

TENNESSEE BOARD OF REGENTS  
Committee Chairs Meeting  
Tuesday, August 27, 2024  
Agenda

1. Opening remarks (*Reynolds/Tydings*)
  2. Academic Policies and Programs/Student Life
    - Skills USA 2024 Update (*Leming*)
    - Proposed Revisions to TBR Policy 2.01.00.00, General Education Requirements and Degree Requirements (*Denn*)
  3. Personnel and Compensation
    - Promotion Recommendation at Pellissippi State Community College (*Reed*)
    - Faculty Promotion Increases Corrections at Pellissippi State Community College (*Fox*)
    - Proposed Revisions to TBR Policy 6.04.00.00, Pregnancy, Childbirth and Related Medical Conditions (*Lapps*)
  4. Workforce Development
    - THEC Workforce Contact Hours Report (*McCormick/Sisk*)
    - Workforce Convening Outcomes (*Sisk/Adams*)
  5. External Affairs
    - Proposed Revisions to TBR Policy 9.01.03.00, Advertising (*Lapps*)
    - Legislative Priorities (*McCormick*)
  6. Finance & Business Operations
    - Legislative Priorities (*Fox*)
    - 2024-25 Capital Outlay Update (*Tracy*)
    - Proposed Revisions to TBR Policy 4.02.01.00, Approvals of Agreements and Contracts (*Lapps*)
  7. Additional Governance Policies for Review
    - Proposed Revisions to TBR Policy 1.08.04.00, Personally Identifiable Information (*Calisi*)
    - Proposed TBR Policy 1.08.02.00, Digital Identity Authentication Management and Access Control (*Calisi*)
  8. September Quarterly Meeting Schedule (*Tydings*)
- *This meeting will include members of the Tennessee Board of Regents who are participating by electronic means of communication and will be live-streamed and archived on the TBR website at: <https://www.tbr.edu/board/august-2024-committee-chairs-and-audit-committee-meetings>.*
  - *Persons who want to request to address the Board may follow the process authorized by [TBR Policy 1.02.12.00 – Requests to Address the Board](#)*

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BOARD TRANSMITTAL

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MEETING:	Committee Chairs Meeting
SUBJECT:	Proposed Revisions to TBR Policy 2.01.00.00 General Education Requirements and Degree Requirements
DATE:	August 27, 2024
PRESENTER:	Vice Chancellor Jothany Reed Associate Vice Chancellor Robert Denn
PRESENTATION REQUIREMENTS:	5 Minutes
ACTION REQUIRED:	Informational Purposes
STAFF RECOMMENDATION:	Not Applicable

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The review process for Policy 2.01.00.00 began in March 2024 with the General Education Core Steering Committee and was presented for first reading at the April 2024 Joint Academic Affairs/Student Affairs and Faculty Sub-council meetings. The policy was posted for a one-month, open comment period for all sub-council members, and suggested revisions were incorporated into the proposed final document. Those revisions are grouped into the following:

1. Reference the 2025 TBR Core framework document. (§I.A)
2. Remove sections pertaining to university governance and degrees. (§II. A)
3. Remove clauses more appropriate for other policies.
  - 2.00.01.06 Articulation and Transfer (§II.B.3)
  - 2.03.00.00 Admission at the Community Colleges (§IV)
  - 2.03.00.02 Community College Learning Support (§II.C)
4. Remove inactive links. (§I.C)
5. Specify degrees with special distribution requirements. (§I.D)
6. Delete defunct deficiency thresholds. (§II.D.)
7. Include Core course approval process. (§III)
8. General language cleanup/clarification/organization.

The proposed revised policy passed unanimously through the Joint Academic Affairs/Student Affairs Sub-council and the Faculty Sub-council during their July 2024 meetings. The proposed revisions were approved by the Presidents Council during their meeting on August 7, 2024. Policy 2.01.00.00 General Education Requirements and Degree Requirements is scheduled for consent agenda at the Board's September 2024 quarterly meeting.

Marked-up and clean copies of the policy are enclosed.

## 2.01.00.00 General Education Requirements and Degree Requirements



### 2.01.00.00 General Education Core and Degree Requirements

#### **Policy/Guideline Area**

Academic Policies

#### **Applicable Division**

Community Colleges

#### **Purpose**

The purpose of this policy is to specify the ~~common~~ general education core requirements ~~for degrees conferred by community colleges at the lower division, for institutions governed by the Tennessee Board of Regents.~~

#### **Policy/Guideline**

- I. General Education Core Requirements
  - A. ~~Effective Fall Semester 2004, each institution in the State University and cCommunity cCollege System of Tennessee (hereafter identified as the Tennessee Board of Regents System)~~ will subscribe to the common general education core requirements stated in the policy sections below and as published in the TBR Core framework document, effective fall semester 2025 (see exhibit A), at the lower division.
  - B. These requirements consist of forty-one (41) semester hours in the following subject categories and are required for completion of the Associate of Arts (A.A.), Associate of Science (A.S.), Associate of Science in Teaching (A.S.T.), and Associate of Fine Arts (A.F.A.)~~all baccalaureate degrees.~~
    1. Communication: 9 semester hours
      - a. Six (6) semester hours of English composition and three (3) semester hours in English oral presentational communication are required.
    2. Humanities and/or Fine Arts: 9 semester hours

- a. One course must be in literature.
- 3. Social/Behavioral Sciences: 6 semester hours
- 4. History: 6 semester hours
  - a. ~~Students who lack the required one unit (one year) of American history from high school as an admissions requirement must complete six (6) semester hours of American History or three (3) semester hours of American History and three (3) semester hours of Tennessee History to fulfill the history requirement in general education. Otherwise, students may choose from among the history courses approved at a particular institution to fulfill the six semester hour requirement in history.~~
- 5. Natural Sciences: 8 semester hours
- 6. Mathematics: 3 semester hours

C. ~~Total 41 semester hours.~~

~~C.D.~~ Courses specified as meeting general education requirements are published in the catalog of each institution, ~~and may be viewed at the following TBR link. <https://www.tbr.edu/academics/transfer-and-articulation>~~

E. ~~Students pursuing a Bachelor of Arts degree shall be required to demonstrate proficiency in a foreign language equivalent to completion of two years of college level work.~~

F. ~~Students pursuing an Associate of Arts degree shall be required to demonstrate proficiency in a foreign language equivalent to completion of one year of college level work.~~

~~D.G.~~ Students pursuing ~~ans~~ Associates of Fine Arts degree in Music as a Tennessee Transfer Pathway will complete all of the required ~~g~~General ~~e~~Education hours in Section B. above except for six hours of the humanities requirement, including one course in literature, which must be completed at a university upon transfer. ~~Total 35 hours.~~

## II. ~~Undergraduate~~ Degree Requirements and Provisions

A. ~~All baccalaureate degrees offered by institutions in the Tennessee Board of Regents System shall require a maximum of 120 semester hours except in certain degree programs in which approval to exceed the~~

~~maximum has been granted. The programs approved as exceptions to the maximum are identified in institutional catalogs.~~

B. A. — All Associate of Arts and Associate of Science degrees offered by institutions in the Tennessee Board of Regents System shall be designated on the THEC Academic Program inventory as University Parallel degrees and require a maximum of 60 semester hours except in certain degree programs in which approval to exceed the maximum has been granted. The programs approved as exceptions to the maximum are identified in institutional catalogs. For students who complete a Tennessee Transfer Pathway, the corresponding Associate of Arts, ~~or~~ Associate of Science, or Associate of Fine Arts degree shall include the title of the pathway in the catalog and on the diploma.

C. ~~Credit hours earned in remedial, developmental or learning support courses are institutional credit; they are not applicable to credit hours required for any certificate, associate, or baccalaureate degree.~~

D. ~~College courses taken to address course deficiencies in high school preparation and to meet minimum university admission requirements effective fall 1989 may be used concurrently to satisfy general education requirements specified above with the exception of foreign language.~~

B. — Students pursuing an Associate of Arts degree shall be required to demonstrate proficiency in a foreign language equivalent to completing of one year of college-level work.

~~E. — Relative to removing course deficiencies in foreign language, the following provisions apply:~~

~~1. — Students who pursue programs leading to the Associate of Science or Bachelor of Science degrees may apply foreign language courses taken to remove the deficiencies as electives, if appropriate, or otherwise as add-on hours.~~

~~2. — Students who pursue programs leading to the Associate of Arts and Bachelor of Arts degrees may apply foreign language courses taken to remove deficiencies toward fulfillment of degree requirements.~~

C. — The Associate of Applied Science (A.A.S.) degree is not generally designed to transfer to baccalaureate programs without the creation of specific articulation agreements; however, a general education component is required.

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D. The following distribution of general education core courses is required for the A.A.S. degree in all community colleges within the Tennessee Board of Regents System:

1. English Composition: 3 semester hours
2. \*Humanities and/or Fine Arts: 3 semester hours
3. \*Social/Behavioral Sciences: 3 semester hours
4. \*Natural Science/Mathematics: 3-4 semester hours
5. One additional course from the categories of Communication, Humanities and/or Fine Arts, Social/Behavioral Sciences, or Natural Science/Mathematics 3-4 semester hours

E. Total 15-17 semester hours

F. \*Specific courses satisfying these requirements must be the same courses that satisfy the general education core requirement for the Associate of Arts or Associate of Science degrees.

### III. Core Course Approval

- A. Each community college will list its general education core courses in its catalog and on its website where appropriate.
- B. All core courses must be approved by the systemwide Core Review Committee.
- C. The Core Review Committee will include one representative from each community college as appointed by its Chief Academic Officer.
- D. The Core Review Committee may include one representative from each of the six locally governed TN public universities and one from the UT system.

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### IV. Transfer Provisions of the General Education Core and Tennessee Transfer Pathway Courses

- ~~A. Students who complete the Associate of Arts or Associate of Science or Associate of Science in Teaching degree and transfer to a university within the Tennessee Board of Regents System will have satisfied all lower division general education requirements.~~
- A.B. University to university transfer students and Community college students who do not complete the Associate of Arts, ~~or~~ Associate of Science, ~~or~~ Associate of Science in Teaching, or Associate of Fine Arts degree and transfer to another community college institution within the

Tennessee Board of Regents System but who complete blocks of subject categories will have satisfied the general education requirements for the categories of note.

