ~~must require payment of all applicable fees or payment of the initial minimum~~
68 ~~payment due under the deferred payment plan prior to the regular registration period~~
69 ~~as defined by each institution.~~

70 ~~a. Students who do not prepay all fees or have an acceptable approved financial~~
71 ~~aid deferment will forfeit pre-registration privileges and must enroll under the~~
72 ~~normal registration process.~~

73 ~~3. A prepayment plan to assist parents and students with planning and budgeting their~~
74 ~~academic year expenses is authorized.~~

75 ~~a. Under the plan, students may choose the expenses they wish to prepay~~
76 ~~including tuition, and fees.~~

77 ~~b. Expenses can be prepaid over a period of eight months.~~

78 II. Maintenance FeesIn-State Tuition

79 A. Description of Fees

80 1. ~~The Maintenance Fee~~In-state tuition is a charge to in-state students enrolled in
81 credit courses. ~~This is the in-state portion of tuition that is charged to all in-state and~~
82 ~~out-of-state students.~~ It is an enrollment or registration fee and is calculated based
83 on the number of Student Credit Hours (SCH's) ~~for two-year institutions~~community
84 ~~colleges~~ or student contact hours for colleges of applied technology for which the
85 student enrolls. ~~TCAT students who enroll concurrently in two or more~~
86 ~~programs/classes will be assessed fees appropriate to the number of contact hours~~
87 ~~scheduled to attend in each program/class.~~ Fees are established by the Tennessee
88 Board of Regents.

89 2. The ~~same fee charge~~ is applicable to courses for which the student is enrolled on an
90 audit basis.

91 B. Rates

92 1. Rates are established by the Board and incorporated in a fee schedule. The hourly
93 rate will be discounted when ~~undergraduate community college~~ students enroll in
94 greater than 12 hours ~~stated otherwise elsewhere in this guideline.~~

95 ~~2. Developmental courses are charged at the two-year institution hourly rate. If a
96 student enrolls in both regular and developmental courses, the rates shall be
97 assessed at the hourly rate for each up to the current amount of 12 undergraduate
98 hours. The discounted tuition rate will then apply to any additional courses.~~

99 ~~—For institutions community colleges with multiple summer sessions, maintenance
100 fee tuition and out of state tuition may be assessed by using the current part-time
101 rate with no maximum amount for total credit hours enrolled.~~

102 ~~For TCATS~~

103 ~~Secondary Students (Public Schools)~~

104 ~~The TCAT will follow the established current fee schedule that is specific to secondary students
105 (public schools) unless there are extenuating circumstances that would warrant a special rate
106 which would be negotiated by the president.~~

107 ~~Secondary Students (Non-Public Schools)~~

108 ~~Students enrolled in state recognized home schools or private schools will be assessed
109 fees in accordance with the current fee schedule.~~

110 ~~3.2.~~

111 ~~4.3. Maintenance fees, in-state tuition~~ may not be waived. However, specific exceptions

112 are provided in the following instances:

- 113 a. Pursuant to T.C.A. § 49-7-113, exceptions exist for certain disabled and elderly
114 students, as well as state service retirees. For audit courses, ~~no fee~~ no tuition or
115 mandatory fee is required for persons with a permanent, total disability, persons
116 60 years of age or older and domiciled in Tennessee and persons who have

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117 retired from state service with 30 or more years of service, regardless of age.
118 For courses taken for credit, a fee of \$70 per semester ~~or \$60 per trimester~~ may
119 be charged to persons with a permanent, total disability, and persons who will
120 become 65 years of age or older during the academic semester in which they
121 begin classes and who are domiciled in Tennessee. (Note: This fee includes all
122 mandatory fees (including but not limited to debt service, student activity,
123 general access, SGA, technology access, ~~campus access~~ program service,
124 sustainable campus, and international education); it does not include ~~course-~~
125 ~~specific fees such as all miscellaneous course fees, materials fees, application~~
126 ~~fee, online course fees and parking fees~~ any other non-mandatory fees.) ~~No~~
127 ~~regular full tuition paying student shall be denied enrollment in a course because~~
128 ~~this waiver. This only applies to enrollment on a space available basis, which~~
129 ~~permits registration no earlier than four (4) weeks prior to the first day of classes.~~

- 130 b. Pursuant to T.C.A. § 49-7-102, certain statutory fee exceptions exist for
131 dependents and spouses of military personnel killed, missing in action, or
132 officially declared a prisoner of war while serving honorably as a member of the
133 armed forces during a period of armed conflict. If these provisions are invoked
134 by a student, the correct applicable law should be determined and followed.

135 5.4. Military reserve and national guard personnel who are mobilized to active military
136 service within six months of attendance at a TBR institution and whose mobilization
137 lasts more than six months shall be charged upon re-enrollment at such institution
138 the tuition, ~~maintenance fees~~, student activity fees and required registration or
139 matriculation fees that were in effect when such student was enrolled prior to
140 mobilization. After re-enrollment, no increase in tuition, ~~maintenance fees~~, student
141 activity fees or required registration or matriculation fees shall be assessed to such
142 student until a period of time equal to one year plus the combined length of all
143 military mobilizations has elapsed. In no event, however, shall a student's tuition and
144 fees be frozen after re-enrollment for more than four years.

- 145 a. To be eligible for the tuition and fee freeze, the student shall have completed
146 military service under honorable conditions and shall re-enroll in a TBR
147 institution within six months of release from active duty.
- 148 b. A student eligible for the tuition and fee freeze may transfer from one state
149 institution of higher education to another state institution of higher education one
150 time with such student's tuition and fees calculated at the institution to which the
151 student transfers as if the student had been in attendance at that institution
152 before the mobilization that resulted in the student's tuition and fee freeze at the
153 initial institution.

154 C. Accounting Treatment

- 155 1. A revenue account for ~~Maintenance Fees~~in-state tuition is used to record both the
156 revenue assessed and refunds made.
- 157 2. As provided in GASB Statements 34 and 35, summer school revenues and
158 expenditures must be accrued at fiscal year-end. Summer school activity will not be
159 allocated to only one fiscal year.
- 160 3. In some ~~eases~~cases, full fees are not assessed to students. These occur when
161 statutes establish separate rates for such groups as the disabled, elderly, and
162 military dependents. The difference between normal fees and special fees is not
163 assessed. Fees not assessed in these cases do not represent revenue. For
164 administrative purposes the fees may be calculated and credited to revenue, then
165 written off against a contra revenue account.
- 166 4. Agreements/contracts may be executed with a third party (federal agency,
167 corporation, institution, etc.), but not with the individual student, to deliver routine
168 courses at a fixed rate or for the cost of delivering the course and may provide for
169 fees not to be charged to individual students. Individual student fees will be
170 assessed as usual and charged to the functional category Scholarships and
171 Fellowships. The amount charged to or paid by the third party is credited to the
172 appropriate Grants and Contracts revenue account.

173 5. In some cases a non-credit course provides an option to grant regular credit. If a
174 separate (or additional) fee is collected because of the credit, that amount is
175 reported as Maintenance Fee revenue.

176 6. Full-time employees of the Tennessee Board of Regents, the Locally Governed
177 Institutions (LGIs), and the University of Tennessee systems may enroll in one
178 course per term at any public postsecondary institution, with feestuition and
179 mandatory fees waived for the employee. No tuition paying student shall be denied
180 enrollment in a course because of enrollment of TBR, LGI, and UT employees.

181 5.7. Spouses and dependents of employees of the Tennessee Board of Regents system
182 may be eligible for a student feetuition and mandatory fee discount for
183 undergraduate courses at Tennessee Board of Regents institutions, the LGIs, and
184 the University of Tennessee.

185 ~~6. Full-time employees of the Tennessee Board of Regents and the University of~~
186 ~~Tennessee systems may enroll in one course per term at any public postsecondary~~
187 ~~institution, with fees waived for the employee.~~

188 ~~No tuition paying student shall be denied enrollment in a course because of~~
189 ~~enrollment of TBR and UT employees.~~

190 ~~a. Spouses and dependents of employees of the Tennessee Board of Regents~~
191 ~~system may be eligible for a student fee discount for undergraduate courses at~~
192 ~~Tennessee Board of Regents institutions and the University of Tennessee.~~

193 7. Tennessee Board of Regents institutions exchange funds for tuition ~~fees and~~
194 ~~mandatory fee discounts~~ of employees' spouses and dependents who participate in
195 a Tennessee Board of Regents educational assistance program. This also applies to
196 exchanging of funds for maintenance feetuition discounts between Tennessee
197 Board of Regents institutions, the LGIs, and the University of Tennessee
198 institutions.

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199 8. ~~To the extent they are not reimbursed by the State,~~ Fee waivers for full-time State
200 employees and fee discounts to children of certified public school teachers shall be
201 accounted for as a scholarship.

202 III. Out-of-State Tuition (community colleges only)

203 A. Description of Fee

- 204 1. ~~This is an additional fee~~Out-of-State Tuition is charged to students classified as non-
205 residents who are enrolled for credit courses, including audit courses. ~~This fee is in~~
206 ~~addition to the maintenance fee.~~
- 207 2. Out-of-state tuition fee rates are established by the Tennessee Board of Regents
208 and are incorporated in the annual fee schedule.
- 209 3. Applicability of out-of-state tuition is determined pursuant to Tennessee Board of
210 Regents Policy on Regulations for Students In-State and Out-of-State for the
211 Purpose of Paying College Fees and Tuition and for Admission Purposes (No.
212 ~~3:05:01:00~~). The business office will collect fees based upon student classification
213 as determined by the appropriate authority within the institution.

214 B. Accounting Treatment

- 215 1. A revenue account for out-of-state tuition is used for recording both credits for fees
216 and debits for refunds.
- 217 2. Other accounting is the same for out-of-state tuition as that outlined under
218 ~~Maintenance Fees in state tuition~~ except that separate out-of-state accounts are
219 used.
 - 220 a. In the case of fees not collected from students under grants and contracts, the
221 same expense account under Scholarships and Fellowships may be used.

222 IV. eRate (community colleges only)

223 A. Description of Fee

- 224 1. The eRate is available to students who enroll at TBR institutions, who are classified
225 as non-residents of Tennessee, and who are enrolled exclusively in online or other
226 remote delivery courses.

- 227 2. The eRate is 150% of the institution's approved ~~undergraduate maintenance fee in-~~
228 ~~state tuition rate.~~
- 229 3. The hourly rate will not be discounted for students receiving the eRate and enrolling
230 in greater than 12 ~~undergraduate~~ hours.
- 231 4. To qualify for an eRate, students must:
- 232 a. Meet all institution admission requirements and must
- 233 b. Be verified and documented by the institution as an online out-of-state student
234 enrolled exclusively in courses delivered exclusively online or by other remote
235 delivery methods by a procedure documented by the institution.
- 236 c. Out-of-state students must both be classified as an out-of-state student and be
237 physically living outside the state of Tennessee. in item 2. above refers to
238 geographic location and does not include undocumented-Undocumented
239 students living in Tennessee do not qualify for the eRate.-
- 240 5. Students enrolled in any type courses ~~other than online (on-ground, telecourse,~~
241 ~~distance education, etc.)with an on-ground, in Tennessee component~~ will not be
242 eligible for the eRate specified in this guideline and will instead incur traditional ~~non-~~
243 ~~resident fees~~out-of-state tuition and ~~charges~~fees.
- 244 a. Students who enroll in both online or remote delivery courses and ~~other type on-~~
245 ~~ground in Tennessee~~ courses and subsequently drop the ~~other type on-ground~~
246 courses will not then become eligible for the eRate.
- 247 ~~6. Institutions enrolling eRate students as defined in this guideline must provide a~~
248 ~~method to mitigate any negative impact on the opportunity for Tennessee student~~
249 ~~enrollment in online courses.~~
- 250 B. Accounting Treatment
- 251 1. The eRate ~~is comprised of the maintenance fee and a 50% markup that represents~~
252 ~~the out-of-state tuition portion~~ fee will be recorded as out-of-state tuition.
- 253 ~~2. The maintenance fee and the out-of-state tuition should each be recorded as~~
254 ~~outlined in sections II and III above.~~

255 V. Mandatory Fees

256 Mandatory fees are generally fees to support various programs that are assessed to all
257 enrolled students and are not course dependent.

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258 V.A. Debt Service Fees

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259 A.1. The amount of debt service fees will be approved by the Tennessee Board of
260 Regents. Separate rates are recommended by each institution based on
261 requirements of the institution.

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262 ~~B. For simplicity of administration and communication, institutions may combine debt~~
263 ~~service with maintenance fees in quoting fee rates, in fee billings and charges, and~~
264 ~~in making refunds.~~

265 ~~C.2.~~ Revenue from debt service fees will be recorded in the unrestricted current fund
266 and then transferred to the retirement of indebtedness fund, ~~as either a mandatory~~
267 ~~transfer or a non-mandatory transfer. The portion of debt service fee revenue used~~
268 ~~for current year debt service will be reported as a mandatory transfer. Any~~
269 ~~additional debt service fee revenue will be transferred to the retirement of~~
270 ~~indebtedness fund as a non-mandatory transfer.~~

271 ~~D.3.~~ At the conclusion of the debt retirement for a given project, the debt service fee
272 attributed to the project will cease. Any new project requires the approval of a new
273 debt service fee on its own merits without the reallocation of any existing fee. Any
274 continuation of fees necessary for renewal and replacement of a project for which
275 the debt is totally retired must be approved for that purpose by the Tennessee
276 Board of Regents.

277 V.B. Student Activity Fees

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278 ~~A. A student government activity fee may be established pursuant to~~
279 ~~T.C.A. § 49-8-109. Any increase in this fee shall be subject to a~~
280 ~~referendum for student body approval or rejection. The fee will be~~

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281 ~~administered in accordance with the provisions adopted by each~~
282 ~~institution. These fees will be restricted current funds additions. These~~
283 ~~fees are refundable on the same basis as maintenance fees or as~~
284 ~~established by the institution.~~

285 1. Student activity fees (other than student government activity fees) will ← **Formatted**

286 be approved by the Tennessee Board of Regents. Such fees may be recommended
287 by each institution based on facilities and services to be provided which are related
288 to the activity fee. These services include but are not limited to access to all social,
289 athletic, and cultural functions sponsored by the school. Per TCA 49-8-109, these
290 services are available to any student upon the payment of the regular activity fee.

291 A portion of the student activity fee (and/or tuition) may be allocated to the student ← **Formatted: Indent: Left: 0.81", First line: 0"**
292 government association (SGA) and recorded in the restricted fund as an SGA fee.
293 A referendum providing for an increase in that portion of the student activity fee
294 (and/or tuition) received by the student government association may be held for
295 student body approval or rejection. Per TCA 49-8-110, the referendum shall be
296 held at the election for student government association offices and shall be on the
297 ballot with the candidates for the offices. The referendum shall be held if the
298 student government association legislative body votes to hold such a referendum
299 and if the appropriate college administrative body approves the decision to hold a
300 referendum. In the event a majority of the students voting in the election approve
301 the question submitted in the referendum, then that portion of the student activity
302 fee allocated to the student government association shall be increased by the
303 amount approved subject to the board's approval. The increased portion shall be
304 used for student projects, student activities and student scholarships. The uses
305 shall be approved by the appropriate administrative body of the college designated
306 to supervise and advise the student government association.

307 ~~B. These fees~~The student activity fee portion will be unrestricted
308 current funds revenues. These fees are refundable on the same basis as
309 ~~maintenance fees~~tuition or as established by the institution.

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310 VII.C. Technology Access Fees

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311 A.1. A fee shall be levied by each institution for the purpose of providing student
312 access to computing and similar technologies. It is refundable on the same basis as
313 ~~maintenance fees~~tuition or as established by the institutions. Institutions shall
314 establish expenditure accounts and designated revenue accounts for purposes of
315 recording technology access fees and expenditures.