1. For example, if the eight (8) semester hours of natural sciences are completed, then this block of the general education requirement is fulfilled upon transfer to an ~~other community college institution~~ within the Tennessee Board of Regents System.
2. When a subject category is incomplete, a course by-course evaluation will be conducted, and the student will be subject to specific requirements of the receiving institution.
3. ~~If a student is following a Tennessee Transfer Pathway, all courses contained within the curriculum of that pathway completed by the student prior to transfer shall be accepted by the institution and be applied either to the general education requirement or area of emphasis requirement as listed in that Tennessee Transfer Pathway.~~

C. ~~Institutional/departmental requirements of the grade of "C" will be honored.~~

1. ~~If credit is granted for a course with the grade of "D," any specific requirements for the grade of "C" by the receiving institution will be enforced, except as provided in Section B of Calculation of Grade Point Averages (GPAs) for Courses Transferred and Related Applications.~~

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D. ~~In certain majors, specific courses must also be taken in general education.~~

1. ~~It is important that students and advisors be aware of any major requirements that must be fulfilled under lower division general education.~~
2. ~~In cases where specific courses are required as a part of general education for certain majors, the student is responsible for enrolling in the correct courses.~~
3. ~~Failure to fulfill specific major requirements in lower division general education may result in the need to complete additional courses.~~

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IV. ~~Calculation of Grade Point Averages (GPAs) for all Courses Transferred and Related Applications~~

- A. ~~Upon receiving courses for transfer, the receiving institution will exclude grades in the calculation of Grade Point Averages (GPAs).~~

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1. ~~Credit will be given for all courses in which passing grades are achieved, including the grade of D.~~
2. ~~All grades, including F's, W's, etc., must be included on the transfer record.~~
3. ~~The entire record of transfer students will be considered for eligibility of admission into programs that require attainment of specific grade point averages or where external entities stipulate consideration of the entire student record.~~

B. ~~Specific application regarding the grade of D pertains as follows:~~

1. ~~Community college students who complete approved Tennessee Transfer Pathways (TTPs) or parts thereof, the grade of D will be honored and affected courses will not be subject to repetition, except in certain cases where requirements stipulate specific courses must be achieved with a grade of C (2.0) or higher.~~
2. ~~In routes of transfer outside the TTPs, institutional practices regarding the applicability of the grade of D will be honored.~~

C. ~~Institutions will follow prescribed state practices in evaluating continuing eligibility for the Tennessee Lottery Scholarship Program, which requires inclusion of calculating the cumulative GPA on all courses taken after graduation from high school.~~

D. ~~Institutions have the prerogative to develop criteria for honors designations.~~

E. ~~In cases where a student repeats a course at another institution, the receiving institution should utilize its own repeat policy to exclude the grade/credit originally earned.~~

F. ~~The provisions noted above will be effective for course work presented for transfer to enroll in summer 2015 and thereafter.~~

#### IV. ~~General Education Requirements for the Associate of Applied Science Degree~~

A. ~~The Associate of Applied Science (A.A.S.) degree is not designed to transfer to baccalaureate programs; however, a general education component is required.~~

B. ~~The following distribution of general education courses is required for the A.A.S. degree in all community colleges within the Tennessee Board of Regents System:~~

1. ~~English Composition: 3 semester hours~~
2. ~~\*Humanities and/or Fine Arts: 3 semester hours~~

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3. ~~\*Social/Behavioral Sciences: 3 semester hours~~

4. ~~\*Natural Science/Mathematics: 3 semester hours~~

a. ~~One additional course from the categories of Communication, Humanities and/or Fine Arts, Social/Behavioral Sciences, or Natural Science/Mathematics 3-4 semester hours~~

C. ~~Total 15-17 semester hours~~

D. ~~\*Specific courses satisfying these requirements must be the same courses that satisfy the general education requirement for the Associate of Arts, Associate of Science, or baccalaureate degrees.~~

## VI. Graduate

A. ~~Graduate Degree Requirements and Provisions~~

1. ~~Graduate degree requirements vary by discipline and level. Generally, master and doctoral programs require a 3.0 GPA or higher for graduation as stated by the institution.~~

B. ~~Transfer Provision for Graduate Courses~~

1. ~~Transfer credit provisions are set by the institutions in keeping with best practice guidelines. As such, transfer of graduate credit is limited in a number of areas.~~

a. ~~For example,~~

(1) ~~the number of hours that may be transferred,~~

(2) ~~in equivalency of requirements,~~

(3) ~~the procedures for acceptance of graduate transfer credits,~~

(4) ~~the period in which courses may be taken and time limits on graduate work varies by institution,~~

(5) ~~department and academic program.~~

2. ~~In general, courses are eligible for transfer if the grade earned is a "B" or better.~~

## Sources

### Authority

T.C.A. § 49-8-203; THEC; SACS

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Exhibit

2025 TBR Core Model

**History**

TBR Meetings, June 25, 1976; June 25, 1982; March 20, 1987; June 24, 1988; December 5, 1997; June 29, 2004; September 24, 2004; March 27, 2008; TBR Board Meeting September 25, 2009. TBR Board Meeting, December 2, 2010; September 21, 2012; December 21, 2014 (Removed language in Section I.D. ~~referring~~referring to finding the course information on the TBR and/or Policies & Guideline website. This information will now be on the individual institution's website.); (Added a new link for pathways information.) TBR Meeting March 30, 2016; Revised at Board Meeting June 20, 2019.

## 2.01.00.00 General Education Requirements and Degree Requirements



### 2.01.00.00 General Education Core and Degree Requirements

#### **Policy/Guideline Area**

Academic Policies

#### **Applicable Division**

Community Colleges

#### **Purpose**

The purpose of this policy is to specify the general education core requirements for degrees conferred by community colleges.

#### **Policy/Guideline**

- I. General Education Core Requirements
  - A. Each community college will subscribe to the general education core requirements stated in the policy sections below and as published in the TBR Core framework document, effective fall semester 2025 (see exhibit A).
  - B. These requirements consist of forty-one (41) semester hours in the following subject categories and are required for completion of the Associate of Arts (A.A.), Associate of Science (A.S.), Associate of Science in Teaching (A.S.T.), and Associate of Fine Arts (A.F.A.).
    1. Communication: 9 semester hours
      - a. Six (6) semester hours of English composition and three (3) semester hours in English oral presentational communication are required.
    2. Humanities and/or Fine Arts: 9 semester hours
      - a. One course must be in literature.
    3. Social/Behavioral Sciences: 6 semester hours

4. History: 6 semester hours
  5. Natural Sciences: 8 semester hours
  6. Mathematics: 3 semester hours
- C. Courses specified as meeting general education requirements are published in the catalog of each institution.
- D. Students pursuing an Associate of Fine Arts degree in Music as a Tennessee Transfer Pathway will complete all of the required general education hours in Section B. above except for six hours of the humanities requirement, including one course in literature, which must be completed at a university upon transfer.

## II. Degree Requirements and Provisions

- A. All Associate of Arts and Associate of Science degrees offered by institutions in the Tennessee Board of Regents System shall be designated on the THEC Academic Program inventory as University Parallel degrees and require a maximum of 60 semester hours except in certain degree programs in which approval to exceed the maximum has been granted. The programs approved as exceptions to the maximum are identified in institutional catalogs. For students who complete a Tennessee Transfer Pathway, the corresponding Associate of Arts, Associate of Science, or Associate of Fine Arts degree shall include the title of the pathway in the catalog and on the diploma.
- B. Students pursuing an Associate of Arts degree shall be required to demonstrate proficiency in a foreign language equivalent to completing of one year of college-level work.
- C. The Associate of Applied Science (A.A.S.) degree is not generally designed to transfer to baccalaureate programs without the creation of specific articulation agreements; however, a general education component is required.
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4. \*Natural Science/Mathematics: 3-4 semester hours
  5. One additional course from the categories of Communication, Humanities and/or Fine Arts, Social/Behavioral Sciences, or Natural Science/Mathematics 3-4 semester hours
- E. Total 15-17 semester hours
- F. \*Specific courses satisfying these requirements must be the same courses that satisfy the general education core requirement for the Associate of Arts or Associate of Science degrees.

### III. Core Course Approval

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- D. The Core Review Committee may include one representative from each of the six locally governed TN public universities and one from the UT system.

### IV. Transfer Provisions of the General Education Core and

- A. Community college students who do not complete the Associate of Arts, Associate of Science, Associate of Science in Teaching, or Associate of Fine Arts degree and transfer to another community college within the Tennessee Board of Regents System but who complete blocks of subject categories will have satisfied the general education requirements for the categories of note.
  1. For example, if the eight (8) semester hours of natural sciences are completed, then this block of the general education requirement is fulfilled upon transfer to another community college within the Tennessee Board of Regents System.
  2. When a subject category is incomplete, a course by-course evaluation will be conducted, and the student will be subject to specific requirements of the receiving institution

### Sources

### Authority

T.C.A. § 49-8-203; THEC; SACS

## Exhibit

### 2025 TBR Core Model

#### **History**

TBR Meetings, June 25, 1976; June 25, 1982; March 20, 1987; June 24, 1988; December 5, 1997; June 29, 2004; September 24, 2004; March 27, 2008; TBR Board Meeting September 25, 2009. TBR Board Meeting, December 2, 2010; September 21, 2012; December 21, 2014 (Removed language in Section I.D. referring to finding the course information on the TBR and/or Policies & Guideline website. This information will now be on the individual institution's website.); (Added a new link for pathways information.) TBR Meeting March 30, 2016; Revised at Board Meeting June 20, 2019.

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BOARD TRANSMITTAL

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MEETING: Committee Chairs Meeting

SUBJECT: Promotion Recommendation at Pellissippi State

DATE: August 27, 2024

PRESENTER: Vice Chancellor Jothany Reed

PRESENTATION REQUIREMENTS: 5 minutes with discussion

ACTION REQUIRED: Informational Purposes

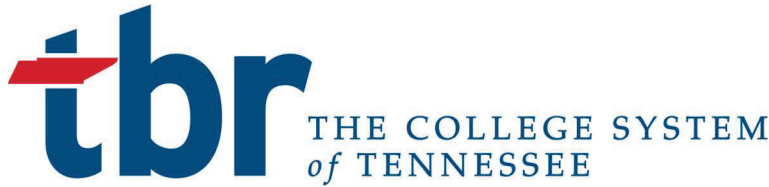
STAFF'S RECOMMENDATION: Not Applicable

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The Board will be asked to review a recommendation for promoting a faculty member serving at Pellissippi State Community College.

The following materials are respectfully submitted for consideration.





Promotion or Tenure by Exception

MEETING: September 19, 2024 Board Meeting

SUBJECT: Promotion

ACTION REQUIRED: Recommend for Board Approval

TBR STAFF'S RECOMMENDATION: Recommend for Chancellor's Approval

The Board will be asked to approve recommendations for the promotion and tenure of faculty serving at the community colleges. The following is a request for promotion and or tenure by exception:

President Dr. Wise is recommending Allison McKittrick, Library faculty member, for promotion to Associate Professor and retroactive salary increase to July 1, 2024.