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316 B.2. Use

317 ~~1. Technology Access Fees (TAF) are composed of two pools. Pool~~
318 ~~1 represents the TAF prior to FY 1997-98 when it did not exceed \$30~~
319 ~~annually. Pool 2 represents the difference between the current TAF rate~~
320 ~~and the pre 1997-98 TAF rate. Items 2 and 3 below shall apply to use of~~
321 ~~Pool 2 TAF funds.~~

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322 ~~2.~~ The TAF should be used by TBR institutions for direct student
323 benefit, for items such as new and improved high technology laboratories
324 and classrooms, appropriate network and software, computer and other
325 equipment, and technological improvements that enhance instruction.
326 Use ~~of Pool 2 of TAF funds includes but is not limited to~~ is limited to the
327 following items:

- 328 a. Computers and other technical laboratory supplies,
329 equipment, and software and maintenance.
330 b. Network costs (~~WWW internet~~internet service, interactive
331 video, etc.)

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- c. "Smart" or multimedia classroom equipment and classroom modifications.
- d. Lab and course staffing - student and staff assistance for lab and classroom uses; community colleges are limited to 25% maximum (~~Pool-of-2~~ current-year TAF revenues) for student or staff employees.
- e. Renewal and replacement reserves as necessary.
- f. New machines for faculty use when faculty are actively engaged in developing and conducting on-line courses.
- g. Faculty and staff development directly related to the introduction or application of new technology which impacts students. These guidelines should have the flexibility to place instructional technology in a faculty lab where course materials are being prepared. For example, TAF funds can be used to create faculty labs to include the purchase of computers and to conduct faculty training and course development. (Travel costs for faculty and staff are excluded; however, consultants may be hired as needed for training.)
- h. Infrastructure (wiring, network, servers, etc.) necessary to provide students maximum computing capability. A ceiling is established of 50% of the total project costs from which technology access fees can be used.
- i. Expand technology resources in library, i.e., video piped anywhere on campus, interactive video room for distance education, network for web video courses.

~~3. As part of the July budget process, each institution shall prepare a detailed spending plan for the use of funds generated by the TAF. Prior to~~

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360 submission of July budgets, the Chancellor or his designee shall
361 randomly select 25% of institutions for review of TAF spending plans.
362 Each institution selected shall submit their TAF spending plan as part of
363 their July budget. These spending plans shall be reviewed by the
364 Chancellor or his designee for compliance with TAF use guidelines and
365 Board policy. A report of this review shall be filed with the Board.
366 4. The spending plan will be maintained by the institution and will be
367 updated throughout the year as needed. The President shall ensure that
368 the spending plan is prepared. At the end of the fiscal year, a summary of
369 the actual money generated and actual use of the money shall be
370 prepared and maintained by the institution.

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371 — Compliance with these guidelines will be audited by the internal audit staff and
372 reported to the Board as determined by the internal auditor's annual risk-based
373 planning process or other appropriate means.

374 —
375 D. Campus Access Program Services Fee
376 1. This includes support for application to the college, change of course processing,
377 transcript processing, graduation ceremonies, parking facilities, etc. — At
378 institutions where registration of specific vehicles is not necessary a campus
379 access fee may be assessed in lieu of a motor vehicle registration fee. It is
380 refundable on the same basis as maintenance fees, tuition, or as established by
381 the institution.

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382 E. Sustainable Campus Fee
383 1. This supports campus environmentally sustainable efforts and initiatives. See
384 TBR Guideline B-065, Sustainable Campus Fee Program for program
385 requirements.

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386 F. International Education Fee

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- 1. The amount of the International Education Fee will be approved by the Tennessee Board of Regents. Separate rates are recommended by each institution based on requirements of the institution.
- 2. International Education Fee Usage Per TBR Policy 2.08.10.00
 - a. Recognizing the need for flexibility while maintaining accountability, the TBR has established the optional assessment of an international education fee to be paid by each student enrolled in the institutions.
 - b. Individual institutions have authority to allocate funds to activities in support of globalization efforts for the campus, including international professional development of the faculty.
 - c. Institutions should use a portion of the revenue generated through the internationalization fee for study abroad scholarships.
 - d. Individual institutions are responsible for establishing an infrastructure to determine the allocation of the international education fees collected from students to promote internationalization at the home institution. The infrastructure should include student representation or input received from the entire study body.
 - e. Employee Compensation/Benefits provided by Program Abroad
 - i. An allocation of salary and benefit costs for those involved in providing direct support for international programs are allowable but should be controlled and kept to a minimum.
 - ii. Faculty engaged in directing or teaching study abroad courses receive remuneration from their home institutions. Direct instructional cost should be charged to the appropriate departmental budget and not to the international education fee budget.

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~~VIII.VI.~~ Specialized Academic Program Fees

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A. 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. To receive approval for a specialized academic fee, a program will be required to meet criteria 1., High Cost of Instruction as defined below. Additionally, the program should preferably document meeting criteria 2.-7. ~~as well if applicable.,-as applicable.~~

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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 institution. If appropriate, the extraordinary cost of the program must be validated including benchmarking with similar programs in the region and nation.

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2. High Demand. The number of students enrolled in the program and the student credit hours generated are sufficient to justify additional fees.

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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.

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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.

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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

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442 program must-should demonstrate that it has achieved exceptional recognition in its
443 particular enterprise.

444 6. High Value to Tennessee. The program must-should demonstrate that it is a good
445 investment for the State of Tennessee to justify charging extra fees to the student.
446 The program should be distinctive and not one duplicated in other TBR institutions
447 and should be of integral value to Tennessee.—The graduates' earning potential and
448 the associated benefit to the state economy should be projected, as well as the
449 efforts taken by the institution to aid graduates in finding appropriate employment in
450 Tennessee.

451 7. Impact on Affected Students. Through surveys, questionnaires, or other suitable
452 means, the program must-should demonstrate that the charging of additional fees
453 will not diminish enrollment. The program should demonstrate that enrolled students
454 realize that the potential earning power in the work force justifies their additional
455 investment.

456 B. Institution must submit documentation of the above applicable criteria when requesting
457 approval of a specialized academic fee. Specialized academic course fee revenues are
458 limited to funding related costs accumulated in the instruction function.

459 ~~IX~~.VII. Miscellaneous Course Fees

460 ~~A.~~ All miscellaneous fees must be approved by TBR. Fees for courses requiring special off-
461 campus facilities or services do not require Board approval but should reflect the cost of the
462 facilities or services. Fees for courses requiring materials or services that are required or
463 recommended by faculty and are a direct pass-through of the actual cost charged by a third-
464 party provider may be approved by the chancellor and do not require Board approval.
465 Examples include but are not limited to state board nursing exam preparatory programs,
466 industry certification exam fees, etc. Fees approved by the chancellor will be provided to
467 the Board as an interim action item.

468 ~~X~~.VIII. Incidental Fees and Charges

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469 A. Uniform Rates and Policies - Institutions
470 4. The following fees will be uniformly charged (or, if applicable, to the extent that
471 they remain within the set range) at all institutions both as to the amount and
472 condition of assessment. Charges are subject to approval by the Tennessee Board
473 of Regents.

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474 a. Application Fee:

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475 ~~a. Undergraduate Not less than \$5.00 or more than \$25.00.~~

476 B. All Institutions

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477 1. Returned Check Fee: \$30.00 per check - nonrefundable. All institutions will charge a
478 returned check fee that is the maximum set by state law. This fee will apply to all
479 returned checks received by the institution, whether from students, faculty, staff, or
480 other parties. The Board will review state statutes each spring to determine any
481 changes. (T.C.A. § 47-29-102)

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482 ~~4.2. Prior Learning Assessment (PLA) fee: \$25 (non-refundable). This fee, also~~
483 ~~known as credit by exam fee, will be assessed at the rate of \$25 per exam,~~
484 ~~regardless of the number of credit hours awarded. Prior learning assessment~~
485 ~~standards were developed by the Tennessee Prior Learning Assessment Task~~
486 ~~Force and adopted by the TBR and UT Systems.~~

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487 C. Colleges of Applied Technology

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488 ~~1. Each college of applied technology will assess a nonrefundable fee for individual~~
489 ~~instructional projects pursuant to a schedule approved by the Tennessee Board of~~
490 ~~Regents.~~

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491 D.B. Other Fees and Charges Subject to Board Approval

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492 1. All Institutions

493 a. The following fees may be assessed by all institutions. Specific rate
494 recommendations will be developed separately by each institution for approval
495 by the Tennessee Board of Regents. In review of the recommendations, the

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496 Board staff will consider the consistency of fees for comparable services among
497 institutions.

498 ~~a.i.~~ Motor Vehicle Registration - nonrefundable. A fee may be levied by each
499 institution per academic year, per fiscal year and/or per academic term for
500 motor vehicle registration. ~~The fee may be assessed to faculty and staff,~~
501 and such fee shall be applicable to each student, faculty and staff member.

502 ~~b.i. Campus Access Fee - At institutions where registration of specific vehicles is~~
503 ~~not necessary a campus access fee may be assessed in lieu of a motor~~
504 ~~vehicle registration fee. It is refundable on the same basis as maintenance~~
505 ~~fees or as established by the institution.~~

506 ~~e.ii.~~ Traffic Fines - nonrefundable. These fines will apply to all employees and
507 students.

508 ~~d.iii.~~ Applied Music Fees. This fee is charged for private music lessons or small
509 group training sessions. It is refundable on the same basis as ~~maintenance~~
510 feestuition or as established by the institution.

511 iv. Late Registration Fee. A late registration fee up to \$100 will be charged
512 during the entire period of late registration. The effective date of the fee will
513 be determined by each institution.

514 ~~e.v.~~ Transcript Fee. There will be no charge for transcripts; however, institutions
515 shall set a limit on a reasonable number of copies at any one time and may
516 establish a nonrefundable charge for the cost of copying transcripts in
517 excess of that number.

518 ~~f.~~ Facilities Fee. This fee will be used to improve facilities and fund
519 expenditures such as replacing carpets in student lounges, remodeling
520 classrooms, etc. The fee would not be used for routine maintenance or new
521 construction, but would be used to make improvements to areas that have
522 an impact on students. The intended projects will be disclosed during the

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normal budget cycles. The fee is refundable on the same basis as maintenance fees.

2. All Institutions and Colleges of Applied Technology

a. ~~Transcript Fee. There will be no charge for transcripts; however, institutions and colleges of applied technology shall set a limit on a reasonable number of copies at any one time and may establish a nonrefundable charge for the cost of copying transcripts in excess of that number.~~

3.2. Fees and Charges to be Established and Administered by the Institution.

a. The following fees and charges may be established and administered by each institution. No specific approval or notification to the Tennessee Board of Regents will be required unless subject to other Board or State requirements. The institution will establish appropriate refund policies.

~~i.~~ Sales of goods and services of a commercial nature, including bookstores (including digital textbook costs assessed on the student's account), food services, vending, laundry and similar activities. 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 guidelines.

a-3. Rental of ~~non-student housing and~~ facilities. 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. [Reference Tennessee Board of Regents Policy on Access to and Use of Campus Property and Facilities (No. 1.03.02.50).]

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547 ~~b.4.~~ Admissions fees to athletic and other events open to the public, including
548 special events sponsored by campus organizations and activities.

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549 ii. Sales and services of educational activities such as clinical services,
550 publications, etc.

551
552 5. Registration for conferences, institutes, and non-credit activities ~~(see~~
553 ~~XIII.A.4.)~~. Fees established for non-credit courses and activities shall at a
554 minimum be sufficient to cover the total costs incurred in providing
555 instruction and may be influenced by current market rates for comparable
556 courses or training.

557 e.

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558 d.6. Fees for use of campus facilities for recreational purposes.

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559 e.7. Parking permits and parking meters for use by guests and visitors.

560 f. ~~Colleges of Applied Technology may assess a fee for specific school~~
561 ~~instructional projects to defray incidental costs incurred by the college of~~
562 ~~applied technology in performing the project.~~

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563 g.8. ~~Nonrefundable~~ Library fines, which will apply to students, faculty, staff,
564 and other library users.

565 h.9. Child Care Fees - Kindergarten, Preschool, Early Childhood, Day Care, or
566 similarly defined activities. The refund policy will be established by the
567 institution.

568 i.10. Special Exam Fee and Standardized Test Fees - nonrefundable. The fee
569 will be determined based upon cost to the institution.

570 j. ~~Standardized Test Fees~~ - nonrefundable. ~~The fee will be determined based~~
571 ~~upon the cost for administering the tests.~~

572 11. Identification Card Replacement - nonrefundable. There will be no charge
573 for the original identification card. A fee may be set by each institution to

574 offset the cost of replacing the card. This fee applies only to student ID cards
575 and not to faculty and staff ID's.

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577 ~~k.~~
578 ~~iii.~~ Change of Course or Section Fee - nonrefundable. If the change is caused
579 by the institution, there will be no charge for the change. If two or more forms
580 are used at one time, they will be treated as one change/form. Institutions
581 may waive the fee for schedule changes.

582
583 12. Deposits-Breakage deposits may be required by the institution for courses or
584 items in which it can be shown that there is a reasonable chance of loss or
585 damage to items issued to students. The amount of the deposit should be
586 related to the materials issued and subject to a 100% refund.
587 ~~XI. Deposits~~

588 ~~A. Breakage deposits may be recommended by the institution for Board~~
589 ~~approval for courses in which it can be shown that there is a reasonable~~
590 ~~chance of loss or damage to items issued to students. The amount of the~~
591 ~~deposit should be related to the materials issued and subject to a 100%~~
592 ~~refund.~~

593 ~~B. Also, a~~ deposit may be established by the institution for rent or lease of
594 buildings and facilities or for the issuance of other institutional property or
595 equipment. Deposits should be subject to a 100% refund if no damage or
596 loss occurs. The amount of such deposits should be related to the value of
597 the facilities or equipment subject to loss and the general ability of the
598 institution to secure reimbursement should loss or damage occur.

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599 VIII. Other Fee and Charge Considerations

600 A. Institutions may submit for Board of Regents approval fees and charges not specifically
601 covered by those guidelines when the establishment of a fee or charge is justified by
602 the institution.

603 ~~A.B. When fees and charges are incorporated in agreements with outside contractors and
604 vendors, specific rates, refunds and conditions must be clearly stated.~~

605 ~~1. Fees may be established to control the utilization of facilities and services or to
606 offset the cost of extraordinary requirements as a result of specific programs or
607 activities. [Reference Tennessee Board of Regents Policy on Access to and Use of
608 Campus Property and Facilities (No. 1:03:02:50).]~~

609 ~~2. When fees and charges are incorporated in agreements with outside contractors
610 and vendors, specific rates, refunds and conditions must be clearly stated.~~

611 ~~3. Fees for auxiliary services must take into consideration that Auxiliary Enterprises
612 should be a break-even operation with rates and charges generating revenue
613 sufficient to cover all expenses as defined in operating budget guidelines.~~

614 ~~4. Fees established for non-credit courses and activities shall be sufficient to cover the
615 total costs incurred in providing instruction plus a minimum of 25% of the annual
616 instructional salary costs including contractual salary costs or personal services
617 contracts.~~

618 ~~5. Students enrolled for six or more hours are eligible for full-time privileges, i.e.,
619 access to social, athletic, and cultural functions, pursuant to T.C.A. § 49-8-109.~~

620 IX. Refunds and Fee Adjustments

621 A. Adjustments to all fees and charges must be in accordance with the following provisions
622 except as previously stated, or when required by federal law or regulation to be
623 otherwise.

624 B. Pursuant to T.C.A. §§ 49-7-2301 and 49-7-2302, students called to active military or
625 National Guard service during the semester are entitled to a 100% adjustment or credit
626 of mandatory fees.

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627 C. ~~Maintenance Fee~~Tuition Refunds and Adjustments (community colleges)

- 628 1. Refunds are 100% for courses canceled by the institution.
- 629 2. Changes in courses involving the adding and dropping of equal numbers of SCH's
630 for the same term at the same time require no refund or assessment of additional
631 ~~maintenance fees~~tuition, unless the dropping and adding involves TNeCampus
632 courses. ~~The change of course fee would be applicable.~~
- 633 3. The fee adjustment for withdrawals or drops during regular terms (fall and spring) is
634 75% from the first day of classes through the fourteenth calendar day of classes and
635 then reduced to 25% for a period of time which extends 25% of the length of the
636 term. When the first day of the academic term falls on a Saturday, the 100% refund
637 period is extended through the weekend until the following Monday morning (12:01
638 am). There is no fee adjustment after the 25% period ends. Dropping or withdrawing
639 from classes during either the 75% or the 25% fee adjustment period will result in a
640 fee adjustment of assessed ~~maintenance fees~~tuition based on the total credit hours
641 of the final student enrollment.
- 642 4. For summer sessions and other short terms, the 75% fee adjustment period and the
643 25% fee adjustment period will extend a length of time which is the same proportion
644 of the term as the 75% and 25% periods are of the regular terms.
- 645 5. All fee adjustment periods will be rounded to whole days and the date on which each
646 fee adjustment period ends will be included in publications. In calculating the 75%
647 period for other than the fall and spring and in calculating the 25% length of term in
648 all cases, the number of calendar days during the term will be considered. When the
649 calculation produces a fractional day, rounding will be up or down to the nearest
650 whole day.
- 651 6. A full refund (100%) is provided on behalf of a student whose death occurs during
652 the term. Any indebtedness should be offset against the refund.