Rationale:

Allison McKittrick, Library faculty, was recommended by her peers for promotion to Associate Professor. This recommendation was supported by both the Vice President of Academic Affairs as well as the President's office. Ms. McKittrick was inadvertently omitted from the final list submitted to the Tennessee Board of Regents for approval at their meeting in June 2024.

By signing, I certify the faculty and administration have reviewed and documented the credentials and experience of this faculty member. Furthermore, I make this recommendation to the Chancellor by exception outlined in TBR policy.

DocuSigned by: L. Anthony Wise Jr. 2024-07-23 | 7:03 PM CDT
Date

By signing, TBR Academic Affairs certifies the institution's recommendation has been reviewed by TBR Academic Affairs.

DocuSigned by: Charles A Lopez 2024-07-24 | 8:53
DocuSigned by: Jonathan Reed 2024-07-24 | 11:57 AM CDT
ASSOCIATE VICE CHANCELLOR'S SIGNATURE Date

DocuSigned by: Flora W. Tydings 2024-08-01 | 5:53 AM CDT
Date

Upon approval of an exception by the Chancellor, the faculty member's recommendation for tenure or promotion will go forward to the Board as meeting the requirements for the probationary period.

Policy references: Academic Tenure for Community Colleges: 5.02.03.70; Faculty Promotion at Community Colleges: 5.02.02.30

PELLISSIPPI STATE COMMUNITY COLLEGE

OFFICE OF THE PRESIDENT

June 28, 2024

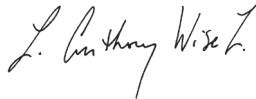
Chuck Lopez  
Tennessee Board of Regents  
1 Bridgestone Park, Third Floor  
Nashville, TN 37214

Dr. Lopez,

It has come to our attention a clerical error was made on Pellissippi State Community College's memo of Recommendation of Candidates for Promotion and Tenure, effective 2024-2025. Allison McKittrick, Library faculty, was recommended by her peers for promotion to Associate Professor. This recommendation was supported by both the Vice President of Academic Affairs as well as the President's office. Ms. McKittrick was inadvertently omitted from the final list submitted to the Tennessee Board of Regents for approval at their meeting in June 2024. I request Ms. McKittrick's name be presented to the Board for approval for Promotion to Associate Professor. Furthermore, if approved by the Board, I request the promotion be retroactively applied to be effective July 1, 2024.

Thank you for your consideration of this request.

Sincerely,



L. Anthony Wise, Jr.

president@pstcc.edu  
Phone: 865.694.6616



PELLISSIPPI STATE  
COMMUNITY COLLEGE

10915 Hardin Valley Road  
P.O. Box 22990  
Knoxville, TN 37933-0990

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BOARD TRANSMITTAL

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MEETING: Committee Chairs Meeting

SUBJECT: Faculty Promotion Increases Corrections

DATE: August 27, 2024

PRESENTER: Alisha Fox

PRESENTATION  
REQUIREMENTS: 5 minutes

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In the June faculty promotion increase requests, Pellissippi State (PSCC) mistakenly omitted one (1) faculty members from their promotion list and list of corresponding increases. That individual and the applicable increase is below:

Name: Allison McKittrick  
Department: Library Faculty  
Current rank: Assistant Professor  
Proposed rank: Associate Professor  
Current salary: \$60,540  
Increase amount: \$3,030  
New salary: \$63,570

Additionally, PSCC mistakenly sent through the wrong salary increase information on a faculty member in June:

Name: Caleb Williamson  
Department: Computer Information Technology  
Approved rank: Associate Professor  
Approved amount: \$3,220  
Correct amount: \$4,020  
Difference: \$800

These items will be on the consent agenda at the September Board meeting for approval.

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BOARD TRANSMITTAL

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MEETING: Committee Chairs Meeting

SUBJECT: Policy 6.04.00.00, Pregnancy, Childbirth, and Related Medical Conditions (Revisions)

DATE: August 27, 2024

PRESENTER: Brian Lapps, General Counsel

PRESENTATION REQUIREMENTS: 3 minutes

ACTION REQUIRED: Informational Purposes

STAFF RECOMMENDATION: Not Applicable

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Proposed revisions to this policy are designed to comply with regulations implementing the Pregnant Workers Fairness Act. (Please note that this policy applies to employees and expands Title VII protections. The revisions are not based on the Title IX regulations, which have been enjoined.) The revisions accomplish the following primary purposes, as required by the regulations:

- (1) Clarify that the policy applies to employees.
- (2) Require that when an employee informs a supervisor she is pregnant, the supervisor tell the employee how to request a reasonable accommodation.
- (3) Limit the documentation HR may request and obtain from an employee to that which is reasonable under the circumstances. The College is not permitted to request excessive or unnecessary documentation.
- (4) Clarify that unpaid leave can be a form of reasonable accommodation.

These proposed revisions, in both tracked changes and clean copy format, have been reviewed by the HR Officers, Business Affairs Subcouncil, and the Presidents.

## 6.04.00.00 Pregnancy, Childbirth, and Related Medical Conditions (Employees)



### Policy/Guideline Area

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Sexual Discrimination/Harassment/Misconduct

### Applicable Division

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TCATs, Community Colleges, System Office

### Purpose

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The Tennessee Board of Regents prohibits discrimination against employees because of sex and requires institutions to comply with all legal obligations regarding pregnancy, childbirth, and related medical conditions in accordance with Title VII of the Civil Rights Act of 1964, the Pregnant Workers Fairness Act, Title IX of the Education Amendments of 1972, the PUMP Act, Tennessee Code Annotated § 50-1-305, and all other applicable state and federal statutes and regulations.

### Definitions

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- “Institution” means each college within the TBR System, and includes the TBR System Office.
- “Known limitation” means a physical or mental condition related to, affected by, or arising out of pregnancy, childbirth or related medical conditions that the employee or the employee’s representative has communicated to the institution, whether or not such condition constitutes a disability under the Americans with Disabilities Act.
- “~~Qualified~~ Employee” means an employee or applicant who, either with or without reasonable accommodation, can perform the essential functions of the job position. An employee or applicant is considered qualified if any inability to perform an essential function is for a temporary period, the essential function can be performed in the near future, and the inability to perform the essential function can be reasonably accommodated.
  - This policy applies to all qualified employees of the institution, whether full- or part-time; whether faculty, adjunct, or staff; [P-080, Discrimination & Harassment - Complaint Investigation Procedure](#) and regardless of length of employment.

- A qualified applicant is considered to be a qualified employee.
- “Reasonable accommodation” generally has the same meaning as under the ADA.
  - Reasonable accommodation means a modification or adjustment to a job or the work environment that will enable a qualified employee to perform the essential functions of the job. (Unlike the ADA, reasonable accommodation under this policy may include temporarily relieving a qualified employee of an essential function of the job.) If multiple reasonable accommodations are available, the institution may select among reasonable accommodations.
  - Reasonable accommodation may include, but is not limited to, making existing facilities accessible, leave, job restructuring, a part-time or modified work schedule, acquiring or modifying equipment, changing or making exceptions to a policy, and reassignment to a vacant position.
- “Related medical condition” includes any illness, complication, or symptoms arising out of pregnancy or childbirth. Examples of related medical conditions include, but are not limited to, morning sickness, gestational diabetes, pregnancy-induced hypertension, miscarriage, sciatica, lactation or the need to express breast milk, medical procedures and recovery, physical injuries from childbirth, and postpartum depression.

## **Policy/Guideline**

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### I. Nondiscrimination in General

- A. Discrimination or harassment based on current, potential, or past pregnancy, or related medical condition, is prohibited gender-sex discrimination. Complaints of discrimination or harassment based on any alleged violation of this policy pregnancy should be submitted to the Title IX Coordinator and will be investigated pursuant to TBR Guideline P-080 Discrimination & Harassment - Complaint Investigation Procedure or TBR Policy 6.01.00.00 Sex Discrimination, Sexual Harassment or Sexual Misconduct.

- B. Retaliation against someone who requests a reasonable accommodation for pregnancy, childbirth, or a related medical condition or who files a complaint based on pregnancy is prohibited. Retaliation complaints will be investigated under TBR Guideline [P-080 Discrimination & Harassment - Complaint Investigation Procedure](#) or TBR Policy [6.01.00.00 Sex Discrimination, Sexual Harassment or Sexual Misconduct](#).
  - C. An institution shall treat employees who are temporarily unable to perform their job duties or participate in educational programs due to pregnancy, childbirth, or related medical conditions the same as non-pregnant employees who are similar in their ability or inability to work or participate in educational activities, for example with respect to temporary and light duty assignments.
- II. Reasonable Accommodation on the Basis of Pregnancy, Childbirth, and Related Medical Conditions
- A. ~~Any one employee or applicant who~~ seekings a reasonable accommodation under this policy should contact the institution's Title IX Coordinator or other individual designated by the institution. Employees are required to participate in an interactive process to determine a reasonable accommodation. [A request for accommodation may be made orally or in writing.](#)
  - B. ~~An employee who learns that another employee may need reasonable accommodation under this policy should~~ must ~~report the matter to the Title IX Coordinator or other individual designated by the institution.~~ Anyone with regular supervisory responsibilities over an employee who learns from the employee or employee's representative about a potential need for a reasonable accommodation due to pregnancy, childbirth, or a related medical condition must inform the employee or representative how to request a reasonable accommodation and must inform the Title IX Coordinator or other person designated by the institution about the employee's need for a potential accommodation. ~~supervisor, manager, anyone who regularly directs the~~

~~employee, any human resources personnel or other appropriate official who learns from a qualified employee or from the qualified employee's representative of a known limitation and a need for an accommodation must inform the employee of how to make a request for a reasonable accommodation and the person to whom the request should be made and must also contact the Title IX Coordinator to ensure that the reasonable accommodation is made or the interactive process begun.~~

C. An institution shall make reasonable accommodation to known limitations related to pregnancy, childbirth, or related medical condition of a qualified employee. The institution and employee must engage in a good faith, interactive process to identify a reasonable accommodation.

D. An institution may deny a reasonable accommodation if it would result in undue hardship to the institution. The Office of General Counsel must be consulted prior to denying a reasonable accommodation based on undue hardship.