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- 653 7. A 100% refund will be provided for students who ~~enroll under an advance~~
654 ~~registration system but who~~ drop a course or courses prior to the beginning of the
655 first day of class.
- 656 8. A 100% refund will be provided to students who are compelled by the institution to
657 withdraw when it is determined that through institutional error they were
658 academically ineligible for enrollment or were not properly admitted to enroll for the
659 course(s) being dropped. An appropriate official must certify in writing that this
660 provision is applicable in each case.
- 661 9. When courses are included in a regular term's registration process for administrative
662 convenience, but the course does not begin until later in the term, the 75%/25% fee
663 adjustment periods will be based on the particular course's beginning and ending
664 dates. This provision does not apply to classes during the fall or spring terms which
665 may meet only once per week. Those courses will follow the same refund dates as
666 other regular courses for the term.
- 667 10. The fee adjustment is calculated as the difference between (1) the per credit hour
668 cost of originally enrolled hours and (2) the per credit hour cost of the courses at
669 final enrollment after adjustments have been applied for all courses
670 dropped. Adjustments are calculated at the full per credit hour rate less the fee
671 adjustment credit at the applicable fee adjustment percentage (regardless of the
672 original number of hours enrolled). Not all drops/withdrawals will result in fee
673 adjustments.

674 Maintenance Fee Refunds and Adjustments (TCATs)

675 Eligibility for Refunds

676 Change in a full-time student's schedule which results in
677 reclassification to a part-time student.

678 Change in a part-time student's schedule which results in a class
679 load of fewer hours.

680 Voluntary withdrawal of the student from the school.

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- 681 — Cancelation of a class by the school.
- 682 — Death of the student.
- 683 — Students administratively dismissed will not be eligible for refunds.

684 — Calculation of the Refund

685 — Full Refund:

- 686 — 100% of fees will be refunded for classes canceled by the school.
- 687 — 100% of fees will be refunded for drops or withdrawals prior to the first
688 official day of classes.
- 689 — 100% of fees will be refunded in the case of death of the student during the
690 term.

691 — Partial Refunds

- 692 — A refund of 75% may be allowed if a program is dropped or a student
693 withdraws within the first 10% of the class hours.
- 694 — A refund of 50% may be allowed if a program is dropped or a student
695 withdraws within the first 20% of the class hours.
- 696 — No refund may be permitted after 20% of the class hours has been
697 completed.

698 — Processing of Refunds

- 699 — The TCAT will be responsible for determining the amount of
700 student refunds and will process refunds in accordance with TBR
701 policy.
- 702 — Refunds, when due, will be made without requiring a request from the
703 student.
- 704 — Refunds, when due, will be made within 45 days (1) of the last day of
705 attendance if written notification has been provided to the institution by the
706 student, or (2) from the date the institution terminates the student or
707 determines withdrawal by the student.

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709 D. Out-of-State Tuition Refunds and Fee Adjustments
710 1. The fee adjustment provision for out-of-state tuition is the same as that for
711 ~~maintenance fees in-state tuition~~. The 75% fee adjustment period and the 25% fee
712 adjustment period will follow the same dates as the fee adjustment periods for
713 ~~maintenance fees in-state tuition~~. ~~When 100% of maintenance fees are refunded,~~
714 ~~100% of out-of-state tuition also is refunded. Calculation procedures are the same~~
715 ~~as those specified for maintenance fees.~~

716 E. Debt Service Fee Refunds

717 ~~E.1. Debt service fees will be subject to the same refund policy as tuition.~~
718 ~~1. Debt service fees will be subject to the same refund policy as maintenance fees.~~
719 ~~_____~~

720 X. Payment of Student Fees and Enrollment

721 A. All assessed fees by an institution governed by the Tennessee Board of Regents are
722 due and payable at the time of registration ~~or at a time set by the institution.~~
723 1. ~~An Community colleges institution~~ may implement deferred payment plans as may
724 be allowed under a TBR guideline and as authorized for the student.

725 B. An individual will be considered enrolled and counted as a student at a TBR institution
726 when:
727 1. all assessed fees have been paid (unless otherwise noted in policy); or
728 2. the initial minimum payment due under any deferred payment plans has been paid;
729 or
730 3. an acceptable commitment from an agency or organization approved by the
731 institution has been received by the institution.

732 ~~3. _____~~

733 C. An individual shall possess an acceptable commitment when an application(s) for
734 financial aid has been timely submitted with the reasonable probability of receiving such.

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735 ~~1. Agencies or organizations which may be approved by the institution for purposes of~~
736 ~~making acceptable commitments for applicants shall be limited to agencies of the~~
737 ~~federal or state governments authorized to provide financial aid, established~~
738 ~~financial institutions within the state, established in state and out of state~~
739 ~~corporations which employ the applicant, foreign embassies and foreign~~
740 ~~corporations, and other organizations within the state which have previously~~
741 ~~demonstrated the ability to pay the commitment.~~

742 ~~2.1.~~ An acceptable commitment from an agency or organization shall be limited to
743 a commitment which identifies the applicant and promises to pay all unpaid
744 assessed fees for such applicant.

745 ~~2.~~ No commitments from individuals will be accepted on behalf of applicants.

746 D. Pursuant to the above condition, institutions ~~with a continuous registration process~~ must
747 require payment of all applicable fees or payment of the initial minimum payment due
748 under the deferred payment plan or have an acceptable commitment from an agency or
749 organization. Otherwise, institutions must purge students from the class rolls that
750 haven't satisfied the payment requirements.

751 1. At a minimum, two purges for non-payment should occur.

752 2. One purge for non-payment must occur sometime prior to the beginning of
753 classes.

754 3. A final purge ~~should~~ must occur on or before the census date to ensure that
755 only students that have met the payment requirements are reported in the
756 census reports, prior to the regular registration period as defined by each
757 institution.

758 —Students will not be purged for non-payment if the debt owed, whether
759 current debt or prior debt is less than \$100.

760 ~~D.4.~~

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761 ~~E. Students who do not prepay all fees or have an acceptable approved~~
762 ~~financial aid deferment will forfeit pre-registration privileges and must enroll under~~
763 ~~the normal registration process.~~

764 ~~F. A prepayment plan to assist parents and students with planning and~~
765 ~~budgeting their academic year expenses is authorized. Under the plan, students~~
766 ~~may choose the expenses they wish to prepay including tuition, and fees.~~
767 ~~Expenses can be prepaid over a period of eight months.~~

768 ~~1.~~

769 ~~G.E.~~ Notwithstanding any other requirements in policy, there will be no record holds,
770 enrollment holds, or purging of students for non-payment if the debt owed, whether
771 current debt or prior debt, is less than \$100.

772 ~~H.F.~~ All outstanding debts and obligations of \$100 or greater not evidenced by an
773 acknowledgement of debt/promise to pay agreement (see Section IV) or a current
774 semester deferred payment agreement must be fully satisfied by the 14th day purge of
775 the semester.

776 ~~I.G.~~ An individual will not be considered for admission/readmission as a student until all past
777 due debts and obligations of \$100 or greater incurred in prior academic terms, of
778 whatever nature, have been paid, or the student-, if allowable, has entered into an
779 acceptable acknowledgement of debt/promise to pay agreement (see Section IV) with
780 the institution for the past due debts and obligations.

781 ~~J.H.~~ When an individual tenders payment of fees by means of a personal check or credit
782 card, the individual may be considered and counted as a student. If the payment is
783 subsequently dishonored by the financial institution, and the payment is not redeemed in
784 cash, the institution has the option to not consider that student as enrolled for the term.

785 1. At the discretion of the institution, the student may be considered enrolled and will
786 be assessed the applicable returned payment fee, the applicable late registration

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787 fee, and normal collection procedures as prescribed in TBR Guideline B-010
788 (Collection of Accounts Receivable) will be followed.
789 2. Institutions may deny future check writing privileges to students who have paid
790 registration fees with checks that are subsequently dishonored.
791 3. While institutions have discretion in how these situations will be handled, all students
792 must be treated the same at that institution.
793 4. The institutions are authorized, subject to approval by the Board, to establish
794 charges for late registration and/or payments which are returned dishonored, and
795 such charges shall become assessed fees for purposes of admission.

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796 XI. **Records Holds**

797 A. Except as provided in sub-section II. B. hereof, institutions shall not issue diplomas,
798 transcripts, certificates of credit or grade reports until the student involved has satisfied
799 all debts or obligations of \$100 or greater or the debts or obligations are evidenced by
800 notes or other written contracts providing for future payment, such as, but not, limited to,
801 loans authorized under federal or state education or student assistance acts. This does
802 not prohibit the conferring of the degree. Diplomas, transcripts, certificates of credit, and
803 grade reports shall not be withheld for debts that are less than \$100.
804 B. The colleges in the college system of Tennessee shall issue a certificate of credit or
805 official transcript for a student seeking admission to any college in the college system of
806 Tennessee if the student has entered a written agreement (acknowledgement of
807 debt/promise to pay) to satisfy the outstanding debt or obligation owed to the college
808 issuing the certificate of credit or official transcript in the form of Exhibit 1 hereto.
809 1. Any credit or official transcript issued under this subsection shall indicate that it is
810 subject to an outstanding debt to the issuing college.
811 2. The college receiving the certificate of credit or official transcript issued shall not
812 subsequently issue a diploma, certificate of credit or official transcript to that student
813 until it receives proof that the student has satisfied the outstanding debt to the

814 college that issued the certificate of credit or official transcript. This does not prohibit
815 the conferring of the degree.

816 XII. **Enrollment Holds**

817 A. A student must pay any past due debts and obligations owed to the institution incurred
818 in prior academic terms before being permitted to register at the institution unless the
819 debt is less than \$100, or an acknowledgement of debt/promise to pay agreement (see
820 section IV) for the prior debt or obligation has been executed.

821 B. Institutions shall allow enrollment when the outstanding obligation is less than \$100.

822 1. Additionally, all known debts and obligations to the institution incurred during the
823 current term of \$100 or greater must be satisfied prior to a student being allowed to
824 pre-register for any future terms.

825 C. An amount owed under the institution's deferred payment plan for enrollment fees which
826 is not yet due shall not cause an enrollment hold to be applied.

827 D. A student that is currently assigned to a collection agency will be allowed to register if
828 the student signs an acknowledgement of debt/promise to pay agreement in the form of
829 Exhibit 1 hereto that acknowledges they will not receive a diploma, certificate of credit or
830 official transcript (except as provided in II. A and B ^aAbove) until the debt is paid in full.

831 This does not prohibit the conferring of the degree. The student account will not be
832 recalled from the collection agency.

833 XIII. **Acknowledgement of Debt/Promise to Pay Agreement for Prior Debt and Obligations**

834 A. A student who has prior outstanding debt of \$100 or more and was not enrolled in the
835 preceding semester (excluding summer semester) may execute an acknowledgement of
836 debt/promise to pay agreement with the institution.

837 1. The acknowledgement of debt/promise to pay agreement will require that the debt
838 be fully satisfied before a diploma or degree will be issued. However, this does not
839 prohibit the conferring of the degree.

840 2. The acknowledgement of debt/promise to pay agreement will require continuous
841 enrollment.

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1 Fees, Charges, and Refunds

2 Guideline Area

3 Business and Finance Guidelines

4 Applicable Divisions

5 Community Colleges

6 Purpose

7 The purpose of the following policy is to outline significant provisions for consistent
8 administration of fees, charges, refunds, payment of fees and enrollment of students at the
9 institutions governed by the Tennessee Board of Regents. The policy largely represents a
10 consolidation of existing statements and practices. The policy contents include general and
11 specific provisions for: in-state tuition (sometimes referred to as maintenance fees); out-of-state
12 tuition; debt service fees; student activity; miscellaneous and incidental fees; deposits; and
13 refunds; payment of fees and enrollment of students.

14 The policy supersedes all previous fee and refund policies, and may be revised by action of the
15 Tennessee Board of Regents or the Chancellor. Exceptions to the policy may be made by the
16 Chancellor upon written request by a president.

17 I. General Provisions

18 A. Establishment of Fees and Charges

- 19 1. The Tennessee Board of Regents must establish or approve all institutional fees and
20 charges unless authority has been delegated to the chancellor or presidents.
- 21 2. The institution president is responsible for the enforcement and collection of all fees
22 and charges. Fees and charges which specifically do not require Board approval
23 must receive formal approval by the president or designee as applicable (see
24 section VI for pass-through charges).
- 25 3. Institutions should attempt to follow a general format in publishing information on
26 fees and charges, including but not limited to the following:
 - 27 a. All statements which include the fee amount should be complete and specific
28 enough to prevent misunderstanding by readers.
 - 29 b. When a fee is quoted, the refund procedures should be clearly stated. If there
30 are qualifying conditions for refunds, those conditions also should be stated. If
31 there is no refund, it should be labeled as non-refundable.
 - 32 c. Whenever possible, specific dates related to the payment of fees and the refund
33 procedures should be stated.

34 d. It should be made clear that all fees are subject to change at any time.

35 II. In-State Tuition

36 A. Description

37 1. In-state tuition is a charge to in-state students enrolled in credit courses. It is
38 calculated based on the number of Student Credit Hours (SCH's) for which the
39 student enrolls.

40 2. The charge is applicable to courses for which the student is enrolled on an audit
41 basis.

42 B. Rates

43 1. Rates are established by the Board and incorporated in a fee schedule. The hourly
44 rate will be discounted when students enroll in greater than 12 hours.

45 2. For community colleges with multiple summer sessions, tuition may be assessed by
46 using the current part-time rate with no maximum amount for total credit hours
47 enrolled.

48 3. In-state tuition may not be waived. However, specific exceptions are provided in the
49 following instances:

50 a. Pursuant to T.C.A. § 49-7-113, exceptions exist for certain disabled and elderly
51 students, as well as state service retirees. For audit courses, no tuition or
52 mandatory fee is required for persons with a permanent, total disability, persons
53 60 years of age or older and domiciled in Tennessee and persons who have
54 retired from state service with 30 or more years of service, regardless of age.
55 For courses taken for credit, a fee of \$70 per semester may be charged to
56 persons with a permanent, total disability, and persons who will become 65
57 years of age or older during the academic semester in which they begin classes
58 and who are domiciled in Tennessee. (Note: This fee includes all mandatory
59 fees (including but not limited to debt service, student activity, general access,
60 SGA, technology access, program service, sustainable campus, and
61 international education); it does not include any other non-mandatory fees.

62 b. Pursuant to T.C.A. § 49-7-102, certain statutory fee exceptions exist for
63 dependents and spouses of military personnel killed, missing in action, or
64 officially declared a prisoner of war while serving honorably as a member of the
65 armed forces during a period of armed conflict. If these provisions are invoked
66 by a student, the correct applicable law should be determined and followed.

67 4. Military reserve and national guard personnel who are mobilized to active military
68 service within six months of attendance at a TBR institution and whose mobilization
69 lasts more than six months shall be charged upon re-enrollment at such institution
70 the tuition, student activity fees and required registration or matriculation fees that
71 were in effect when such student was enrolled prior to mobilization. After re-
72 enrollment, no increase in tuition, student activity fees or required registration or
73 matriculation fees shall be assessed to such student until a period of time equal to
74 one year plus the combined length of all military mobilizations has elapsed. In no
75 event, however, shall a student's tuition and fees be frozen after re-enrollment for
76 more than four years.

77 a. To be eligible for the tuition and fee freeze, the student shall have completed
78 military service under honorable conditions and shall re-enroll in a TBR
79 institution within six months of release from active duty.

80 b. A student eligible for the tuition and fee freeze may transfer from one state
81 institution of higher education to another state institution of higher education one
82 time with such student's tuition and fees calculated at the institution to which the
83 student transfers as if the student had been in attendance at that institution
84 before the mobilization that resulted in the student's tuition and fee freeze at the
85 initial institution.

86 C. Accounting Treatment

87 1. A revenue account for in-state tuition is used to record both the revenue assessed
88 and refunds made.

- 89 2. As provided in GASB Statements 34 and 35, summer school revenues and
90 expenditures must be accrued at fiscal year-end. Summer school activity will not be
91 allocated to only one fiscal year.
- 92 3. In some cases, full fees are not assessed to students. These occur when statutes
93 establish separate rates for such groups as the disabled, elderly, and military
94 dependents. The difference between normal fees and special fees is not assessed.
95 Fees not assessed in these cases do not represent revenue. For administrative
96 purposes the fees may be calculated and credited to revenue, then written off
97 against a contra revenue account.
- 98 4. Agreements/contracts may be executed with a third party (federal agency,
99 corporation, institution, etc.), but not with the individual student, to deliver routine
100 courses at a fixed rate or for the cost of delivering the course and may provide for
101 fees not to be charged to individual students. Individual student fees will be
102 assessed as usual and charged to the functional category Scholarships and
103 Fellowships. The amount charged to or paid by the third party is credited to the
104 appropriate Grants and Contracts revenue account.
- 105 5. In some cases, a non-credit course provides an option to grant regular credit. If a
106 separate (or additional) fee is collected because of the credit, that amount is
107 reported as tuition revenue.
- 108 6. Full-time employees of the Tennessee Board of Regents, the Locally Governed
109 Institutions (LGIs), and the University of Tennessee systems may enroll in one
110 course per term at any public postsecondary institution, with tuition and mandatory
111 fees waived for the employee. No tuition paying student shall be denied enrollment
112 in a course because of enrollment of TBR, LGI, and UT employees.
- 113 7. Spouses and dependents of employees of the Tennessee Board of Regents system
114 may be eligible for a tuition and mandatory fee discount for undergraduate courses
115 at Tennessee Board of Regents institutions, the LGIs, and the University of
116 Tennessee.

117 Tennessee Board of Regents institutions exchange funds for tuition and mandatory
118 fee discounts of employees' spouses and dependents who participate in a
119 Tennessee Board of Regents educational assistance program. This also applies to
120 exchanging of funds for tuition discounts between Tennessee Board of Regents
121 institutions, the LGIs, and the University of Tennessee institutions.

122 8. Fee waivers for full-time State employees and fee discounts to children of certified
123 public-school teachers shall be accounted for as a scholarship.

124 III. [Out-of-State Tuition](#)

125 A. Description of Fee

- 126 1. Out-of-State Tuition is charged to students classified as non-residents who are
127 enrolled for credit courses, including audit courses.
- 128 2. Out-of-state tuition fee rates are established by the Tennessee Board of Regents
129 and are incorporated in the annual fee schedule.
- 130 3. Applicability of out-of-state tuition is determined pursuant to Tennessee Board of
131 Regents Policy on Regulations for Students In-State and Out-of-State for the
132 Purpose of Paying College Fees and Tuition and for Admission Purposes (No.
133 3.05.01.00). The business office will collect fees based upon student classification
134 as determined by the appropriate authority within the institution.

135 B. Accounting Treatment

- 136 1. A revenue account for out-of-state tuition is used for recording both credits for fees
137 and debits for refunds.
- 138 2. Other accounting is the same for out-of-state tuition as that outlined under in-state
139 tuition except that separate out-of-state accounts are used.
 - 140 a. In the case of fees not collected from students under grants and contracts, the
141 same expense account under Scholarships and Fellowships may be used.

142 IV. [eRate](#)

143 A. Description of Fee

- 144 1. The eRate is available to students who enroll at TBR institutions, who are classified
145 as non-residents of Tennessee, and who are enrolled exclusively in online or other
146 remote delivery courses.
- 147 2. The eRate is 150% of the institution's approved in-state tuition rate.
- 148 3. The hourly rate will not be discounted for students receiving the eRate and enrolling
149 in greater than 12 hours.
- 150 4. To qualify for an eRate, students must:
- 151 a. Meet all institution admission requirements and must
- 152 b. Be verified and documented by the institution as an online out-of-state student
153 enrolled exclusively in courses delivered exclusively online or by other remote
154 delivery methods.
- 155 c. Out-of-state students must both be classified as an out-of-state student and be
156 physically living outside the state of Tennessee. Undocumented students living
157 in Tennessee do not qualify for the eRate.
- 158 5. Students enrolled in any type courses with an on-ground, in Tennessee component
159 will not be eligible for the eRate specified in this guideline and will instead incur
160 traditional out-of-state tuition and fees.
- 161 a. Students who enroll in both online or remote delivery courses and on-ground in
162 Tennessee courses and subsequently drop the on-ground courses will not then
163 become eligible for the eRate.

164 B. Accounting Treatment

- 165 1. The eRate fee will be recorded as out-of-state tuition.

166 V. Mandatory Fees

167 Mandatory fees are generally fees to support various programs that are assessed to all
168 enrolled students and are not course dependent.

169

170 A. Debt Service Fees

- 171 1. The amount of debt service fees will be approved by the Tennessee Board of
172 Regents. Separate rates are recommended by each institution based on
173 requirements of the institution.
- 174 2. Revenue from debt service fees will be recorded in the unrestricted current fund and
175 then transferred to the retirement of indebtedness fund.
- 176 3. At the conclusion of the debt retirement for a given project, the debt service fee
177 attributed to the project will cease. Any new project requires the approval of a new
178 debt service fee on its own merits without the reallocation of any existing fee. Any
179 continuation of fees necessary for renewal and replacement of a project for which
180 the debt is totally retired must be approved for that purpose by the Tennessee
181 Board of Regents.

182 B. Student Activity Fees

- 183 1. Student activity fees must be approved by the Tennessee Board of Regents. Such
184 fees may be recommended by each institution based on facilities and services to be
185 provided which are related to the activity fee. These services include but are not
186 limited to access to all social, athletic, and cultural functions sponsored by the
187 school. Per TCA 49-8-109, these services are available to any student upon the
188 payment of the regular activity fee.

189 A portion of the student activity fee (and/or tuition) may be allocated to the student
190 government association (SGA) and recorded in the restricted fund as an SGA fee.
191 A referendum providing for an increase in that portion of the student activity fee
192 (and/or tuition) received by the student government association may be held for
193 student body approval or rejection. Per TCA 49-8-110, the referendum shall be
194 held at the election for student government association offices and shall be on the
195 ballot with the candidates for the offices. The referendum shall be held if the
196 student government association legislative body votes to hold such a referendum
197 and if the appropriate college administrative body approves the decision to hold a

198 referendum. In the event a majority of the students voting in the election approve
199 the question submitted in the referendum, then that portion of the student activity
200 fee allocated to the student government association shall be increased by the
201 amount approved subject to the board's approval. The increased portion shall be
202 used for student projects, student activities and student scholarships. The uses
203 shall be approved by the appropriate administrative body of the college designated
204 to supervise and advise the student government association.

205 The student activity fee portion will be unrestricted current funds revenues. These
206 fees are refundable on the same basis as tuition or as established by the institution.

207 C. Technology Access Fees

208 1. A fee shall be levied by each institution for the purpose of providing student access
209 to computing and similar technologies. It is refundable on the same basis as tuition
210 or as established by the institutions. Institutions shall establish expenditure
211 accounts and designated revenue accounts for purposes of recording technology
212 access fees and expenditures.

213 2. Use

214 The TAF should be used by TBR institutions for direct student benefit, for items
215 such as new and improved high technology laboratories and classrooms,
216 appropriate network and software, computer and other equipment, and
217 technological improvements that enhance instruction. Use of TAF funds includes
218 but is not limited to the following items:

219 a. Computers and other technical laboratory supplies, equipment, and software
220 and maintenance.

221 b. Network costs (internet service, interactive video, etc.)

222 c. "Smart" or multimedia classroom equipment and classroom modifications.

- 223 d. Lab and course staffing - student and staff assistance for lab and classroom
224 uses; community colleges are limited to 25% maximum of current-year TAF
225 revenues for student or staff employees.
- 226 e. Renewal and replacement reserves as necessary.
- 227 f. New machines for faculty use when faculty are actively engaged in developing
228 and conducting on-line courses.
- 229 g. Faculty and staff development directly related to the introduction or application
230 of new technology which impacts students. These guidelines should have the
231 flexibility to place instructional technology in a faculty lab where course materials
232 are being prepared. For example, TAF funds can be used to create faculty labs
233 to include the purchase of computers and to conduct faculty training and course
234 development. (Travel costs for faculty and staff are excluded; however,
235 consultants may be hired as needed for training.)
- 236 h. Infrastructure (wiring, network, servers, etc.) necessary to provide students
237 maximum computing capability. A ceiling is established of 50% of the total
238 project costs from which technology access fees can be used.
- 239 i. Expand technology resources in library, i.e., video piped anywhere on campus,
240 interactive video room for distance education, network for web video courses.

241 D. Compliance with these guidelines will be audited by the internal audit staff and reported
242 to the Board as determined by the internal auditor's annual risk-based planning process
243 or other appropriate means. Program Services Fee

- 244 1. This includes support for application to the college, change of course processing,
245 transcript processing, graduation ceremonies, parking facilities, etc. It is refundable
246 on the same basis as tuition or as established by the institution.

247 E. Sustainable Campus Fee

- 248 1. This supports campus environmentally sustainable efforts and initiatives. See TBR
249 Guideline B-065 *Sustainable Campus Fee Program* for program requirements.

250 F. International Education Fee

- 251 1. The amount of the International Education Fee will be approved by the Tennessee
252 Board of Regents. Separate rates are recommended by each institution based on
253 requirements of the institution.
- 254 2. International Education Fee Usage Per TBR Policy 2.08.10.00
- 255 a. Recognizing the need for flexibility while maintaining accountability, the
256 TBR has established the optional assessment of an international
257 education fee to be paid by each student enrolled in the institutions.
- 258 b. Individual institutions have authority to allocate funds to activities in
259 support of globalization efforts for the campus, including international
260 professional development of the faculty.
- 261 c. Institutions should use a portion of the revenue generated through the
262 internationalization fee for study abroad scholarships.
- 263 d. Individual institutions are responsible for establishing an infrastructure to
264 determine the allocation of the international education fees collected
265 from students to promote internationalization at the home institution.
266 The infrastructure should include student representation or input
267 received from the entire study body.
- 268 e. Employee Compensation/Benefits provided by Program Abroad
- 269 i. An allocation of salary and benefit costs for those involved in
270 providing direct support for international programs are
271 allowable but should be controlled and kept to a minimum.
- 272 ii. Faculty engaged in directing or teaching study abroad
273 courses receive remuneration from their home institutions.
274 Direct instructional cost should be charged to the appropriate
275 departmental budget and not to the international education
276 fee budget.
- 277
278

279 VI. Specialized Academic Program Fees

280 Certain academic programs require expensive maintenance/updating of equipment and
281 software and the employment of highly qualified staff. The high costs of instruction for these
282 programs can be offset by establishing specialized academic fees, with the Board's
283 approval. To receive approval for a specialized academic fee, a program will be required to
284 meet criteria 1., High Cost of Instruction as defined below. Additionally, the program should
285 preferably document meeting criteria 2.-7. as well if applicable.

- 286 1. High Cost of Instruction. Programs qualifying for charging specialized academic fees
287 must demonstrate that they are more costly than other programs offered by the
288 institution. If appropriate, the extraordinary cost of the program must be validated
289 including benchmarking with similar programs in the region and nation.
- 290 2. High Demand. The number of students enrolled in the program and the student
291 credit hours generated are sufficient to justify additional fees.
- 292 3. High Cost of Updating/Maintaining Equipment and Software. Programs qualifying for
293 charging specialized academic fees are expected to be those that require extensive
294 maintenance and regular updating of equipment and/or software, all of which are
295 very expensive. An average hardware/software cost per student credit hour serves
296 as the basis for determining the amount of the fee.
- 297 4. Accreditation. Meeting standards of specific accrediting agencies may also qualify a
298 specialized program for charging specialized academic fees. The accrediting
299 standards that justify a fee are those that specify the possession and use of certain
300 equipment and unique software that are extraordinarily costly and/or the
301 employment of faculty with specific credentials that demand high salaries.
- 302 5. High Recognition and Quality. The programs approved for specialized academic
303 fees are expected to be distinctive and with a regional reputation. The program
304 should demonstrate that it has achieved exceptional recognition in its particular
305 enterprise.

- 306 6. High Value to Tennessee. The program should demonstrate that it is a good
307 investment for the State of Tennessee to justify charging extra fees to the student.
308 The graduates' earning potential and the associated benefit to the state economy
309 should be projected, as well as the efforts taken by the institution to aid graduates in
310 finding appropriate employment in Tennessee.
- 311 7. Impact on Affected Students. Through surveys, questionnaires, or other suitable
312 means, the program should demonstrate that the charging of additional fees will not
313 diminish enrollment. The program should demonstrate that enrolled students realize
314 that the potential earning power in the work force justifies their additional investment.
- 315 B. Institution must submit documentation of the above applicable criteria when requesting
316 approval of a specialized academic fee. Specialized academic course fee revenues are
317 limited to funding related costs accumulated in the instruction function.

318 VII. [Miscellaneous Course Fees](#)

319 All miscellaneous fees must be approved by TBR. Fees for courses requiring special off-
320 campus facilities or services do not require Board approval but should reflect the cost of the
321 facilities or services. Fees for courses requiring materials or services that are required or
322 recommended by faculty and are a direct pass-through of the actual cost charged by a third-
323 party provider may be approved by the chancellor and do not require Board approval.
324 Examples include but are not limited to state board nursing exam preparatory programs,
325 industry certification exam fees, etc. Fees approved by the chancellor will be provided to
326 the Board as an interim action item.

327 VIII. [Incidental Fees and Charges](#)

328 A. Uniform Rates and Policies - Institutions

329 The following fees will be uniformly charged (or, if applicable, to the extent that they
330 remain within the set range) at all institutions both as to the amount and condition of
331 assessment. Charges are subject to approval by the Tennessee Board of Regents.

332 1. Returned Check Fee: \$30.00 per check - nonrefundable. All institutions will charge a
333 returned check fee that is the maximum set by state law. This fee will apply to all
334 returned checks received by the institution, whether from students, faculty, staff, or
335 other parties. The Board will review state statutes each spring to determine any
336 changes. (T.C.A. § 47-29-102)

337 2. Prior Learning Assessment (PLA) fee: \$25 (non-refundable). This fee, also known
338 as credit by exam fee, will be assessed at the rate of \$25 per exam, regardless of
339 the number of credit hours awarded. Prior learning assessment standards were
340 developed by the Tennessee Prior Learning Assessment Task Force and adopted
341 by the TBR and UT Systems.

342 B. Other Fees and Charges Subject to Board Approval

343 1. All Institutions

344 a. The following fees may be assessed by all institutions. Specific rate
345 recommendations will be developed separately by each institution for approval
346 by the Tennessee Board of Regents. In review of the recommendations, the
347 Board staff will consider the consistency of fees for comparable services among
348 institutions.

349 a. Motor Vehicle Registration - nonrefundable. A fee may be levied by each
350 institution per academic year, per fiscal year and/or per academic term for
351 motor vehicle registration. The fee may be assessed to faculty and staff.

352 b. Traffic Fines - nonrefundable. These fines will apply to all employees and
353 students.

354 c. Applied Music Fees. This fee is charged for private music lessons or small
355 group training sessions. It is refundable on the same basis as tuition or as
356 established by the institution.

357 d. Late Registration Fee. A late registration fee up to \$100 will be charged
358 during the entire period of late registration. The effective date of the fee will
359 be determined by each institution.

360 e. Transcript Fee. There will be no charge for transcripts; however, institutions
361 shall set a limit on a reasonable number of copies at any one time and may
362 establish a nonrefundable charge for the cost of copying transcripts in
363 excess of that number.

364 2. Fees and Charges to be Established and Administered by the Institution.

365 a. The following fees and charges may be established and administered by each
366 institution. No specific approval or notification to the Tennessee Board of
367 Regents will be required unless subject to other Board or State requirements.
368 The institution will establish appropriate refund policies.