~~D.E. Any request for documentation for pregnancy, childbirth, or a related medical condition must be made by the human resources department. The human resources department may only ask for documentation that is reasonable under the circumstances to determine a reasonable accommodation, and any request must comply with the limitations on requests for information in TBR Policy 5.01.01.14 Family, Medical, and Service Member Leave. An institution may not seek unreasonable supporting documentation. An institution may only request medical documentation if necessary. Any necessary and reasonable requests for supporting documentation are limited to confirming the medical condition, confirming that the condition is related to, affected by or arising out of pregnancy, childbirth or related medical condition, and describes the adjustment or change that is needed due to the limitation.~~

E.F. An institution shall not:



1. require a qualified employee to accept a reasonable accommodation other than one arrived at through an interactive process;
2. deny equal employment opportunities to a qualified employee based on the need to make reasonable accommodations; or
3. take adverse action against a qualified employee because the employee requested or used a reasonable accommodation, or otherwise retaliate against an individual in violation of applicable law.

G. A qualified employee may elect to take leave in accordance with TBR Policy [5.01.01.08, Parental Leave](#) or TBR Policy [5.01.01.14, Family, Medical, and Service Member Leave](#). An institution shall not require a qualified employee to take leave, whether paid or unpaid, if another reasonable accommodation can be provided. Human Resources is responsible for coordinating leave under various policies.

F-H. If an employee who is pregnant, gives birth, or has a related medical condition does not have enough leave or does not qualify for leave, the institution must allow the employee to take unpaid leave for a reasonable period of time for pregnancy, childbirth, or a related medical condition, after which the employee must be reinstated to the status held when the leave began or to a comparable position without decrease in pay, loss of promotional opportunity, or other right or privilege of employment.

G-I. Reasonable accommodation, including unpaid leave, pursuant to this policy is available only to qualified employees who are pregnant, have given birth, or have a pregnancy-related condition. Leave for family members may be available pursuant to TBR Policy [5.01.01.08, Parental Leave](#) or TBR Policy [5.01.01.14, Family, Medical, and Service Member Leave](#).

### III. Lactation

- A. An institution shall provide space other than a restroom to express milk. The institution may either create dedicated space or provide temporary space on an as-needed basis. The space must be clean, shielded from view, and free from intrusion from others.
- B. Institutions must provide a reasonable amount of break time, as frequently as needed by the nursing mother, to express milk. Breaks must be provided for one year following birth, and any employee who wishes to continue expressing breast milk beyond one year should contact the Title IX Coordinator to discuss additional time to provide breaks.
- C. Employees taking breaks to express milk shall be compensated in the same manner as other employees are compensated during break time. No deduction may be made from an exempt employee's salary. No deduction from a non-exempt employee's pay is permitted unless the Title IX Coordinator has approved in advance.

## Sources

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Tenn. Code Ann. § 50-1-305

Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e et seq. (as amended by the Pregnant Workers Fairness Act); [29 C.F.R. Part 1636](#)

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1688

Fair Labor Standards Act § 18d (as amended by the Providing Urgent Maternal Protections for Nursing Mothers Act (PUMP Act))

## History

TBR Board Meeting, June 16, 2023; [TBR Board Meeting](#), 2024.

## Related Policies

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[5.01.01.08 Parental Leave](#)

[5.01.01.14 Family, Medical, and Service Member Leave](#)

[6.01.00.00 Sex Discrimination, Sexual Harassment or Sexual Misconduct](#)

6.04.00.00 Pregnancy, Childbirth, and Related Medical Conditions (Employees):  
6.04.00.00 (DRAFT 7-8-24)

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[6.02.00.00 Sex Discrimination and Sexual Harassment](#)

[6.03.00.00 Sexual Misconduct](#)

[P-080 Discrimination & Harassment - Complaint & Investigation Procedure](#)

# 6.04.00.00 Pregnancy, Childbirth, and Related Medical Conditions (Employees)



## Policy/Guideline Area

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Sexual Discrimination/Harassment/Misconduct

## Applicable Division

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TCATs, Community Colleges, System Office

## Purpose

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The Tennessee Board of Regents prohibits discrimination against employees because of sex and requires institutions to comply with all legal obligations regarding pregnancy, childbirth, and related medical conditions in accordance with Title VII of the Civil Rights Act of 1964, the Pregnant Workers Fairness Act, Title IX of the Education Amendments of 1972, the PUMP Act, Tennessee Code Annotated § 50-1-305, and all other applicable state and federal statutes and regulations.

## Definitions

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- “Institution” means each college within the TBR System and includes the TBR System Office.
- “Known limitation” means a physical or mental condition related to, affected by, or arising out of pregnancy, childbirth or related medical conditions that the employee or the employee’s representative has communicated to the institution, whether or not such condition constitutes a disability under the Americans with Disabilities Act.
- “Employee” means an employee or applicant who, either with or without reasonable accommodation, can perform the essential functions of the job position. An employee or applicant is considered qualified if any inability to perform an essential function is for a temporary period, the essential function can be performed in the near future, and the inability to perform the essential function can be reasonably accommodated.
  - This policy applies to all qualified employees of the institution, whether full- or part-time; whether faculty, adjunct, or staff; [P-080, Discrimination & Harassment - Complaint Investigation Procedure](#) and regardless of length of employment.

- A qualified applicant is considered to be a qualified employee.
- “Reasonable accommodation” generally has the same meaning as under the ADA.
  - Reasonable accommodation means a modification or adjustment to a job or the work environment that will enable a qualified employee to perform the essential functions of the job. (Unlike the ADA, reasonable accommodation under this policy may include temporarily relieving a qualified employee of an essential function of the job.) If multiple reasonable accommodations are available, the institution may select among reasonable accommodations.
  - Reasonable accommodation may include, but is not limited to, making existing facilities accessible, leave, job restructuring, a part-time or modified work schedule, acquiring or modifying equipment, changing or making exceptions to a policy, and reassignment to a vacant position.
- “Related medical condition” includes any illness, complication, or symptoms arising out of pregnancy or childbirth. Examples of related medical conditions include, but are not limited to, morning sickness, gestational diabetes, pregnancy-induced hypertension, miscarriage, sciatica, lactation or the need to express breast milk, medical procedures and recovery, physical injuries from childbirth, and postpartum depression.

## **Policy/Guideline**

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- I. Nondiscrimination in General
  - A. Discrimination or harassment based on current, potential, or past pregnancy, or related medical condition, is prohibited sex discrimination. Complaints of discrimination or harassment based on any alleged violation of this policy should be submitted to the Title IX Coordinator and will be investigated pursuant to TBR Guideline [P-080 Discrimination & Harassment - Complaint Investigation Procedure](#) or TBR Policy [6.01.00.00 Sex Discrimination, Sexual Harassment or Sexual Misconduct](#).
  - B. Retaliation against someone who requests a reasonable accommodation for pregnancy, childbirth, or a related medical condition or who files a complaint based on

pregnancy is prohibited. Retaliation complaints will be investigated under TBR Guideline [P-080 Discrimination & Harassment - Complaint Investigation Procedure](#) or TBR Policy [6.01.00.00 Sex Discrimination, Sexual Harassment or Sexual Misconduct](#).

- C. An institution shall treat employees who are temporarily unable to perform their job duties or participate in educational programs due to pregnancy, childbirth, or related medical conditions the same as non-pregnant employees who are similar in their ability or inability to work or participate in educational activities, for example with respect to temporary and light duty assignments.
- II. Reasonable Accommodation on the Basis of Pregnancy, Childbirth, and Related Medical Conditions
- A. Anyone seeking a reasonable accommodation under this policy should contact the institution's Title IX Coordinator or other individual designated by the institution. Employees are required to participate in an interactive process to determine a reasonable accommodation. A request for accommodation may be made orally or in writing.
  - B. Anyone with regular supervisory responsibilities over an employee who learns from the employee or employee's representative about a potential need for a reasonable accommodation due to pregnancy, childbirth, or a related medical condition must inform the employee or representative how to request a reasonable accommodation and must inform the Title IX Coordinator or other person designated by the institution about the employee's need for a potential accommodation.
  - C. An institution shall make reasonable accommodation to known limitations related to pregnancy, childbirth, or related medical condition of a qualified employee. The institution and employee must engage in a good faith, interactive process to identify a reasonable accommodation.

- D. An institution may deny a reasonable accommodation if it would result in undue hardship to the institution. The Office of General Counsel must be consulted prior to denying a reasonable accommodation based on undue hardship.
- E. Any request for documentation for pregnancy, childbirth, or a related medical condition must be made by the human resources department. The human resources department may only ask for documentation that is reasonable under the circumstances to determine a reasonable accommodation, and any request must comply with the limitations on requests for information in TBR Policy [5.01.01.14 Family, Medical, and Service Member Leave](#).
- F. An institution shall not:
1. require a qualified employee to accept a reasonable accommodation other than one arrived at through an interactive process;
  2. deny equal employment opportunities to a qualified employee based on the need to make reasonable accommodations; or
  3. take adverse action against a qualified employee because the employee requested or used a reasonable accommodation, or otherwise retaliate against an individual in violation of applicable law.
- G. A qualified employee may elect to take leave in accordance with TBR Policy [5.01.01.08, Parental Leave](#) or TBR Policy [5.01.01.14, Family, Medical, and Service Member Leave](#). An institution shall not require a qualified employee to take leave, whether paid or unpaid, if another reasonable accommodation can be provided. Human Resources is responsible for coordinating leave under various policies.
- H. If an employee who is pregnant, gives birth, or has a related medical condition does not have enough leave or does not qualify for leave, the institution must allow the employee to take unpaid leave for a reasonable period of time for pregnancy, childbirth, or a related medical condition, after which the employee must be reinstated

to the status held when the leave began or to a comparable position without decrease in pay, loss of promotional opportunity, or other right or privilege of employment.

- I. Reasonable accommodation, including unpaid leave, pursuant to this policy is available only to qualified employees who are pregnant, have given birth, or have a pregnancy-related condition. Leave for family members may be available pursuant to TBR Policy [5.01.01.08, Parental Leave](#) or TBR Policy [5.01.01.14, Family, Medical, and Service Member Leave](#).

### III. Lactation

- A. An institution shall provide space other than a restroom to express milk. The institution may either create dedicated space or provide temporary space on an as-needed basis. The space must be clean, shielded from view, and free from intrusion from others.
- B. Institutions must provide a reasonable amount of break time, as frequently as needed by the nursing mother, to express milk. Breaks must be provided for one year following birth, and any employee who wishes to continue expressing breast milk beyond one year should contact the Title IX Coordinator to discuss additional time to provide breaks.
- C. Employees taking breaks to express milk shall be compensated in the same manner as other employees are compensated during break time. No deduction may be made from an exempt employee's salary. No deduction from a non-exempt employee's pay is permitted unless the Title IX Coordinator has approved in advance.

## Sources

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### Authority

Tenn. Code Ann. § 50-1-305

Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e et seq. (as amended by the Pregnant Workers Fairness Act); 29 C.F.R. Part 1636

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1688



Fair Labor Standards Act § 18d (as amended by the Providing Urgent Maternal Protections for Nursing Mothers Act (PUMP Act))

## History

TBR Board Meeting, June 16, 2023; TBR Board Meeting \_\_\_\_\_, 2024.

## Related Polices

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[5.01.01.08 Parental Leave](#)

[5.01.01.14 Family, Medical, and Service Member Leave](#)

[6.01.00.00 Sex Discrimination, Sexual Harassment or Sexual Misconduct](#)

[6.02.00.00 Sex Discrimination and Sexual Harassment](#)

[6.03.00.00 Sexual Misconduct](#)

[P-080 Discrimination & Harassment - Complaint & Investigation Procedure](#)

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BOARD TRANSMITTAL

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MEETING: Committee Chairs Meeting

SUBJECT: Workforce Development

DATE: August 27, 2024

PRESENTER: Executive Vice Chancellor Kim McCormick  
Executive Director Jeff Sisk  
Assistant Vice Chancellor Zachary Adams

PRESENTATION  
REQUIREMENTS: 5 minutes with discussion

ACTION REQUIRED: Informational Purposes

STAFF  
RECOMMENDATION: Not Applicable

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Executive Vice Chancellor for External Affairs Dr. Kim McCormick and TBR's Center for Workforce Development Executive Director Dr. Jeff Sisk will share an overview of the THEC Workforce Contact Hours Report.

Dr. Jeff Sisk and Assistant Vice Chancellor for Academic Affairs and Workforce Alignment Zachary Adams will share a summary on outcomes from the statewide Workforce Convening held on April 22, 2024, at Volunteer State Community College.

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BOARD TRANSMITTAL

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MEETING: Committee Chairs Meeting

SUBJECT: Policy 9.01.03.00, Advertising (Revisions)

DATE: August 27, 2024

PRESENTER: General Counsel Brian Lapps

PRESENTATION  
REQUIREMENTS: 3 minutes

ACTION REQUIRED: Informational Purposes

STAFF  
RECOMMENDATION: Not Applicable

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The proposed revisions add a new subsection to the policy. The revisions are intended to clarify two issues.

- (1) Non-credit and workforce development programs must be marketed in accordance with applicable marketing policies.
- (2) Some non-credit programs are created and taught by third parties, and those who complete the programs receive a credential from the third party. The revision is to make clarify that marketing materials must explain in such situations that any credential received will be from a third party, and not the college.

The proposed revisions, which have been reviewed by the Chief Marketing Officers and the Presidents, are attached in tracked changes and clean copy format.

## 9.01.03.00 Advertising (formerly 4.06.00.00)



### Policy/Guideline Area

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Marketing and Communications

### Applicable Divisions

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TCATs, Community Colleges, System Office

### Purpose

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This policy governs the procurement of external media advertising by the College. To maintain brand integrity and consistency, all advertisements must incorporate established graphic identity, embody key strategic messages, and strictly adhere to comprehensive guidelines and standards. Advertising should enhance the College's visibility while ensuring a unified and professional representation of the College in all advertising endeavors.

### Definitions

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Advertising - Advertising refers to the paid or unpaid placement of messages promoting the College in various media platforms. This includes, but is not limited to, print or electronic publications, websites, radio, television, social media platforms, video, or other means of electronic distribution (such as podcasts); and on public media such as banners, billboards, kiosks, and other signage.

Definitions included in the overarching Marketing and Communications Policy (9.01.00.00) apply.

### Policy/Guideline

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- I. Placement
  - A. Purchasing of advertising is permitted in external media to enhance the perception of the College among its various constituencies; to provide accurate and timely information about College programs, events, and services; to provide legal notice where required by law; and to inform the public of employment opportunities; and for other purposes consistent with the College's mission.
    1. Advertising for the recruitment of students shall be designed to increase enrollments in the service delivery area as the first priority for advertising.
    2. Any advertising for Colleges in regional publications shall be restricted to zoned editions.
    3. Any advertising for Colleges should be within their assigned service areas.
    4. Advertising expenditures should result in a citizenry which is better informed and thus more likely to support state higher education through both private giving and more effective advocacy.

5. Advertising also informs citizens of the opportunities available through the state's higher education institutions, thus improving the state's workforce and competitive position in the global economy.
  6. Colleges are encouraged to maintain an appreciation of the efforts of all post-secondary institutions to provide educational services to students. In this sense, advertising for one college should not be designed in a manner that has the impact of being detrimental with regard to the educational services provided by another college.
- B. The Chief Marketing Officer (CMO) must oversee and approve the content, placement, and purchase of all College advertising. The CMO maintains the authority to remove any advertising from distribution.
1. Colleges should document appropriate procedures for units, programs, and initiatives in local policy or guidelines to request advertising placement.
- C. All advertising must be designed to meet professional quality standards in design and content as determined by the CMO.
- D. All advertising must be purchased in compliance with all applicable local, state, and federal laws, and TBR and College policies, guidelines, and procedures.
- E. Colleges must use System-wide contracts for advertising if available. Exception requests can be submitted to the System Chief Marketing Officer (SCMO), who will consult with the Office of Business and Finance and the Office of General Counsel.
- F. All advertising must align with the pre-established marketing, branding, and communications guidelines and applicable policies to ensure key messages are disseminated in a manner that maintains consistency.
- II. Reporting
- A. CMOs shall evaluate paid advertising annually to determine if the return on investment justifies continued use of the advertising. A "cost to benefit" analysis of paid advertising should be a significant factor in the determination of whether or not to continue the advertising campaign, along with other factors deemed appropriate by the President.
  - B. A report should be given to the SCMO on previous fiscal year advertising expenditures by August 1 each year.
- III. Truthfulness and Substantiation
- A. All advertising must follow local, state, and federal laws regarding truth in advertising and other consumer protection laws.
  - B. The Federal Trade Commission Act and the Isakson and Roe Act dictate that advertising must be truthful, not misleading, and, when appropriate, backed by scientific evidence, regardless of the placement of the advertisement.
  - C. All advertising must follow the TBR Policy 9.01.02.00, (Publications) in reporting advertising materials as publications.

- IV. Privacy and Data Collection
  - A. All advertising should follow applicable local, state, and federal data privacy laws, as well as applicable privacy policies, specifically including, but not limited to those relating to student education records and personally identifiable information.
- V. Advertising on College Websites and Publications
  - A. Use of College resources to promote or advertise activities or entities unrelated to the College is prohibited unless such use is consistent with the mission of the College and results in substantial benefit to the College as determined by the CMO.
  - B. The sale of advertising in student publications, auxiliary operations, and athletics-related programs are expressly permitted.

VI. Advertising of Non-Credit Programs

- A. Advertising of non-credit programs is subject to TBR and College marketing policies.
- B. When a College advertises or offers a non-credit course or program that will not result in a credential issued by the College, the website, brochure, or other description of the course or program material must make clear that the course will not result in a credential awarded by the College. E.g., “This [BOOTCAMP/CLASS/PROGRAM/COURSE OF STUDY] is delivered and promoted by [PROVIDER] in partnership with [NAME OF COLLEGE]. Any credential upon completion will be awarded by [PROVIDER], and not [NAME OF COLLEGE.]”

VI.VII. Exemptions and Exceptions

- A. Exemptions and exceptions outlined in the overarching Marketing and Communications Policy (9.01.00.00) apply.

## Sources

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### Authority

T.C.A. § 49-8-203

### History

TBR Meeting December 4, 1998; September 28, 2007; September 12, 2023, Board approved (formerly 4.06.00.00).

## Related Polices

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[9.01.02.00 Publications \(formerly G-140\)](#)

## 9.01.03.00 Advertising (formerly 4.06.00.00)



### Policy/Guideline Area

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Marketing and Communications

### Applicable Divisions

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TCATs, Community Colleges, System Office

### Purpose

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This policy governs the procurement of external media advertising by the College. To maintain brand integrity and consistency, all advertisements must incorporate established graphic identity, embody key strategic messages, and strictly adhere to comprehensive guidelines and standards. Advertising should enhance the College's visibility while ensuring a unified and professional representation of the College in all advertising endeavors.

### Definitions

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Advertising - Advertising refers to the paid or unpaid placement of messages promoting the College in various media platforms. This includes, but is not limited to, print or electronic publications, websites, radio, television, social media platforms, video, or other means of electronic distribution (such as podcasts); and on public media such as banners, billboards, kiosks, and other signage.

Definitions included in the overarching [Marketing and Communications Policy, 9.01.00.00](#) apply.

### Policy/Guideline

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- I. Placement
  - A. Purchasing of advertising is permitted in external media to enhance the perception of the College among its various constituencies; to provide accurate and timely information about College programs, events, and services; to provide legal notice where required by law; and to inform the public of employment opportunities; and for other purposes consistent with the College's mission.
    1. Advertising for the recruitment of students shall be designed to increase enrollments in the service delivery area as the first priority for advertising.
    2. Any advertising for Colleges in regional publications shall be restricted to zoned editions.
    3. Any advertising for Colleges should be within their assigned service areas.
    4. Advertising expenditures should result in a citizenry which is better informed and thus more likely to support state higher education through both private giving and more effective advocacy.