369 Sales of goods and services of a commercial nature, including bookstores
370 (including digital textbook costs assessed on the student's account), food
371 services, vending, laundry and similar activities. Fees for auxiliary services must
372 take into consideration that Auxiliary Enterprises should be a break-even
373 operation with rates and charges generating revenue sufficient to cover all
374 expenses as defined in operating budget guidelines.

375 3. Rental of facilities. Fees may be established to control the utilization of facilities and
376 services or to offset the cost of extraordinary requirements as a result of specific
377 programs or activities. [Reference Tennessee Board of Regents Policy on Access to
378 and Use of Campus Property and Facilities (No. 1.03.02.50).]

379 4. Admissions fees to athletic and other events open to the public, including special
380 events sponsored by campus organizations and activities.

381 Sales and services of educational activities such as clinical services, publications,
382 etc.

383 5. Registration for conferences, institutes, and non-credit activities. Fees established
384 for non-credit courses and activities shall at a minimum be sufficient to cover the

385 total costs incurred in providing instruction and may be influenced by current market
386 rates for comparable courses or training.

- 387 6. Fees for use of campus facilities for recreational purposes.
- 388 7. Parking permits and parking meters for use by guests and visitors.
- 389 8. Library fines, which will apply to students, faculty, staff, and other library users.
- 390 9. Child Care Fees - Kindergarten, Preschool, Early Childhood, Day Care, or
391 similarly defined activities. The refund policy will be established by the institution.
- 392 10. Special Exam Fee and Standardized Test Fees - nonrefundable. The fee will be
393 determined based upon cost to the institution.
- 394 11. Identification Card Replacement - nonrefundable. There will be no charge for the
395 original identification card. A fee may be set by each institution to offset the cost
396 of replacing the card. This fee applies only to student ID cards and not to faculty
397 and staff ID's.

398 Change of Course or Section Fee - nonrefundable. If the change is caused by
399 the institution, there will be no charge for the change. If two or more forms are
400 used at one time, they will be treated as one change/form. Institutions may waive
401 the fee for schedule changes.

- 402 12. Deposits-Breakage deposits may be required by the institution for courses or
403 items in which it can be shown that there is a reasonable chance of loss or
404 damage to items issued to students. The amount of the deposit should be related
405 to the materials issued and subject to a 100% refund.

406 Also, a deposit may be established by the institution for rent or lease of buildings
407 and facilities or for the issuance of other institutional property or
408 equipment. Deposits should be subject to a 100% refund if no damage or loss
409 occurs. The amount of such deposits should be related to the value of the

410 facilities or equipment subject to loss and the general ability of the institution to
411 secure reimbursement should loss or damage occur.

412 IX. Other Fee and Charge Considerations

413 A. Institutions may submit for Board of Regents approval fees and charges not specifically
414 covered by those guidelines when the establishment of a fee or charge is justified by
415 the institution.

416 B. When fees and charges are incorporated in agreements with outside contractors and
417 vendors, specific rates, refunds and conditions must be clearly stated.

418 X. Refunds and Fee Adjustments

419 A. Adjustments to all fees and charges must be in accordance with the following provisions
420 except as previously stated, or when required by federal law or regulation to be
421 otherwise.

422 B. Pursuant to T.C.A. §§ 49-7-2301 and 49-7-2302, students called to active military or
423 National Guard service during the semester are entitled to a 100% adjustment or credit
424 of mandatory fees.

425 C. Tuition Refunds and Adjustments

426 1. Refunds are 100% for courses canceled by the institution.

427 2. Changes in courses involving the adding and dropping of equal numbers of SCH's
428 for the same term at the same time require no refund or assessment of additional
429 tuition, unless the dropping and adding involves TN eCampus courses.

430 3. The fee adjustment for withdrawals or drops during regular terms (fall and spring) is
431 75% from the first day of classes through the fourteenth calendar day of classes and
432 then reduced to 25% for a period of time which extends 25% of the length of the
433 term. When the first day of the academic term falls on a Saturday, the 100% refund
434 period is extended through the weekend until the following Monday morning (12:01
435 am). There is no fee adjustment after the 25% period ends. Dropping or withdrawing

436 from classes during either the 75% or the 25% fee adjustment period will result in a
437 fee adjustment of assessed tuition based on the total credit hours of the final student
438 enrollment.

439 4. For summer sessions and other short terms, the 75% fee adjustment period and the
440 25% fee adjustment period will extend a length of time which is the same proportion
441 of the term as the 75% and 25% periods are of the regular terms.

442 5. All fee adjustment periods will be rounded to whole days and the date on which each
443 fee adjustment period ends will be included in publications. In calculating the 75%
444 period for other than the fall and spring and in calculating the 25% length of term in
445 all cases, the number of calendar days during the term will be considered. When the
446 calculation produces a fractional day, rounding will be up or down to the nearest
447 whole day.

448 6. A full refund (100%) is provided on behalf of a student whose death occurs during
449 the term. Any indebtedness should be offset against the refund.

450 7. A 100% refund will be provided for students who drop a course or courses prior to
451 the beginning of the first day of class.

452 8. A 100% refund will be provided to students who are compelled by the institution to
453 withdraw when it is determined that through institutional error they were
454 academically ineligible for enrollment or were not properly admitted to enroll for the
455 course(s) being dropped. An appropriate official must certify in writing that this
456 provision is applicable in each case.

457 9. When courses are included in a regular term's registration process for administrative
458 convenience, but the course does not begin until later in the term, the 75%/25% fee
459 adjustment periods will be based on the particular course's beginning and ending
460 dates. This provision does not apply to classes during the fall or spring terms which
461 may meet only once per week. Those courses will follow the same refund dates as
462 other regular courses for the term.

463 10. The fee adjustment is calculated as the difference between (1) the per credit hour
464 cost of originally enrolled hours and (2) the per credit hour cost of the courses at
465 final enrollment after adjustments have been applied for all courses
466 dropped. Adjustments are calculated at the full per credit hour rate less the fee
467 adjustment credit at the applicable fee adjustment percentage (regardless of the
468 original number of hours enrolled). Not all drops/withdrawals will result in fee
469 adjustments.

470 D. Out-of-State Tuition Refunds and Fee Adjustments

471 1. The fee adjustment provision for out-of-state tuition is the same as that for in-state
472 tuition. The 75% fee adjustment period and the 25% fee adjustment period will follow
473 the same dates as the fee adjustment periods for in-state tuition.

474 E. Debt Service Fee Refunds

475 1. Debt service fees will be subject to the same refund policy as tuition.

476 XI. [Payment of Student Fees and Enrollment](#)

477 A. All assessed fees by an institution governed by the Tennessee Board of Regents are
478 due and payable at the time of registration or at a time set by the institution.

479 1. Community colleges may implement deferred payment plans as may be allowed
480 under a TBR guideline and as authorized for the student.

481 B. An individual will be considered enrolled and counted as a student at a TBR institution
482 when:

- 483 1. all assessed fees have been paid (unless otherwise noted in policy); or
484 2. the initial minimum payment due under any deferred payment plans has been paid;
485 or
486 3. an acceptable commitment from an agency or organization approved by the
487 institution has been received by the institution.

488 C. An individual shall possess an acceptable commitment when an application(s) for
489 financial aid has been timely submitted with the reasonable probability of receiving such.

490 1. An acceptable commitment from an agency or organization shall be limited to a
491 commitment which identifies the applicant and promises to pay all unpaid assessed
492 fees for such applicant.

493 2. No commitments from individuals will be accepted on behalf of applicants.

494 D. Pursuant to the above condition, institutions must require payment of all applicable fees
495 or payment of the initial minimum payment due under the deferred payment plan or have
496 an acceptable commitment from an agency or organization. Otherwise, institutions must
497 purge students from the class rolls that haven't satisfied the payment requirements.

498 1. At a minimum, two purges for non-payment should occur.

499 2. One purge for non-payment must occur sometime prior to the beginning
500 of classes.

501 3. A final purge must occur on or before the census date to ensure that only
502 students that have met the payment requirements are reported in the
503 census reports.

504 Students will not be purged for non-payment if the debt owed, whether
505 current debt or prior debt is less than \$100.

506 E. Notwithstanding any other requirements in policy, there will be no record holds,
507 enrollment holds, or purging of students for non-payment if the debt owed, whether
508 current debt or prior debt, is less than \$100.

509 F. All outstanding debts and obligations of \$100 or greater not evidenced by an
510 acknowledgement of debt/promise to pay agreement (see Section IV) or a current
511 semester deferred payment agreement must be fully satisfied by the 14th day purge of
512 the semester.

513 G. An individual will not be considered for admission/readmission as a student until all past
514 due debts and obligations of \$100 or greater incurred in prior academic terms, of
515 whatever nature, have been paid, or the student, if allowable, has entered into an

516 acceptable acknowledgement of debt/promise to pay agreement (see Section IV) with
517 the institution for the past due debts and obligations.

518 H. When an individual tenders payment of fees by means of a personal check or credit
519 card, the individual may be considered and counted as a student. If the payment is
520 subsequently dishonored by the financial institution, and the payment is not redeemed in
521 cash, the institution has the option to not consider that student as enrolled for the term.

522 1. At the discretion of the institution, the student may be considered enrolled and will
523 be assessed the applicable returned payment fee, the applicable late registration
524 fee, and normal collection procedures as prescribed in TBR Guideline B-010
525 (Collection of Accounts Receivable) will be followed.

526 2. Institutions may deny future check writing privileges to students who have paid
527 registration fees with checks that are subsequently dishonored.

528 3. While institutions have discretion in how these situations will be handled, all students
529 must be treated the same at that institution.

530 4. The institutions are authorized, subject to approval by the Board, to establish
531 charges for late registration and/or payments which are returned dishonored, and
532 such charges shall become assessed fees for purposes of admission.

533 XII. **Records Holds**

534 A. Except as provided in sub-section II. B. hereof, institutions shall not issue diplomas,
535 transcripts, certificates of credit or grade reports until the student involved has satisfied
536 all debts or obligations of \$100 or greater or the debts or obligations are evidenced by
537 notes or other written contracts providing for future payment, such as, but not, limited to,
538 loans authorized under federal or state education or student assistance acts. This does
539 not prohibit the conferring of the degree. Diplomas, transcripts, certificates of credit, and
540 grade reports shall not be withheld for debts that are less than \$100.

541 B. The colleges in the college system of Tennessee shall issue a certificate of credit or
542 official transcript for a student seeking admission to any college in the college system of
543 Tennessee if the student has entered a written agreement (acknowledgement of

544 debt/promise to pay) to satisfy the outstanding debt or obligation owed to the college
545 issuing the certificate of credit or official transcript in the form of Exhibit 1 hereto.

546 1. Any credit or official transcript issued under this subsection shall indicate that it is
547 subject to an outstanding debt to the issuing college.

548 2. The college receiving the certificate of credit or official transcript issued shall not
549 subsequently issue a diploma, certificate of credit or official transcript to that student
550 until it receives proof that the student has satisfied the outstanding debt to the
551 college that issued the certificate of credit or official transcript. This does not prohibit
552 the conferring of the degree.

553 XIII. **Enrollment Holds**

554 A. A student must pay any past due debts and obligations owed to the institution incurred
555 in prior academic terms before being permitted to register at the institution unless the
556 debt is less than \$100, or an acknowledgement of debt/promise to pay agreement (see
557 section IV) for the prior debt or obligation has been executed.

558 B. Institutions shall allow enrollment when the outstanding obligation is less than \$100.

559 1. Additionally, all known debts and obligations to the institution incurred during the
560 current term of \$100 or greater must be satisfied prior to a student being allowed to
561 pre-register for any future terms.

562 C. An amount owed under the institution's deferred payment plan for enrollment fees which
563 is not yet due shall not cause an enrollment hold to be applied.

564 D. A student that is currently assigned to a collection agency will be allowed to register if
565 the student signs an acknowledgement of debt/promise to pay agreement in the form of
566 Exhibit 1 hereto that acknowledges they will not receive a diploma, certificate of credit or
567 official transcript (except as provided in II. A and B above) until the debt is paid in full.
568 This does not prohibit the conferring of the degree. The student account will not be
569 recalled from the collection agency.

570 XIV. **Acknowledgement of Debt/Promise to Pay Agreement for Prior Debt and Obligations**

- 571 A. A student who has prior outstanding debt of \$100 or more and was not enrolled in the
572 preceding semester (excluding summer semester) may execute an acknowledgement of
573 debt/promise to pay agreement with the institution.
- 574 1. The acknowledgement of debt/promise to pay agreement will require that the debt
575 be fully satisfied before a diploma or degree will be issued. However, this does not
576 prohibit the conferring of the degree.
 - 577 2. The acknowledgement of debt/promise to pay agreement will require continuous
578 enrollment.
 - 579 a. If continuous enrollment is not maintained the institution may continue with
580 immediate collection efforts as prescribed in TBR Guideline B-010 (Collection of
581 Accounts Receivable) or pursuant to the terms of any previously executed
582 repayment agreement.
 - 583 3. A student may only ever execute one such agreement with the institution.
 - 584 4. "Continuous enrollment" means a student is enrolled in the fall and spring semesters
585 of a single academic year unless granted a medical or personal leave of absence.
586 Allowable medical or personal reasons may include illness of the student; illness or
587 death of an immediate family member; extreme financial hardship of the student or
588 student's immediate family; fulfillment of a religious commitment encouraged of
589 members of that faith; fulfillment of required initial active duty for training as a
590 National Guard or Reserve member or for National Guard or Reserve mobilization.

591 XV. [Applicability of Fees](#)

- 592 A. In accordance with this policy, the president or designee of an institution or the
593 chancellor or designee has the authority to determine the applicability of certain fees,
594 fines, charges, and refunds, and to approve exceptions in instances of unusual
595 circumstances or for special groups. All such actions should be properly documented for
596 auditing purposes.

597 XVI. [Exceptions](#)

598 A. With regard to payment of student fees and enrollment, the Chancellor or designee may
599 approve exceptions to the requirements of this policy in appropriate circumstances.

600 B. Requests for exceptions must be signed by the President and include sufficient
601 justification documentation.

602

603

604

605 **Sources**

606 **Authority**

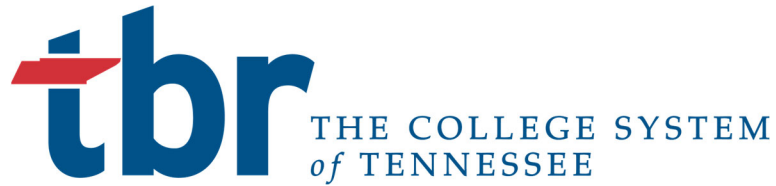
607 T. C.A. §§ 47-29-102, 49-7-102, 49-7-113, 49-7-2301, 49-7-2302, 49-8-109

608 **History**

609 December 2, 1977 TBR meeting. Revised March 14, 1980 TBR meeting; November 13, 1991
610 presidents meeting; November 8, 1982 presidents meeting; July 1, 1984; November 1, 1988;
611 May 15, 1990 presidents meeting; August 14, 1990 presidents meeting; November 15, 1992
612 presidents meeting; August 10, 1993 presidents meeting; November 9, 1993 presidents
613 meeting; August 9, 1994 presidents meeting; May 8, 1995 presidents meeting, August 8, 1995
614 presidents meeting, November 8, 1995 presidents meeting, February 6, 1996 presidents
615 meeting, May 14, 1996 presidents meeting, November 12, 1996 presidents meeting, May 6,
616 1997 presidents meeting, July 16, 1997 called Board meeting, November 5, 1997 presidents
617 meeting, February 17, 1998 presidents meeting via conference call, August 25, 1998 presidents
618 meeting, May 9, 2000 presidents meeting, August 8, 2000 presidents meeting, November 8,
619 2000 presidents meeting, February 13, 2001 presidents meeting, August 21, 2001 presidents
620 meeting, May 21, 2002 presidents meeting, February 11, 2003 presidents meeting, May 20,
621 2003 presidents meeting, February 10, 2004 presidents meeting, August 17, 2004 presidents
622 meeting, February 8, 2005 presidents meeting, May 17, 2005 presidents meeting, February 8,
623 2006 presidents meeting, May 16, 2006 presidents meeting, August 16, 2006 presidents
624 meeting, May 15, 2007 presidents meeting, August 21, 2007 presidents meeting, November 6,
625 2007 presidents meeting, February 17, 2009 presidents meeting; May 12, 2009 presidents
626 meeting; August 11, 2009 presidents meeting; November 10, 2009 presidents meeting;
627 February 16, 2010 presidents meeting; February 15, 2011 presidents meeting; May 17, 2011
628 presidents meeting; August 16, 2011 presidents meeting; May 16, 2012 presidents meeting;
629 August 21, 2012 presidents meeting; Revised at Presidents Meeting, February 4, 2014; Revised
630 at Presidents Meeting, August 18, 2015; Revised at Presidents Meeting, November 10, 2015;
631 Presidents Meeting February 2, 2016; August 8, 2017.