5. Advertising also informs citizens of the opportunities available through the state's higher education institutions, thus improving the state's workforce and competitive position in the global economy.
  6. Colleges are encouraged to maintain an appreciation of the efforts of all post-secondary institutions to provide educational services to students. In this sense, advertising for one college should not be designed in a manner that has the impact of being detrimental with regard to the educational services provided by another college.
- B. The Chief Marketing Officer (CMO) must oversee and approve the content, placement, and purchase of all College advertising. The CMO maintains the authority to remove any advertising from distribution.
1. Colleges should document appropriate procedures for units, programs, and initiatives in local policy or guidelines to request advertising placement.
- C. All advertising must be designed to meet professional quality standards in design and content as determined by the CMO.
- D. All advertising must be purchased in compliance with all applicable local, state, and federal laws, and TBR and College policies, guidelines, and procedures.
- E. Colleges must use System-wide contracts for advertising if available. Exception requests can be submitted to the System Chief Marketing Officer (SCMO), who will consult with the Office of Business and Finance and the Office of General Counsel.
- F. All advertising must align with the pre-established marketing, branding, and communications guidelines and applicable policies to ensure key messages are disseminated in a manner that maintains consistency.
- II. Reporting
- A. CMOs shall evaluate paid advertising annually to determine if the return on investment justifies continued use of the advertising. A "cost to benefit" analysis of paid advertising should be a significant factor in the determination of whether or not to continue the advertising campaign, along with other factors deemed appropriate by the President.
  - B. A report should be given to the SCMO on previous fiscal year advertising expenditures by August 1 each year.
- III. Truthfulness and Substantiation
- A. All advertising must follow local, state, and federal laws regarding truth in advertising and other consumer protection laws.
  - B. The Federal Trade Commission Act and the Isakson and Roe Act dictate that advertising must be truthful, not misleading, and, when appropriate, backed by scientific evidence, regardless of the placement of the advertisement.
  - C. All advertising must follow the TBR Policy [9.01.02.00. Publications](#) in reporting advertising materials as publications.
- IV. Privacy and Data Collection



- A. All advertising should follow applicable local, state, and federal data privacy laws, as well as applicable privacy policies, specifically including, but not limited to those relating to student education records and personally identifiable information.
- V. Advertising on College Websites and Publications
  - A. Use of College resources to promote or advertise activities or entities unrelated to the College is prohibited unless such use is consistent with the mission of the College and results in substantial benefit to the College as determined by the CMO.
  - B. The sale of advertising in student publications, auxiliary operations, and athletics-related programs are expressly permitted.
- VI. Advertising of Non-Credit Programs
  - A. Advertising of non-credit programs is subject to TBR and College marketing policies.
  - B. When a College advertises or offers a non-credit course or program that will not result in a credential issued by the College, the website, brochure, or other description of the course or program material must make clear that the course will not result in a credential awarded by the College. E.g., “This [BOOTCAMP/CLASS/PROGRAM/COURSE OF STUDY] is delivered and promoted by [PROVIDER] in partnership with [NAME OF COLLEGE]. Any credential upon completion will be awarded by [PROVIDER], and not [NAME OF COLLEGE.]”
- VII. Exemptions and Exceptions
  - A. Exemptions and exceptions outlined in the overarching [Marketing and Communications Policy, 9.01.00.00](#).

## Sources

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### Authority

T.C.A. § 49-8-203

### History

TBR Meeting December 4, 1998; September 28, 2007; September 12, 2023, Board approved (formerly 4.06.00.00); Board approved September \_\_, 2024.

## Related Policies

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[9.01.02.00 Publications \(formerly G-140\)](#)

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**BOARD TRANSMITTAL**

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**MEETING:** Committee Chairs Meeting

**SUBJECT:** Legislative Priorities

**DATE:** August 27, 2024

**PRESENTER:** Executive Vice Chancellor Kim McCormick  
Associate Vice Chancellor John Williams

**PRESENTATION  
REQUIREMENTS:** 5 minutes with discussion

**ACTION REQUIRED:** Informational Purposes

**STAFF  
RECOMMENDATION:** Not Applicable

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Executive Vice Chancellor for External Affairs Kim McCormick and Associate Vice Chancellor for Government Relations John Williams will present an overview of the 2025 Legislative Priorities, which are applicable for the upcoming legislative session. These priorities were developed by TBR System Leadership and TBR Presidents. The 114th Tennessee General Assembly will convene on January 14, 2025, and the Department of Government Relations in the Office of External Affairs will advocate on behalf of TBR to the members of the Tennessee General Assembly.

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BOARD TRANSMITTAL

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MEETING:	Committee Chairs Meeting
SUBJECT:	Policy 4.02.01.00, Approvals of Agreements and Contracts (Revisions)
DATE:	August 27, 2024
PRESENTER:	General Counsel Brian Lapps
PRESENTATION REQUIREMENTS:	3 minutes
ACTION REQUIRED:	Informational Purposes
STAFF RECOMMENDATION:	Not Applicable

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The substantive proposed revisions to this policy are as follows:

- (1) The proposed revisions consistently use the term “contract” when referring to any type of document that meets the policy’s definition of a contract and that must be reviewed and approved in accordance with policy.
- (2) The revisions in Section II.A.9 bring the policy into alignment with predominant practices. The documents indicated in the stricken language currently are not routinely submitted for approval by the Chancellor and do not need to be approved by the Chancellor (unless required by a separate provision of the policy).
- (3) Section II.A.10 is designed primarily to ensure that the Chancellor approves any contract in which student information will be shared with a researcher pursuant to FERPA’s “studies” exception. This provision applies only to the sharing of student information pursuant to the FERPA provisions identified in the policy and does not include sharing of student information authorized by other FERPA provisions, specifically including, but not limited to, outsourcing of services that could be performed by school officials.
- (4) Section II.A.11 clarifies that TCAT contracts must be approved by the Chancellor, unless there is a specific exception.

The proposed revisions, which have been through the Business Affairs Subcouncil and Presidents Council, are attached in tracked changes and clean copy format.

## 4.02.01.00 Approvals of Agreements and Contracts (formerly 1:03:02:10)



### Policy/Guideline Area

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Business and Finance Policies

### Applicable Divisions

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TCATs, Community Colleges, System Office

### Purpose

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The following policy ~~on approvals is adopted by the Tennessee Board of Regents (TBR) to identify which delineate the approval process for procurements and agreements contracts must be approved by the TBR System Office, to be entered into by institutions governed by the TBR.~~

### Definitions

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- Contract – An agreement between parties which obliges each party to take or not take certain actions. Contracts may be called any number of things, including, but ~~are~~ not limited to, agreement, memorandum of understanding, memorandum of agreement, purchase order, procurement, letter of intent, and terms and conditions.
- Institution – means any of the community colleges, colleges of applied technology and System Office departments within the Tennessee Board of Regents (TBR) system.
- System Office – the administrative offices of the Tennessee Board of Regents.

### Policy/Guideline

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#### I. Approval By Presidents

- A. All agreements and contracts affecting an institution must be approved and executed by the President or the President's designee.
- B. Each institution ~~may shall~~ develop written policies and procedures ~~which are~~ in addition to TBR's policies and guidelines, as necessary, to and which will further ensure that no contract or agreement is entered into without the approval of the President or the President's designee, and where necessary, by the Chancellor.

## II. Approval By Chancellor

A. The following ~~agreements, contracts, including or~~ procurements, in addition to being approved as set out above, shall be submitted to the System Office Procurement, Contracts, and Payment Services Department for approval by the Chancellor or the Chancellor's designee:

1. ~~Agreements and C~~contracts involving or related to the purchase or disposal of real property, insurance, and capital outlay projects.
2. ~~Agreements-Contracts~~ involving or related to the leasing (institution as lessee or lessor) of real property for more than five (5) years or more than \$150,000 per year.
3. Any ~~contract agreement~~, including a purchase orders, for two hundred fifty thousand dollars (\$250,000) or more in annual revenue or expense.
- ~~3.4.~~ Any noncompetitive contract with a potential term of more than one (1) year and a cumulative value of two hundred fifty thousand dollars (\$250,000) or more. Institutions shall not enter into multiple one-year contracts, involving the same vendor for the same service, to circumvent this requirement.
- ~~4.5.~~ ~~Agreements and C~~contracts involving insurance or other benefits.
- ~~5.6.~~ ~~Contracts~~Agreements in which the TBR is a named party.
- ~~6.7.~~ The primary operating ~~contract agreement~~ between an institution and its foundation and any other ~~contract agreement~~ between the institution and its foundation which does not conform to the requirements of G-030, Contracts Guideline. ~~TBR Guideline G-030 (Contracts Guideline).~~
- ~~7.8.~~ Contracts, including grant agreements, which do not conform to the requirements of G-030, Contracts Guideline. ~~TBR Guideline G-030~~
- ~~8.9.~~ Banking, procurement card and other financial services ~~contracts~~ agreements.

~~a. Any agreement between a TBR institution and any other institution, agency, organization or entity which provides for the coordinated or cooperative offering of any credit or non-credit programs or activities or in which certificate or degree requirements are met or credit is given for coursework or activities offered by another institution.~~

~~b. Examples of such agreements include provisions for either credit or non-credit academic programs or public service activities to private or state agencies and institutions in the fulfillment of that agency's responsibility for state-wide services or governmental training, and~~

~~Agreements which require consortia or cooperative arrangements with other institutions, agencies, or associations.~~

~~10. Any noncompetitive contract with a potential term of more than one (1) year and a cumulative value of two hundred fifty thousand dollars (\$250,000) or more. Institutions shall not enter into multiple one-year contracts, involving the same vendor for the same service, to circumvent this requirement.~~ Any contract with an organization conducting a study (as permitted by 34 C.F.R. § 99.31(a)(6), to develop, validate or administer predictive tests; to administer student aid programs; or to improve instruction) that may obligate a college to share information relating to a student. I.e., the "studies exception" in FERPA that permits colleges to share personally identifiable student information under limited circumstances.

~~9-11.~~ Any contract executed on behalf of a TCAT or in which a TCAT is a party, unless there is a policy provision exempting the contract from review.

B. Renewals of the above contracts agreements do not require approval by the Chancellor or the Chancellor's designee if no changes have been made. However, a copy of the executed renewal shall be provided to the System Office.

B.C. Contracts between a TBR institution and another entity providing for the coordinated offering of a credit program are not required to be submitted to the System Office for approval, unless required by another TBR policy. E.g., 2.01.00.05 Early Postsecondary Opportunities.

C.D. Purchase orders issued pursuant to purchase orders and/or contracts which have already been approved by the Chancellor or the Chancellor's designee do not require additional approval by to the System Office.

D.E. The Chancellor may direct that certain or all contracts agreements of any i institution be submitted for prior System Office review and approval.

### III. Other Approvals

A. Certain contracts agreements may be subject to additional review and/or approval processes as set out in TBR policies, i.e. Fiscal Review, State Building Commission, etc.

### IV. Exceptions

A. The Chancellor or designee may approve exceptions to the requirements of this policy in appropriate circumstances. Requests for exceptions must be signed by the President and include sufficient justification documentation.

## Sources

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### Authority

T.C.A. § 49-8-203; All State and Federal statutes, codes, and/or rules referenced in this policy and Guideline G-030- Contracts Guideline.

### History

TBR Meetings, March 5, 1976; June 26, 1981; September 30, 1983; December 13, 1985; September 22, 1989; June 28, 1991; December 5, 1997; December 2, 2005.



Revision approved by Board, September 15, 2016; Ministerial change to B & F policy  
June 25, 2019.

## **Related Polices**

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[4.02.10.00 Purchasing Policy](#)

[G-030 Contracts Guideline](#)

[4.02.20.00 Disposal of Surplus Personal Property](#)

Draft

## 4.02.01.00 Approvals of Agreements and Contracts (formerly 1:03:02:10)



### Policy/Guideline Area

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Business and Finance Policies

### Applicable Divisions

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TCATs, Community Colleges, System Office

### Purpose

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The following policy identifies which procurements and contracts must be approved by the TBR System Office.