632 **Related Policies**

- 633 • Access to and Use of Campus Property and Facilities
- 634 • Policy for Classifying Students In-State & Out-of-State for Paying College Fees & Tuition &
- 635 for Admission Purposes
- 636



**Presidents Quarterly Meeting
May 4, 2022**

SUBJECT: Revisions to Policy 4.01.00.02 Institutional Financial Performance Review

PRESENTER: Danny Gibbs

ACTION REQUIRED: Requires Vote

Summary:

TBR Policy 4.01.00.02 Institutional Financial Performance Review is being updated to reflect current practice.

Attachments

1 Institutional Financial Performance Review:

2 4.01.00.02

3 Policy Area

4 Business and Finance Policies

5 Applicable Divisions

6 TCATs, Community Colleges, System Office

7 Purpose

8 It is the policy of the Board that institutions have a sound financial base and demonstrate
9 financial stability sufficient to support the mission of the institution over the long term. Although
10 missions may vary among institutions, a sound financial base and a pattern of financial stability
11 provide the foundation for accomplishing an institution's mission, regardless of changing
12 economic conditions. Financial and physical resources should be managed in a manner that
13 permits the institution to fulfill its mission long term.

14 Policy

15 I. Responsibility

- 16 A. The chief executive officer of each institution is responsible for administering and
17 managing the institution's financial affairs in such a manner as to ensure the institution's
18 current and future financial health. This policy establishes the tools used to assess the
19 financial health of an institution, the reporting process, and actions to be taken if an
20 institution shows signs of financial weakness.

21 II. Background

- 22 A. The analytical framework contained within this policy is derived from Strategic Financial
23 Analysis for Higher Education; Identifying, Measuring & Reporting Financial Risks;
24 Seventh Edition, published by KPMG; Prager, Sealy & Co., LLC; and ATTAIN. This
25 framework and its primary metric, referred to as the Composite Financial Index ("CFI"),
26 are widely used in the higher education community to understand the financial health of
27 institutions. The methodology, ratios, and related benchmarks contained in this policy
28 are taken from this publication.

- 29 B. To determine an institution's financial performance, four questions are asked:

- 30 1. Are resources sufficient and flexible enough to support its mission;
31 2. Does financial asset performance support the institution's strategic direction;

32 3. Do operating results indicate the institution is living within its available resources;
33 and

34 4. Is debt managed strategically to advance its mission.

35 C. To address these four questions, data from an institution's unaudited financial report are
36 used to determine four "core" financial ratios that are then combined into a single
37 composite metric of financial condition – the Composite Financial Index.

38 C.D. Additionally, trends in adjusted unrestricted net position will be monitored to
39 determine the overall financial health of the institutions. Adjusted net position is the
40 unrestricted net position adjusted to eliminate the impact of deferred inflows related to
41 pensions; deferred inflows related to OPEB; noncurrent liabilities for compensated
42 absences; net pension liability; net OPEB obligation; current liabilities for compensated
43 absences; deferred outflows related to pensions; and deferred outflows related to
44 OPEB.

45 III. Calculation of Core Ratios and CFI

46 A. All calculations include the financial results of the institution's component unit (i.e.
47 related foundation(s), noted as "CU") to present a comprehensive picture of the
48 institution's overall financial condition. The data source for calculation of each ratio is the
49 institution's unaudited annual financial report, with all calculations reflecting the results
50 from a single year (i.e. no use of moving averages). The four core financial ratios,
51 including general descriptions, the calculation method, data sources, an expected
52 performance standard, and a performance watch level and a similar description of the
53 calculation and interpretation of the Composite Financial Index value, are as follows.

54 1. Return on Net AssetsPosition

55 a. Description: The return on net assetsposition ratio measures total economic
56 return during the fiscal year. This measure is similar to the return on equity ratio
57 used in examining for profit concerns and answers the questions, "Are they
58 better off financially than they were a year ago" and "Does financial asset
59 performance support the strategic direction of the institution?" While

60 investments in plant, a capital campaign, or a poor stock market can all create
61 year to year volatility in this measure, the trend over time should be positive.

- 62 i. Calculation: **Change in Net AssetsPosition + CU Change in Net**
63 **AssetsPosition / Total Net AssetsPosition (beginning of year) + CU**
64 **Total Net AssetsPosition (beginning of year)**

- 65 2. Expected Performance Standard: The return on net assetsposition ratio should be at
66 least 3 percent above the rate of inflation. For example, if the Consumer Price Index
67 (CPI) is at 3 percent, a return on ~~the~~ net assetsposition ratio of 6 percent is
68 desirable.

- 69 3. Watch Level: Consistently below the rate of inflation. Anything below the rate of
70 inflation indicates a reduction of the institution's asset base in real dollars, thereby
71 eroding the purchasing power of institutional resources for future generations.

72 a. Net Operating Revenues Ratio

- 73 i. Description: The net operating revenues ratio indicates an operating surplus
74 or deficit in the given fiscal year. A positive ratio indicates that the institution
75 experienced an operating surplus for the year. This ratio is similar to a profit
76 margin and answers the questions, "Did they balance operating expenses
77 with available revenue" and "Do the operating results indicate that the
78 institution is living within available resources?" Depreciation expense is
79 included to reflect the use of physical assets in measuring operating
80 performance.

- 81 • Calculation: **Operating Income (Loss) + Non-operating Revenues**
82 **(Expenses) + CU Change in Unrestricted Net AssetsPosition /**
83 **Operating Revenues + Non-operating Revenues + CU Total**
84 **Unrestricted Revenue**

- 85 ii. Expected Performance Standard: A ratio of 4.0%. This is considered
86 adequate to keep pace with the growth in operating expenses and maintain
87 reserves at acceptable levels.

- 88 iii. Watch Level: Consistently below zero. A deficit in a single year does not
89 necessarily indicate a problem, but unexplained deficits over several years
90 are a cause could be a cause for concern and suggest that the institution's
91 mission cannot be sustained and institutional finances should be
92 restructured.
- 93 b. Primary Reserve Ratio.
- 94 i. Description: The primary reserve ratio measures financial strength and
95 flexibility by comparing expendable net assetsposition to total expenses.
96 This measure answers the question, "How long can the institution survive
97 without additional net assetsposition generated by operating revenue?"
- 98 • Calculation: **Expendable Net AssetsPosition + CU Expendable Net**
99 **AssetsPosition / Total Expenses + CU Total Expenses**
- 100 ii. Expected Performance Standard: A ratio of 0.40 (representing about 5
101 months of expenses) or higher. At this level an institution has the flexibility to
102 manage minor financial disruptions and other unforeseen events with less
103 need to immediately disrupt ongoing activities. At this level, an institution
104 can be expected to carry on a reasonable level of facilities maintenance
105 activities.
- 106 iii. Watch Level: A ratio of 0.133 (represents less than 1.5 months of expenses
107 in ready assets) or less. Institutions at these levels have less operating
108 flexibility to meet unexpected events, generally lack sufficient resources to
109 pursue strategic initiatives, and may struggle to invest in plant maintenance.
- 110 c. Viability Ratio
- 111 i. Description: The viability ratio measures the financial health of the institution
112 by comparing total expendable net assetsposition to total current and non-
113 current liabilitiesplant debt. This ratio is similar to a coverage ratio used in
114 the private sector to indicate the ability of an organization to cover its long
115 term debt from readily available resources and answers the questions, "How

116 much of their debt can the institution pay off with existing resources” and “Is
117 debt managed strategically to advance the institution’s mission”. For
118 institutions with no debt or nominal debt, this ratio is ignored in the
119 calculation of the CFI score. A ratio of 1.0 indicates an institution has
120 expendable resources sufficient to satisfy all outstanding plant related debt.

121 • Calculation: **Expendable Net AssetsPosition + CU Expendable Net**
122 **AssetsPosition / Plant Related Debt + CU Plant Related Debt**

123 ii. Expected Performance Standard: A ratio of 1.25 or higher (the higher the
124 ratio, the stronger the credit-worthiness of the institution). At these levels, an
125 institution has increased flexibility to address unexpended events.

126 iii. Watch Level: A ratio of 0.41 or less. Similar to the primary reserve ratio
127 Watch level, institutions at this level have decreased flexibility to respond to
128 unforeseen events, essentially a reduced “margin of error” in the financial
129 management of the institution. Dropping below a ratio of 0.41 may identify
130 the institution as a credit risk.

131 IV. Composite Financial Index (CFI)

132 A. After their calculation, these four ratios are combined to deliver a single measure of the
133 overall financial health of the institution. By blending these four core financial ratios into
134 one metric, a more balanced view of the institution’s finances is provided since
135 weakness in one measure can be offset by strength in another. Additionally, measuring
136 the index over time provides a glimpse as to the progress institutions are making toward
137 achieving financial goals. CFI scores range from a low of -4.0 to a high of 10.0. The CFI
138 is computed using a four-step methodology:

- 139 1. Computing the values of the core ratios as outlined above;
- 140 2. Calculating strength factors by dividing the core ratios by threshold values;
- 141 3. Multiplying the factors by specific weights; and
- 142 4. Totaling the resulting scores to obtain the composite financial index.

143 a. Institutions with More than Nominal Outstanding Debt:

Core Ratio Value		Threshold Value		Strength Value		Weight		Score
Return on Net <u>AssetsPosition</u>	/	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. —

e-b. Institutions with No or Nominal Outstanding Debt:

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Core Ratio Value		Threshold Value		Strength Value		Weight		Score
Return on Net <u>AssetsPosition</u>	/	0.020	=	0.00	x	30%	=	0.00
Net Operating Revenues	/	0.013	=	0.00	x	15%	=	0.00
Primary Reserve	/	0.133	=	0.00	x	55%	=	0.00
Viability	/	0.417	=	0.00	x	0%	=	0.00
Composite Financial Index Score								= 0.00

146 B. Expected Performance Standard: A score of at least 3.0. Strategic Financial Analysis for
 147 Higher Education indicates that at this level an institution is relatively financially healthy
 148 in that sufficient liquid resources exist to meeting unforeseen circumstances, net
 149 operating revenues are adequate, expendable net assetsposition exceed the level of
 150 debt, and the return on net asseteposition is reasonable.

151 C. Watch Level: A score of 1.0 or less. Again, Strategic Financial Analysis for Higher
 152 Education suggest that scores of 1.0 or below call into question the institution's long-
 153 term ability to carry out existing programs and survive.

154 V. Review Periods

155 A. While important, the Board acknowledges that annual results should be placed in
156 context by reviewing longer terms trends. By focusing on 3 to 5 year trends, the Board
157 believes the long term financial health of an institution may be better ascertained. This
158 is true for the various ratios that are used to compute the CFI, the CFI itself, as well as
159 overall the trends in unrestricted net position.

160 VI. Process for Reporting

161 A. After completion of the financial statements review by board staff, the ratios, CFI score
162 and trends in adjusted unrestricted net position will be computed by board staff and will
163 be provided to the college presidents and business officers for their review.
164 Furthermore, the results will be reviewed with the chancellor and Board. Within thirty
165 days of submission to the System Office of published financial statements, each
166 institution's chief business officer or TCAT president shall be responsible for calculation
167 of the institution's core ratios and CFI score and submitting this information to the
168 System Office.

169 A. Using a holistic approach to evaluate the overall financial health of an institution,
170 the Vice Chancellor for Business and Finance and staff will review the ratios, CFI
171 scores, and adjusted unrestricted net position for the current period and trends over
172 time. Often there are underlying reasons why a particular ratio, the CFI, or the adjusted
173 unrestricted net position may not be at the desired level, but which don't pose a
174 significant risk to the institution. In those cases, the Vice Chancellor should document
175 the reason and no further explanations would be needed. However, if the Vice
176 Chancellor, using their professional judgement, has concerns over a particular ratio, the
177 CFI, the adjusted unrestricted net positions, or trends with any of the aforementioned,
178 As part of this submission, the chief business officer or TCAT president shall provide a
179 narrative that explains addresses the factors concerns underlying changes in ratio
180 values and CFI scores from the prior year, and whether these factors were planned or
181 unexpected. If Watch Level performance is evidenced on any indicator, the
182 submission shall also address what action the institution plans to take to improve the

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183 ratio, ~~the CFI, and/or the adjusted unrestricted net position or score~~ in subsequent
184 years.

185 B. The System Office shall review ~~the narrative submitted by the institution, institutional~~
186 ~~submissions. For any measure that evidences Watch Level performance, if deemed~~
187 ~~necessary by the Vice Chancellor,~~ the System Office will review with the community
188 college chief business officer and/or president or the TCAT president the adequacy of
189 the institution's plan to address the issue. Concerns regarding the adequacy of such
190 plans, if any, shall be communicated to the Chancellor and the institution's president. ~~If a~~
191 ~~Watch Level performance issue persists, Any concerns of the Vice Chancellor or~~
192 ~~Chancellor~~ ~~it~~ will be brought to the attention of the ~~Chancellor and the~~ Board, ~~in an~~
193 ~~exception report.~~

194 C. On an annual basis, the Board shall be advised on the aggregate overall financial
195 performance of the System and its institutions, in summary by sector. The System Office
196 staff shall report to the Board any institution whose performance meets the Composite
197 Financial Index Watch Level criteria specified in this policy.

199 Sources

200 Authority

201 T.C.A. § 49-8-203

202 History

203 NEW Policy approved at Board Meeting, September 26, 2014; Revision approved at Board
204 Meeting, September 21, 2017.

205 Related Policies

- 206 • [Budget Control](#)
- 207 • [Budget Principles](#)

208

Institutional Financial Performance Review:

4.01.00.02

Policy Area

Business and Finance Policies

Applicable Divisions

TCATs, Community Colleges, System Office

Purpose

It is the policy of the Board that institutions have a sound financial base and demonstrate financial stability sufficient to support the mission of the institution over the long term. Although missions may vary among institutions, a sound financial base and a pattern of financial stability provide the foundation for accomplishing an institution's mission, regardless of changing economic conditions. Financial and physical resources should be managed in a manner that permits the institution to fulfill its mission long term.

Policy

I. Responsibility

- A. The chief executive officer of each institution is responsible for administering and managing the institution's financial affairs in such a manner as to ensure the institution's current and future financial health. This policy establishes the tools used to assess the financial health of an institution, the reporting process, and actions to be taken if an institution shows signs of financial weakness.

II. 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 an institution'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;

32 3. Do operating results indicate the institution is living within its available resources;
33 and

34 4. Is debt managed strategically to advance its mission.

35 C. To address these four questions, data from an institution's unaudited financial report are
36 used to determine four "core" financial ratios that are then combined into a single
37 composite metric of financial condition – the Composite Financial Index.

38 D. Additionally, trends in adjusted unrestricted net position will be monitored to determine
39 the overall financial health of the institutions. Adjusted net position is the unrestricted
40 net position adjusted to eliminate the impact of deferred inflows related to pensions;
41 deferred inflows related to OPEB; noncurrent liabilities for compensated absences; net
42 pension liability; net OPEB obligation; current liabilities for compensated absences;
43 deferred outflows related to pensions; and deferred outflows related to OPEB.

44 III. Calculation of Core Ratios and CFI

45 A. All calculations include the financial results of the institution's component unit (i.e.
46 related foundation(s), noted as "CU") to present a comprehensive picture of the
47 institution's overall financial condition. The data source for calculation of each ratio is the
48 institution's unaudited annual financial report, with all calculations reflecting the results
49 from a single year (i.e. no use of moving averages). The four core financial ratios,
50 including general descriptions, the calculation method, data sources, an expected
51 performance standard, and a performance watch level and a similar description of the
52 calculation and interpretation of the Composite Financial Index value, are as follows.

53 1. Return on Net Position

54 a. Description: The return on net position ratio measures total economic return
55 during the fiscal year. This measure is similar to the return on equity ratio used
56 in examining for profit concerns and answers the questions, "Are they better off
57 financially than they were a year ago" and "Does financial asset performance
58 support the strategic direction of the institution?" While investments in plant, a

59 capital campaign, or a poor stock market can all create year to year volatility in
60 this measure, the trend over time should be positive.

61 i. Calculation: **Change in Net Position + CU Change in Net Position / Total**
62 **Net Position (beginning of year) + CU Total Net Position (beginning of**
63 **year)**

64 2. Expected Performance Standard: The return on net position ratio should be at least
65 3 percent above the rate of inflation. For example, if the Consumer Price Index (CPI)
66 is at 3 percent, a return on net position ratio of 6 percent is desirable.

67 3. Watch Level: Consistently below the rate of inflation. Anything below the rate of
68 inflation indicates a reduction of the institution's asset base in real dollars, thereby
69 eroding the purchasing power of institutional resources for future generations.

70 a. Net Operating Revenues Ratio

71 i. Description: The net operating revenues ratio indicates an operating surplus
72 or deficit in the given fiscal year. A positive ratio indicates that the institution
73 experienced an operating surplus for the year. This ratio is similar to a profit
74 margin and answers the questions, "Did they balance operating expenses
75 with available revenue" and "Do the operating results indicate that the
76 institution is living within available resources?" Depreciation expense is
77 included to reflect the use of physical assets in measuring operating
78 performance.

79 • Calculation: **Operating Income (Loss) + Non-operating Revenues**
80 **(Expenses) + CU Change in Unrestricted Net Position / Operating**
81 **Revenues + Non-operating Revenues + CU Total Unrestricted**
82 **Revenue**

83 ii. Expected Performance Standard: A ratio of 4.0%. This is considered
84 adequate to keep pace with the growth in operating expenses and maintain
85 reserves at acceptable levels.

114 strategically to advance the institution's mission". For institutions with no
115 debt or nominal debt, this ratio is ignored in the calculation of the CFI
116 score. A ratio of 1.0 indicates an institution has expendable resources
117 sufficient to satisfy all outstanding plant related debt.

118 • Calculation: **Expendable Net Position + CU Expendable Net Position**
119 **/ Plant Related Debt + CU Plant Related Debt**

120 ii. Expected Performance Standard: A ratio of 1.25 or higher (the higher the
121 ratio, the stronger the credit-worthiness of the institution). At these levels, an
122 institution has increased flexibility to address unexpended events.

123 iii. Watch Level: A ratio of 0.41 or less. Similar to the primary reserve ratio
124 Watch level, institutions at this level have decreased flexibility to respond to
125 unforeseen events, essentially a reduced "margin of error" in the financial
126 management of the institution. Dropping below a ratio of 0.41 may identify
127 the institution as a credit risk.

128 IV. Composite Financial Index (CFI)

129 A. After their calculation, these four ratios are combined to deliver a single measure of the
130 overall financial health of the institution. By blending these four core financial ratios into
131 one metric, a more balanced view of the institution's finances is provided since
132 weakness in one measure can be offset by strength in another. Additionally, measuring
133 the index over time provides a glimpse as to the progress institutions are making toward
134 achieving financial goals. CFI scores range from a low of -4.0 to a high of 10.0. The CFI
135 is computed using a four-step methodology:

- 136 1. Computing the values of the core ratios as outlined above;
- 137 2. Calculating strength factors by dividing the core ratios by threshold values;
- 138 3. Multiplying the factors by specific weights; and
- 139 4. Totaling the resulting scores to obtain the composite financial index.

140 a. Institutions with More than Nominal Outstanding Debt:

Core Ratio Value		Threshold Value		Strength Value		Weight		Score
Return on Net Position	/	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

141 b. Institutions with No or Nominal Outstanding Debt:

Core Ratio Value		Threshold Value		Strength Value		Weight		Score
Return on Net Position	/	0.020	=	0.00	x	30%	=	0.00
Net Operating Revenues	/	0.013	=	0.00	x	15%	=	0.00
Primary Reserve	/	0.133	=	0.00	x	55%	=	0.00
Viability	/	0.417	=	0.00	x	0%	=	0.00
Composite Financial Index Score							=	0.00

142 B. Expected Performance Standard: A score of at least 3.0. Strategic Financial Analysis for
143 Higher Education indicates that at this level an institution is relatively financially healthy
144 in that sufficient liquid resources exist to meeting unforeseen circumstances, net
145 operating revenues are adequate, expendable net position exceed the level of debt, and
146 the return on net position is reasonable.

147 C. Watch Level: A score of 1.0 or less. Again, Strategic Financial Analysis for Higher
148 Education suggest that scores of 1.0 or below call into question the institution’s long-
149 term ability to carry out existing programs and survive.

150 V. [Review Periods](#)

151 A. While important, the Board acknowledges that annual results should be placed in
152 context by reviewing longer terms trends. By focusing on 3 to 5 year trends, the Board
153 believes the long term financial health of an institution may be better ascertained. This
154 is true for the various ratios that are used to compute the CFI, the CFI itself, as well as
155 overall the trends in unrestricted net position.

156 VI. [Process for Reporting](#)

157 A. After completion of the financial statements review by board staff, the ratios, CFI score
158 and trends in adjusted unrestricted net position will be computed by board staff and will
159 be provided to the college presidents and business officers for their review.
160 Furthermore, the results will be reviewed with the chancellor and Board.

161 Using a holistic approach to evaluate the overall financial health of an institution, the
162 Vice Chancellor for Business and Finance and staff will review the ratios, CFI scores,
163 and adjusted unrestricted net position for the current period and trends over time. Often
164 there are underlying reasons why a particular ratio, the CFI, or the adjusted unrestricted
165 net position may not be at the desired level, but which don't pose a significant risk to the
166 institution. In those cases, the Vice Chancellor should document the reason and no
167 further explanations would be needed. However, if the Vice Chancellor, using their
168 professional judgement, has concerns over a particular ratio, the CFI, the adjusted
169 unrestricted net positions, or trends with any of the aforementioned, the chief business
170 officer or TCAT president shall provide a narrative that addresses the concerns. The
171 submission shall also address what action the institution plans to take to improve the
172 ratio, the CFI, and/or the adjusted unrestricted net position in subsequent years.

173 B. The System Office shall review the narrative submitted by the institution. If deemed
174 necessary by the Vice Chancellor, the System Office will review with the community
175 college chief business officer and/or president or the TCAT president the adequacy of
176 the institution's plan to address the issue. Concerns regarding the adequacy of such
177 plans, if any, shall be communicated to the Chancellor and the institution's

178 president. Any concerns of the Vice Chancellor or Chancellor will be brought to the
179 attention of the Board.

180 C. On an annual basis, the Board shall be advised on the aggregate overall financial
181 performance of the System and its institutions, in summary by sector. The System Office
182 staff shall report to the Board any institution whose performance meets the Composite
183 Financial Index Watch Level criteria specified in this policy.

184

185 **Sources**

186 **Authority**

187 T.C.A. § 49-8-203

188 **History**

189 NEW Policy approved at Board Meeting, September 26, 2014; Revision approved at Board
190 Meeting, September 21, 2017.

191 **Related Policies**

- 192 • [Budget Control](#)
- 193 • [Budget Principles](#)

194

**Presidents Quarterly Meeting
May 4, 2022**

SUBJECT: Revisions to Sick Leave Policy 5:01:01:07

PRESENTER: April Preston, Associate Vice Chancellor for HR & Payroll

ACTION REQUIRED: Requires Vote

Summary:

The Sick Leave Policy revisions are specifically addressing adding an additional 36 hours of sick leave annually to employees who are identified as special disabled veterans. The state implemented a policy effective July 2021, and while TBR doesn't have to follow the state policy, the sub-councils agreed with the following revisions. The highlights of the proposed changes include:

- An individual is identified as a special disabled veteran if they are 30% or more disabled due to a service-related injury they received while serving our country.
- The revisions provide up to 36 hours of sick leave – that doesn't accumulate each year but starts anew each fiscal year – specifically for those Veterans who have identified as Special Disabled.
- The person self identifies as a specially disabled veteran at the time of hire or if return to work after a medical discharge.
- The Human Resource Office may ask for documentation to support the use of the additional leave.
- The purpose of the leave is specifically for the individual's medical appointments.

To see all the changes, please refer to the tracked changes version attached.

Attachments: Tracked changes and Clean Copy of proposed revisions to Sick Leave Policy

Sick Leave: 5.01.01.07

Policy Area

Personnel Policies

Applicable Divisions

TCATs, Community Colleges, System Office

Purpose

It is the policy of the Tennessee Board of Regents to protect all regular full-time and part-time employees against loss of earnings due to illness, injury, or incapacity to work including illness or incapacity to work due to pregnancy, and to provide the time off to employees in the event of illness or death of certain family members.

Definitions

The body of the policy defines terms.

Policy

I. Eligibility to Accrue Sick Leave

- A. Regular full-time employees and academic personnel, regardless of probationary status, shall be eligible to accrue sick leave. All eligible employees (regular full-time and regular part-time) will accrue sick leave after working more than 50% of the month.
- B. Regular part-time employees, including academic personnel scheduled to carry less than a full teaching load or its equivalent, regardless of probationary status, shall be eligible to accrue sick leave on a prorated basis equal to the percentage of their employment to full-time employment.
- C. Temporary employees shall not be eligible to accrue sick leave. Temporary employees who are subsequently appointed as regular employees with no break in service between the temporary assignment and the regular position shall become eligible to accrue sick leave and shall receive sick leave balances accrued retroactively from the date of employment.
- D. All full-time and part-time employees who are employed pursuant to funds available to the institution through grants or contracts are not eligible to accrue sick leave unless the grant or contract involved provides sufficient funds to cover the costs of such leave, or unless eligibility to accrue sick leave is approved by the president of the institution.
- E. Student employees shall not be eligible to accrue sick leave.

II. Eligibility for and Rate of Accrual of Sick Leave

- A. Regular full-time personnel and full-time academic personnel, whether employed on a twelve-month or nine-month service basis, shall accrue sick leave at the rate of 7.5 hours (1 day) for each month of actual service.
 - 1. A regular full-time employee working 37.5 hours per week earns 90 hours (12 days) of sick leave per year.
 - 2. An employee on a 40 hour per week schedule shall accrue 8 hours (1 day) for each month of actual service or 96 hours of sick leave per year.
- B. Regular part-time personnel and part-time academic personnel, whether employed on a twelve-month or nine-month service basis shall accrue sick leave on a prorated basis equal to the percentage of their employment compared to full-time employment.
- C. Accrued days of sick leave shall be cumulative for all days not used.
- D. Eligible employees shall accrue sick leave from the date of employment. (See Section I, item C, providing for retroactive credit for temporary employees who subsequently become eligible to accrue sick leave.)
- E. Eligible employees earn and accrue sick leave for each month upon completion of service for a major fraction thereof.
- F. All modified fiscal year (MODFY) employees who are employed during the period which would normally be the non-duty period of their appointment shall accrue sick leave at the rate of 7.5 hours for each month of full-time employment. For part-time employment during that period, MODFY employees shall accrue sick leave on a prorated basis in accordance with item B of this section.
- G. Notwithstanding any other provision herein which might be construed to the contrary, regular nine-month academic personnel shall accrue 67.5 hours (9 days) of sick leave for full-time employment for a full academic year and up to 22.5 hours (3 days) of sick leave for full-time employment throughout summer sessions based on hours worked during the summer.

H. Employees otherwise eligible to earn sick leave do not earn or accrue sick leave while on an unpaid leave of absence.

III. Special Disabled Veterans Sick Leave Accrual

A. In addition to any other leave accrued, any ~~eSpecial Disabled Veterans (SDV)~~ employee who accrues sick leave under this policy and self-identifies as a veteran with a service-connected disability of 30% or more will be granted ~~who have self-identified as such, will have~~ an additional 36 hours of sick leave available each year. This special bank of sick leave (Special Disabled Veteran sick leave or "SDV sick leave") is available for use for medical appointments, ~~illness or injury specifically~~ related to the service-connected ~~related~~ disability.

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B. The additional ~~(SDV)~~ sick leave will be available from the first day of employment and replenish each fiscal year. It will not rollover from year to year. Each new fiscal year, any remaining SDV sick leave not used will be replaced with a new 36 hour bank of SDV sick leave.

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C. There is no cash value for the SDV sick leave if the employee leaves employment. If the employee transfers to another TBR college, the remaining unused balance of SDV sick leave for that fiscal year will transfer. If the employee transfers to any other higher education institution or state agency, the new employer's policy will be in effect.

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D. If the veteran dies while employed, the unused SDV sick leave for that year will be paid out, as any remaining sick leave is paid. If the eligible veteran retires while employed with a TBR institution or system office any remaining unused special disabled leave will be reported and certified as part of the sick leave reporting for retirement purposed.

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###IV. Use of Sick Leave

- A. Sick leave and Family and Medical Leave (FMLA) shall run concurrently in accordance with the provisions of TBR Policy 5.01.01.14. (Note: Unless an employee is on a reduced or intermittent work schedule, periods of less than three days shall not be designated as FMLA leave.)
- B. Sick leave is generally applicable to absences due to illness or injury to an employee, including illness or incapacity to work due to pregnancy, medical examinations and dental appointments. In addition, sick leave may be used for parental leave. Refer to TBR Policy 5.01.01.08.
- C. Where an employee must be absent because of illness in the immediate family, sick leave may be granted by the appropriate approving authority.
 - 1. For purposes of this section, "immediate family" shall be deemed to include:
 - a. spouse;
 - b. child, step-child, foster child;
 - c. parent, step-parent, foster parent and parent-in-law;
 - d. sibling; and
 - e. other members of the family who reside within the home of the employee.
- D. Sick leave, if available, may be granted at the discretion of the appropriate approving authority in instances of death of a member of the family as follows:
 - 1. Immediate family member as defined in Policy No. 5.01.01.09 - Bereavement Leave, may be granted for a maximum of two (2) days after the three (3) day bereavement leave has been used for a maximum of five (5) consecutive or non-consecutive regularly scheduled work days.
 - 2. In instances of death of one of the following relatives, sick leave may be granted for a maximum of 22.5 hours (3 days):
 - a. sons-in-law and daughters-in-law;
 - b. brothers-in-law and sisters-in-law;
 - c. foster brothers and foster sisters.

- E. Abuse of sick leave by an employee will result in the withholding of payment of the sick leave and possible additional disciplinary action. Sick leave may not be taken until earned and available, and may not be advanced.
- F. Sick leave may not be used by nine-month academic personnel for absences due to illness or injury during a summer or other inter-session unless the employee has been physically present and actually commenced employment for the term in question.
- G. Upon prior approval of the Chancellor, an employee who is injured in the line of duty as a result of the commission of an assault upon them which disables the employee from performing their regular duties, may be retained on the regular payroll for a period not to exceed twenty-eight (28) calendar days without being required to use any accrued sick leave. The length of time for such retention on the payroll shall be based upon a written statement from the attending physician that the employee is unable to perform their regular duties.
- H. Subject to the conditions outlined in Transfer of Sick Leave between Employees Policy 5.01.01.15, sick leave may be transferred to members of the institution/school's Sick Leave Bank(s).

~~IV.V.~~ IV.V. Physician's Statement or Other Certification

- A. An employee may be required to present evidence in the form of personal affidavits, physician's certificates, or other testimonials in support of the reason for sick leave upon request of their supervisor or an appropriate approving authority.
- B. Sick leave may not be denied where an employee furnishes an acceptable statement from a licensed physician or accredited Christian Science practitioner or other healthcare provider, provided that the supervisor or approving authority may require additional documentation or statements from other physicians or accredited practitioners.

~~V.VI.~~ V.VI. Return to Work

- A. An employee may be required to present a written release to return to work, including any restrictions that may apply, from a licensed physician or other accredited practitioner prior to resuming employment.
- B. An employee will be allowed to return to work if the release certifies that he/she is able to perform the essential functions of the position with or without a reasonable accommodation.