### Definitions

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- Contract – An agreement between parties which obliges each party to take or not take certain actions. Contracts may be called any number of things, including, but not limited to, agreement, memorandum of understanding, memorandum of agreement, purchase order, procurement, letter of intent, and terms and conditions.
- Institution – means any of the community colleges, colleges of applied technology and System Office departments within the Tennessee Board of Regents (TBR) system.
- System Office – the administrative offices of the Tennessee Board of Regents.

### Policy/Guideline

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- I. Approval By Presidents
  - A. All agreements and contracts affecting an institution must be approved and executed by the President or the President's designee.
  - B. Each institution may develop written policies and procedures in addition to TBR policies and guidelines, as necessary, to further ensure that no contract or agreement is entered into without the approval of the President or the President's designee, and where necessary, by the Chancellor.
- II. Approval By Chancellor

A. The following contracts, including procurements, in addition to being approved as set out above, shall be submitted to the System Office Procurement, Contracts, and Payment Services Department for approval by the Chancellor or the Chancellor's designee:

1. Contracts involving or related to the purchase or disposal of real property, insurance, and capital outlay projects.
2. Contracts involving or related to the leasing (institution as lessee or lessor) of real property for more than five (5) years or more than \$150,000 per year.
3. Any contract, including a purchase order, for two hundred fifty thousand dollars (\$250,000) or more in annual revenue or expense.
4. Any noncompetitive contract with a potential term of more than one (1) year and a cumulative value of two hundred fifty thousand dollars (\$250,000) or more. Institutions shall not enter into multiple one-year contracts, involving the same vendor for the same service, to circumvent this requirement
5. Contracts involving insurance or other benefits.
6. Contracts in which the TBR is a named party.
7. The primary operating contract between an institution and its foundation and any other contract between the institution and its foundation which does not conform to the requirements of [G-030, Contracts Guideline](#).
8. Contracts, including grant agreements, which do not conform to the requirements of [G-030, Contracts Guideline](#).
9. Banking, procurement card and other financial services contracts.
10. Any contract with an organization conducting a study (as permitted by 34 C.F.R. § 99.31(a)(6), to develop, validate or administer predictive tests; to administer student aid programs; or to improve instruction) that may obligate a college to share information relating to a student. *I.e.*, the "studies exception" in FERPA that

permits colleges to share personally identifiable student information under limited circumstances.

11. Any contract executed on behalf of a TCAT or in which a TCAT is a party, unless there is a policy provision exempting the contract from review.

B. Renewals of the above contracts do not require approval by the Chancellor or the Chancellor's designee if no changes have been made. However, a copy of the executed renewal shall be provided to the System Office.

C. Contracts between a TBR institution and another entity providing for the coordinated offering of a credit program are not required to be submitted to the System Office for approval, unless required by another TBR policy. E.g., [2.01.00.05 Early Postsecondary Opportunities](#).

D. Purchase orders issued pursuant to purchase orders and/or contracts which have already been approved by the Chancellor or the Chancellor's designee do not require additional approval by the System Office.

E. The Chancellor may direct that certain or all contracts of any institution be submitted for prior System Office review and approval.

### III. Other Approvals

A. Certain contracts may be subject to additional review and/or approval processes as set out in TBR policies, i.e. Fiscal Review, State Building Commission, etc.

### IV. Exceptions

A. The Chancellor or designee may approve exceptions to the requirements of this policy in appropriate circumstances. Requests for exceptions must be signed by the President and include sufficient justification documentation.

## Sources

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### Authority

T.C.A. § 49-8-203; All State and Federal statutes, codes, and/or rules referenced in this policy and Guideline G-030- Contracts Guideline.

## History

TBR Meetings, March 5, 1976; June 26, 1981; September 30, 1983; December 13, 1985; September 22, 1989; June 28, 1991; December 5, 1997; December 2, 2005. Revision approved by Board, September 15, 2016; Ministerial change to B & F policy June 25, 2019; Revision approved by Board, August \_\_, 2024.

## Related Polices

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[4.02.10.00 Purchasing Policy](#)

[G-030 Contracts Guideline](#)

[4.02.20.00 Disposal of Surplus Personal Property](#)

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BOARD TRANSMITTAL

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MEETING: Committee Chairs Meeting

SUBJECT: Proposed Revisions to TBR Policy 1.08.04.00 Personally Identifiable Information

DATE: August 27, 2024

PRESENTER: Chief Information Officer Jon Calisi

PRESENTATION REQUIREMENTS: 5 minutes

ACTION REQUIRED: Informational Purposes

STAFF RECOMMENDATION: Not Applicable

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TBR institutions create, collect, maintain, use, and transmit personally identifiable information relating to individuals associated with the institution including, but not limited to, students, alumni, faculty, administrators, staff, and service employees. TBR institutions are committed to protecting PII against inappropriate access and use in compliance with applicable laws and regulations.

The proposed revisions, which have been approved by the IT Sub council and Presidents Council, are attached in tracked changes and clean copy form.

# Personally Identifiable Information (PII) (formerly G-053): 1.08.04.00 (formerly G-053)

## Policy Area

Governance, Organization, and General Policies

## Applicable Divisions

TCATs, Community Colleges, System Office, Board Members

## Purpose

TBR institutions create, collect, maintain, use, and transmit personally identifiable information relating to individuals associated with the institution including, but not limited to, students, alumni, faculty, administrators, staff, and service employees. TBR institutions are committed to protecting PII against inappropriate access and use in compliance with applicable laws and regulations ~~in order to maximize trust and integrity.~~

**Commented [BL1]:** These are not the primary reasons for protecting PII.

## Definitions

- Data Custodians - Data Custodians are the people responsible for oversight of personally-identifiable information in their respective areas of institutional operations.
- The Data ~~Custodian Owner~~ (also called ~~a Data Steward~~ or Data Owner) is the person who has administrative control and has been officially designated as accountable for a specific information asset or dataset. This person would determine who has access to what and IT implements the controls to match.
- Minimum Necessary - Minimum Necessary is the standard that defines that the least information and fewest people should be involved to satisfactorily perform a particular function.
- Personally Identifiable Information (PII) - Information that has not been lawfully made publicly available and which can be used to distinguish or trace an individual's identity, such as ~~their ID,~~ Social Security number, driver license, or biometric records, alone, or when combined with other personal or identifying information which is linked or linkable to a specific individual, such as date and place of birth, mother's maiden name, etc. Certain privacy laws, and policies based on those laws, may use a different definition of PII.

**Commented [BL2]:** The policy seems to use Data Custodian the most, so I suggest going with that as the primary term, but I don't have a strong preference, as long as we define the term and use it consistently through policy.

**Commented [BL3]:** I think that's a pretty good working definition of PII, but I think it would be better to leave open the potential to have a slightly different definition, as there are differences between GLBA, FERPA, and HIPAA.

- Directory information - Directory information is information that is generally not considered harmful or an invasion of privacy if released. It can also be disclosed to outside organizations.

## Policy

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### I. Policy

- A. Members of the TBR community shall employ reasonable and appropriate administrative, technical, and physical safeguards to protect the integrity, confidentiality, and security of all personally identifiable information (PII), irrespective of its source or ownership or the medium used to store it.
- B. All individuals who dispense, receive, and store PII have responsibilities to safeguard it.
- C. In adopting this policy, the System is guided by the following objectives:
  1. To enhance individual privacy for members of the TBR community through the secure handling of PII.
  2. To ensure that all members of the TBR community understand their obligations and individual responsibilities under this policy by providing appropriate training that shall permit the TBR community to comply with both the letter and the spirit of all applicable privacy legislation. Each member institution will be responsible for determining the means of training for its institution.
  3. To increase security and management of Social Security numbers (SSNs) by:
    - a. Instilling broad awareness of the confidential nature of the SSNs;
    - b. Establishing a consistent policy about the use of SSNs throughout the System; and
    - c. Ensuring that access to SSNs for the purpose of conducting TBR business is granted only to the extent necessary to accomplish a given task or purpose.



d. To reduce reliance on the SSN for identification purposes as much as possible.

4. To comply with all Payment Card Industry (PCI) standards.

5. To comply with any other applicable and required standards, regulations and/or laws.

6. To comply with Family Educational Rights and Privacy Act of 1974 (FERPA).

D. Data Custodians are responsible for oversight of personally identifiable information in their respective areas of institutional operations. Activities of these officials are aligned and integrated through appropriate coordination among these cognizant institutional officials.

## II. Scope

A. This policy applies to all members of the TBR community, including all full- and part-time employees, faculty, students, ~~and their parents or guardians,~~ and other individuals such as volunteers, contractors, consultants, other agents of the ~~institution community, alumni, and affiliates that are associated with the System~~ or whose work gives them custodial responsibilities for PII.

**Commented [BL4]:** Alumni and parents aren't bound by policy, unless they are an agent of a college.

## III. Policy Requirements

A. Data ~~Custodians~~Trustees

1. Officials responsible for each of the following areas shall be considered ~~Data~~ Custodians:

- a. Student Records
- b. Financial Aid Records
- c. Alumni and Donor Records
- d. Employee Records
- e. Purchasing and Contracts
- f. Research Subjects
- g. Public Safety or Campus Police

## IV. Personally Identifiable Information

- A. PII may be released only on a Minimum Necessary basis and only to those individuals who are authorized to use such information as part of their official TBR duties, subject to the requirements:
1. That the PII released is narrowly tailored to a specific operational or business requirement;
  2. That the information is kept secure and used only for the specific operational ~~official TBR [business]~~ purposes for which authorization was obtained; and
  3. That the PII is not further disclosed or provided to others without proper authorization ~~as defined above~~.
- B. PII may be provided to and handled by third parties, including cloud service providers, with the strict requirement that the information be kept secure and used only for a specific ~~official authorized business~~ purposes set out in the contract authorizing use of the information, as defined in a Business Associate Agreement with that third party.
- C. Exceptions to this policy may be made only upon specific requests approved by the ~~eognizant~~ institutional official responsible for such information as specified in this policy and only to the degree necessary to achieve the mission and operational~~business~~ needs of the institution.
1. Exceptions ~~made~~ must be documented, retained securely, and reviewed periodically by the appropriate ~~eognizant~~ institutional official or his/her designee.
  2. Exceptions may be modified or eliminated based on this review and shall be documented and retained for auditing purposes.
- D. Directory Information, as defined by Federal and State law and institutional policy, will be published following the guidelines defined by the specific law.
- ~~E. Based on FERPA guidelines, directory information is information that is generally not considered harmful or an invasion of privacy if released and can be disclosed~~

**Commented [BL5]:** Business Associate Agreements are typically used to share PII under HIPAA, which we're not subject to. But the contracts need to set out what information can be used for.