~~VI~~.VII. Exhaustion of Sick Leave

- A. When the illness, injury, or disability of an employee continues beyond the period of accumulated sick leave, the employee shall use any accumulated annual leave for continued absence.
- B. However, in cases of workers' compensation, an employee may choose to be placed on an unpaid leave of absence and retain sick and/or annual leave.
- C. When an employee has exhausted all accumulated sick and annual leave, they may be placed on leave of absence, if requested and found to be justifiable. (See TBR Policy No. 5.01.01.03.)

~~VII~~.VIII. Separation of Employees with Accrued Sick Leave

- A. Upon termination of employment, accumulated sick leave shall not be used as terminal leave, and the employee shall not be entitled to any lump sum payment for accumulated sick leave.
- B. If an employee is transferring to another state agency, accumulated sick leave shall be transferred according to Leave Transfer between TBR Institutions and State Agencies. (See TBR Policy No. 5.01.01.06.)
- C. If an employee leaves the System or any other state service in good standing after having worked on a full-time continuous basis for at least one (1) full year and thereafter returns to service with the System on a full-time basis, the employee shall immediately be credited with all sick leave to which they were entitled at the time of the previous termination.

1. Certification of such entitlement must be received from the previous employer if other than the new employer;
 2. If the employee has had interim employment with the System or any other agency of the State of Tennessee of less than one (1) year, they shall not be disqualified from receiving credit for sick leave to which they are otherwise entitled.
- D. Notwithstanding the above paragraph, if any state employee or teacher employed by a local school board in Tennessee leaves the employment of the state or of that board in good standing and becomes a full-time employee within six (6) months of the date of termination, the employee shall immediately be credited with all sick leave to which they were entitled at the time of the previous termination.
- E. TCRS member employees who terminate due to retirement shall have all unused accumulated sick leave credited toward retirement. ORP member employees who terminate due to retirement shall have all unused accumulated sick leave credited toward retirement service for insurance purposes.

VIII-IX. Death of Employees with Accrued Sick Leave

- A. The estate or designated beneficiary of any employee, upon the employee's death, shall be paid for the employee's unused and accrued sick leave in the same manner as the estates of deceased employees are paid for annual leave.

Sources

Authority

T.C.A. § 49-8-203

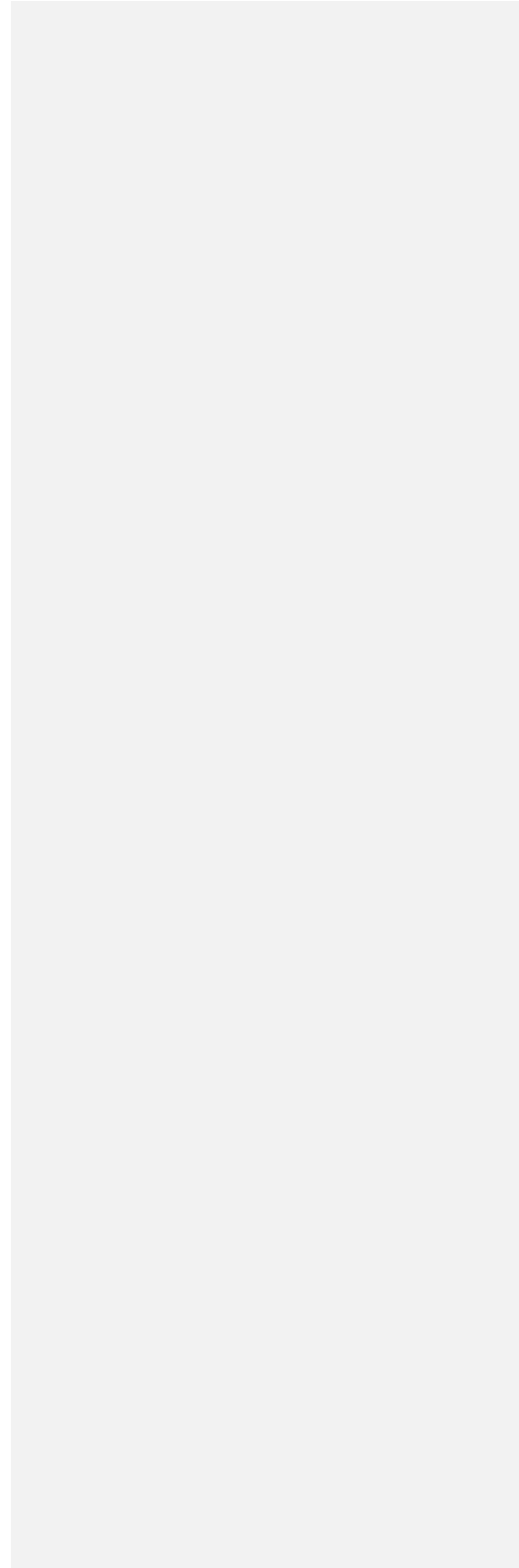
History

TBR Meetings, August 15, 1975; June 25, 1976; December 2, 1977; June 30, 1978; June 29, 1979; June 26, 1981; September 18, 1981; September 24, 1982; June 24, 1983; September 30, 1983; June 28, 1985; June 26, 1987; December 4, 1987; September 16, 1988; March 17, 1989; June 30, 1989; December 15, 1995; March 29, 1996 (Finance and Administration approval November 13, 1996); September 20, 1996 (Finance and Administration approval December 4, 1996), June 25, 1999 (Finance and Administration approval November 1999), October 24, 2001 (Finance and Administration approval December 18, 2001); September 25, 2009, June 28, 2012; September 26, 2014

Note: The provisions of this policy adopted at the August 15, 1975 meeting, became effective on January 1, 1976, and changes in eligibility to earn leave or in the amount of leave earned for period of service were prospective only.

Related Policies

- [Leave of Absence](#)
- [Leave Transfer Between The State University & Community College System & State Agencies](#)
- [Parental Leave](#)
- [Bereavement Leave](#)
- [Family, Medical, and Service Member Leave](#)
- [Transfer of Sick Leave Between Employees](#)



Sick Leave: 5.01.01.07

Policy Area

Personnel Policies

Applicable Divisions

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Purpose

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Definitions

The body of the policy defines terms.

Policy

- I. **Eligibility to Accrue Sick Leave**
 - A. Regular full-time employees and academic personnel, regardless of probationary status, shall be eligible to accrue sick leave. All eligible employees (regular full-time and regular part-time) will accrue sick leave after working more than 50% of the month.
 - B. Regular part-time employees, including academic personnel scheduled to carry less than a full teaching load or its equivalent, regardless of probationary status, shall be eligible to accrue sick leave on a prorated basis equal to the percentage of their employment to full-time employment.
 - C. Temporary employees shall not be eligible to accrue sick leave. Temporary employees who are subsequently appointed as regular employees with no break in service between the temporary assignment and the regular position shall become eligible to accrue sick leave and shall receive sick leave balances accrued retroactively from the date of employment.
 - D. All full-time and part-time employees who are employed pursuant to funds available to the institution through grants or contracts are not eligible to accrue sick leave unless the grant or contract involved provides sufficient funds to cover the costs of such leave, or unless eligibility to accrue sick leave is approved by the president of the institution.
 - E. Student employees shall not be eligible to accrue sick leave.

II. Eligibility for and Rate of Accrual of Sick Leave

- A. Regular full-time personnel and full-time academic personnel, whether employed on a twelve-month or nine-month service basis, shall accrue sick leave at the rate of 7.5 hours (1 day) for each month of actual service.
 - 1. A regular full-time employee working 37.5 hours per week earns 90 hours (12 days) of sick leave per year.
 - 2. An employee on a 40 hour per week schedule shall accrue 8 hours (1 day) for each month of actual service or 96 hours of sick leave per year.
- B. Regular part-time personnel and part-time academic personnel, whether employed on a twelve-month or nine-month service basis shall accrue sick leave on a prorated basis equal to the percentage of their employment compared to full-time employment.
- C. Accrued days of sick leave shall be cumulative for all days not used.
- D. Eligible employees shall accrue sick leave from the date of employment. (See Section I, item C, providing for retroactive credit for temporary employees who subsequently become eligible to accrue sick leave.)
- E. Eligible employees earn and accrue sick leave for each month upon completion of service for a major fraction thereof.
- F. All modified fiscal year (MODFY) employees who are employed during the period which would normally be the non-duty period of their appointment shall accrue sick leave at the rate of 7.5 hours for each month of full-time employment. For part-time employment during that period, MODFY employees shall accrue sick leave on a prorated basis in accordance with item B of this section.
- G. Notwithstanding any other provision herein which might be construed to the contrary, regular nine-month academic personnel shall accrue 67.5 hours (9 days) of sick leave for full-time employment for a full academic year and up to 22.5 hours (3 days) of sick leave for full-time employment throughout summer sessions based on hours worked during the summer.

H. Employees otherwise eligible to earn sick leave do not earn or accrue sick leave while on an unpaid leave of absence.

III. Special Disabled Veterans Sick Leave Accrual

- A. In addition to any other leave accrued, any employee who accrues sick leave under this policy and self-identifies as a veteran with a service-connected disability of 30% or more will be granted an additional 36 hours of sick leave available each year. This special bank of sick leave (Special Disabled Veteran sick leave or “SDV sick leave”) is available for use for medical appointments related to the service-connected disability.
- B. The additional SDV sick leave will be available from the first day of employment and replenish each fiscal year. It will not rollover from year to year. Each new fiscal year, any remaining SDV sick leave not used will be replaced with a new 36 hour bank of SDV sick leave.
- C. There is no cash value for the SDV sick leave if the employee leaves employment. If the employee transfers to another TBR college, the remaining unused balance of SDV sick leave for that fiscal year will transfer. If the employee transfers to any other higher education institution or state agency, the new employer’s policy will be in effect.
- D. If the veteran dies while employed, the unused SDV sick leave for that year will be paid out, as any remaining sick leave is paid. If the eligible veteran retires while employed with a TBR institution or system office any remaining unused special disabled leave will be reported and certified as part of the sick leave reporting for retirement purposed.

IV. Use of Sick Leave

- A. Sick leave and Family and Medical Leave (FMLA) shall run concurrently in accordance with the provisions of TBR Policy 5.01.01.14. (Note: Unless an employee is on a reduced or intermittent work schedule, periods of less than three days shall not be designated as FMLA leave.)

- B. Sick leave is generally applicable to absences due to illness or injury to an employee, including illness or incapacity to work due to pregnancy, medical examinations and dental appointments. In addition, sick leave may be used for parental leave. Refer to TBR Policy 5.01.01.08.
- C. Where an employee must be absent because of illness in the immediate family, sick leave may be granted by the appropriate approving authority.
 - 1. For purposes of this section, "immediate family" shall be deemed to include:
 - a. spouse;
 - b. child, step-child, foster child;
 - c. parent, step-parent, foster parent and parent-in-law;
 - d. sibling; and
 - e. other members of the family who reside within the home of the employee.
- D. Sick leave, if available, may be granted at the discretion of the appropriate approving authority in instances of death of a member of the family as follows:
 - 1. Immediate family member as defined in Policy No. 5.01.01.09 - Bereavement Leave, may be granted for a maximum of two (2) days after the three (3) day bereavement leave has been used for a maximum of five (5) consecutive or non-consecutive regularly scheduled work days.
 - 2. In instances of death of one of the following relatives, sick leave may be granted for a maximum of 22.5 hours (3 days):
 - a. sons-in-law and daughters-in-law;
 - b. brothers-in-law and sisters-in-law;
 - c. foster brothers and foster sisters.
- E. Abuse of sick leave by an employee will result in the withholding of payment of the sick leave and possible additional disciplinary action. Sick leave may not be taken until earned and available, and may not be advanced.

- F. Sick leave may not be used by nine-month academic personnel for absences due to illness or injury during a summer or other inter-session unless the employee has been physically present and actually commenced employment for the term in question.
- G. Upon prior approval of the Chancellor, an employee who is injured in the line of duty as a result of the commission of an assault upon them which disables the employee from performing their regular duties, may be retained on the regular payroll for a period not to exceed twenty-eight (28) calendar days without being required to use any accrued sick leave. The length of time for such retention on the payroll shall be based upon a written statement from the attending physician that the employee is unable to perform their regular duties.
- H. Subject to the conditions outlined in Transfer of Sick Leave between Employees Policy 5.01.01.15, sick leave may be transferred to members of the institution/school's Sick Leave Bank(s).

V. **Physician's Statement or Other Certification**

- A. An employee may be required to present evidence in the form of personal affidavits, physician's certificates, or other testimonials in support of the reason for sick leave upon request of their supervisor or an appropriate approving authority.
- B. Sick leave may not be denied where an employee furnishes an acceptable statement from a licensed physician or accredited Christian Science practitioner or other healthcare provider, provided that the supervisor or approving authority may require additional documentation or statements from other physicians or accredited practitioners.

VI. **Return to Work**

- A. An employee may be required to present a written release to return to work, including any restrictions that may apply, from a licensed physician or other accredited practitioner prior to resuming employment.

- B. An employee will be allowed to return to work if the release certifies that he/she is able to perform the essential functions of the position with or without a reasonable accommodation.

VII. **Exhaustion of Sick Leave**

- A. When the illness, injury, or disability of an employee continues beyond the period of accumulated sick leave, the employee shall use any accumulated annual leave for continued absence.
- B. However, in cases of workers' compensation, an employee may choose to be placed on an unpaid leave of absence and retain sick and/or annual leave.
- C. When an employee has exhausted all accumulated sick and annual leave, they may be placed on leave of absence, if requested and found to be justifiable. (See TBR Policy No. 5.01.01.03.)

VIII. **Separation of Employees with Accrued Sick Leave**

- A. Upon termination of employment, accumulated sick leave shall not be used as terminal leave, and the employee shall not be entitled to any lump sum payment for accumulated sick leave.
- B. If an employee is transferring to another state agency, accumulated sick leave shall be transferred according to Leave Transfer between TBR Institutions and State Agencies. (See TBR Policy No. 5.01.01.06.)
- C. If an employee leaves the System or any other state service in good standing after having worked on a full-time continuous basis for at least one (1) full year and thereafter returns to service with the System on a full-time basis, the employee shall immediately be credited with all sick leave to which they were entitled at the time of the previous termination.
 - 1. Certification of such entitlement must be received from the previous employer if other than the new employer;

2. If the employee has had interim employment with the System or any other agency of the State of Tennessee of less than one (1) year, they shall not be disqualified from receiving credit for sick leave to which they are otherwise entitled.

D. Notwithstanding the above paragraph, if any state employee or teacher employed by a local school board in Tennessee leaves the employment of the state or of that board in good standing and becomes a full-time employee within six (6) months of the date of termination, the employee shall immediately be credited with all sick leave to which they were entitled at the time of the previous termination.

E. TCRS member employees who terminate due to retirement shall have all unused accumulated sick leave credited toward retirement. ORP member employees who terminate due to retirement shall have all unused accumulated sick leave credited toward retirement service for insurance purposes.

IX. [Death of Employees with Accrued Sick Leave](#)

A. The estate or designated beneficiary of any employee, upon the employee's death, shall be paid for the employee's unused and accrued sick leave in the same manner as the estates of deceased employees are paid for annual leave.

Sources

Authority

T.C.A. § 49-8-203

History

TBR Meetings, August 15, 1975; June 25, 1976; December 2, 1977; June 30, 1978; June 29, 1979; June 26, 1981; September 18, 1981; September 24, 1982; June 24, 1983; September 30, 1983; June 28, 1985; June 26, 1987; December 4, 1987; September 16, 1988; March 17, 1989; June 30, 1989; December 15, 1995; March 29, 1996 (Finance and Administration approval November 13, 1996); September 20, 1996 (Finance and Administration approval December 4, 1996), June 25, 1999 (Finance and Administration approval November 1999), October 24, 2001 (Finance and Administration approval December 18, 2001); September 25, 2009, June 28, 2012; September 26, 2014

Note: The provisions of this policy adopted at the August 15, 1975 meeting, became effective on January 1, 1976, and changes in eligibility to earn leave or in the amount of leave earned for period of service were prospective only.

Related Policies

- [Leave of Absence](#)
- [Leave Transfer Between The State University & Community College System & State Agencies](#)
- [Parental Leave](#)
- [Bereavement Leave](#)
- [Family, Medical, and Service Member Leave](#)
- [Transfer of Sick Leave Between Employees](#)