~~without consent.~~ [Colleges may share information covered by FERPA only as permitted by FERPA and applicable policy.](#)

**Commented [BL6]:** This isn't wholly accurate-colleges are required to allow students to opt out of the sharing of directory information. I tried to fix it but think it's better to delete it.

~~F.E.~~ [Colleges](#)~~Schools~~ must notify students annually of their rights under FERPA.

~~G.F.~~ Information that has been collected that conforms to the HIPAA standards of de-identification or anonymization is not PII.

## V. [Government-Issued Personal Identifiers](#)

### A. Social Security Number

#### 1. Provision of Information

##### a. TBR institutions collect SSNs:

1. When required to do so by law;
2. When no other identifier serves the business purpose; and
3. When an individual volunteers the SSN as a means of locating or confirming personal records.

b. In other circumstances, individuals are not required to provide their SSN verbally or in writing at any point of service, nor are they to be denied access to those services should they refuse to provide an SSN.

#### 2. Release of SSNs

##### a. SSNs will be released to persons or entities outside the institution only:

1. As required by law;
2. When permission is granted by the individual;
3. When the external entity is acting as the institution's authorized contractor or agent and attests that no other methods of identification are available, and reasonable security measures are in place to prevent unauthorized dissemination of SSNs to third parties; or
4. When the ~~appropriate~~ [Office of General Counsel](#) has approved the release.

#### 3. Use, Display, Storage, Retention, and Disposal

~~e. The Institutional ID is associated permanently and uniquely with the entity to which it is assigned.~~

~~2. Use, Display, Storage, Retention, and Disposal~~

~~a. The Institutional ID is considered PII by the institution, to be used only for appropriate business purposes in support of operations.~~

~~b. The Institutional ID is used to identify, track, and serve individuals across all institutional electronic and paper data systems, applications, and business processes throughout the span of an individual's association with the institution and presence in the institution's systems or records.~~

~~c. The Institutional ID is not to be disclosed or displayed publicly by the Institution, nor to be posted on the institution's electronic information or data systems unless the Institutional ID is protected by access controls that limit access to properly authorized individuals.~~

~~d. The release or posting of personal information keyed by the Institutional ID, such as grades, is prohibited.~~

~~e. Any document, item, file, or database that contains Institutional IDs in print or electronic form is to be protected and disposed of in a secure manner in compliance with data retention rules.~~

~~VII.VI. Other Externally-Assigned Identifiers and Other Personally Identifiable Information~~

~~A. TBR institutions shall follow the Minimum Necessary standard and strive to safeguard any externally assigned identifiers which may be collected.~~

~~VIII.VII. Responsibility for Maintenance and Access Control~~

~~A. Institutional IDs are maintained and administered by the appropriate institutional office in accordance with this policy.~~

~~1. Other institutional offices may maintain and administer electronic and physical repositories containing personal identification numbers for uses in accordance with this policy.~~

- B. Access to electronic and physical repositories containing PII shall be controlled based upon reasonable and appropriate administrative, physical, technical, and organizational safeguards.
- C. Individuals who inadvertently gain access to a file or database containing PII should report it to the appropriate authority.
- D. All paper documents with PII must be under lock and key or otherwise securely stored.
- E. Document retention policies dictate schedules for PII deletion and/or destruction. Proper disposal of PII shall involve cross-cut shredders (for paper), securely wiping/deleting data (for digital information) and other information security approved methods of eliminating this data.

#### ~~IX~~.VIII. Enforcement

- A. Violations of this policy resulting in misuse of, unauthorized access to, or unauthorized disclosure or distribution of ~~PII~~personal-identification numbers may subject individuals to legal and/or disciplinary action, up to and including the termination of employment or contract with the ~~the~~institution or, in the case of students, suspension or expulsion from the institution.

#### Sources

##### Authority

T.C.A. § 49-8-203

##### History

NEW Guideline approved at August 19, 2014 President's Meeting; effective September 26, 2014. Revised and changed to policy at Special Called Meeting May 14, 2019.

# Personally Identifiable Information (PII)

## 1.08.04.00 (formerly G-053)

### Policy Area

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Governance, Organization, and General Policies

### Applicable Divisions

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TCATs, Community Colleges, System Office, Board Members

### Purpose

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TBR institutions create, collect, maintain, use, and transmit personally identifiable information relating to individuals associated with the institution including, but not limited to, students, alumni, faculty, administrators, staff, and service employees. TBR institutions are committed to protecting PII against inappropriate access and use in compliance with applicable laws and regulations.

### Definitions

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- Data Custodians - Data Custodians are the people responsible for oversight of personally-identifiable information in their respective areas of institutional operations.
- The Data Custodian (also called a Data Steward or Data Owner) is the person who has administrative control and has been officially designated as accountable for a specific information asset or dataset. This person would determine who has access to what and IT implements the controls to match.
- Minimum Necessary - Minimum Necessary is the standard that defines that the least information and fewest people should be involved to satisfactorily perform a particular function.
- Personally Identifiable Information (PII) - Information that has not been lawfully made publicly available and which can be used to distinguish or trace an individual's identity, such as Social Security number driver license, or biometric records, alone, or when combined with other personal or identifying information which is linked or linkable to a specific individual, such as date and place of birth, mother's maiden name, etc. Certain privacy laws, and policies based on those laws, may use a different definition of PII.

- Directory information - Directory information is information that is generally not considered harmful or an invasion of privacy if released. It can also be disclosed to outside organizations.

## Policy

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### I. Policy

- A. Members of the TBR community shall employ reasonable and appropriate administrative, technical, and physical safeguards to protect the integrity, confidentiality, and security of all personally identifiable information (PII), irrespective of its source or ownership or the medium used to store it.
- B. All individuals who dispense, receive, and store PII have responsibilities to safeguard it.
- C. In adopting this policy, the System is guided by the following objectives:
  1. To enhance individual privacy for members of the TBR community through the secure handling of PII.
  2. To ensure that all members of the TBR community understand their obligations and individual responsibilities under this policy by providing appropriate training that shall permit the TBR community to comply with both the letter and the spirit of all applicable privacy legislation. Each member institution will be responsible for determining the means of training for its institution.
  3. To increase security and management of Social Security numbers (SSNs) by:
    - a. Instilling broad awareness of the confidential nature of the SSNs;
    - b. Establishing a consistent policy about the use of SSNs throughout the System; and
    - c. Ensuring that access to SSNs for the purpose of conducting TBR business is granted only to the extent necessary to accomplish a given task or purpose.

- d. To reduce reliance on the SSN for identification purposes as much as possible.
  - 4. To comply with all Payment Card Industry (PCI) standards.
  - 5. To comply with any other applicable and required standards, regulations and/or laws.
  - 6. To comply with Family Educational Rights and Privacy Act of 1974 (FERPA).
- D. Data Custodians are responsible for oversight of personally identifiable information in their respective areas of institutional operations. Activities of these officials are aligned and integrated through appropriate coordination among these cognizant institutional officials.

## II. Scope

- A. This policy applies to all members of the TBR community, including all full- and part-time employees, faculty, students, and other individuals such as volunteers, contractors, consultants, other agents of the institution or whose work gives them custodial responsibilities for PII.

## III. Policy Requirements

### A. Data Custodians

- 1. Officials responsible for each of the following areas shall be considered Data Custodians:
  - a. Student Records
  - b. Financial Aid Records
  - c. Alumni and Donor Records
  - d. Employee Records
  - e. Purchasing and Contracts
  - f. Research Subjects
  - g. Public Safety or Campus Police

## IV. Personally Identifiable Information



- A. PII may be released only on a Minimum Necessary basis and only to those individuals who are authorized to use such information as part of their official TBR duties, subject to the requirements:
  - 1. That the PII released is narrowly tailored to a specific operational or business requirement;
  - 2. That the information is kept secure and used only for the specific operational purposes for which authorization was obtained; and
  - 3. That the PII is not further disclosed or provided to others without proper authorization.
- B. PII may be provided to and handled by third parties, including cloud service providers, with the strict requirement that the information be kept secure and used only for a specific purposes set out in the contract authorizing use of the information.
- C. Exceptions to this policy may be made only upon specific requests approved by the institutional official responsible for such information as specified in this policy and only to the degree necessary to achieve the mission and operational needs of the institution.
  - 1. Exceptions must be documented, retained securely, and reviewed periodically by the appropriate institutional official or his/her designee.
  - 2. Exceptions may be modified or eliminated based on this review and shall be documented and retained for auditing purposes.
- D. Directory Information, as defined by Federal and State law and institutional policy, will be published following the guidelines defined by the specific law.
- E. Colleges may share information covered by FERPA only as permitted by FERPA and applicable policy. Colleges must notify students annually of their rights under FERPA.
- F. Information that has been collected that conforms to the HIPAA standards of de-identification or anonymization is not PII.

## V. Government-Issued Personal Identifiers

### A. Social Security Number

#### 1. Provision of Information

##### a. TBR institutions collect SSNs:

1. When required to do so by law;
2. When no other identifier serves the business purpose; and
3. When an individual volunteers the SSN as a means of locating or confirming personal records.

##### b. In other circumstances, individuals are not required to provide their SSN verbally or in writing at any point of service, nor are they to be denied access to those services should they refuse to provide an SSN.

#### 2. Release of SSNs

##### a. SSNs will be released to persons or entities outside the institution only:

1. As required by law;
2. When permission is granted by the individual;
3. When the external entity is acting as the institution's authorized contractor or agent and attests that no other methods of identification are available, and reasonable security measures are in place to prevent unauthorized dissemination of SSNs to third parties; or
4. When the Office of General Counsel has approved the release.

#### 3. Use, Display, Storage, Retention, and Disposal

##### a. SSNs or any portion thereof will not be used to identify individuals except as required by law or with approval by a TBR official for a TBR operational purpose.

##### b. The release or posting of personal information, such as grades or occupational listings, keyed by the SSN or any portion thereof, is prohibited, as is placement of the SSN in files with unrestricted access.

- c. SSNs will be transmitted electronically only for operational purposes approved by the institutional officials responsible for SSN oversight and only through secure mechanisms.
- d. The Data Custodians who are responsible for SSNs will oversee the establishment of procedures for the use, display, storage, retention, and disposal of any document, item, file, or database which contains SSNs in print or electronic form.

B. Non-SSN Government-Issued Identifiers

- 1. In the course of business operations, TBR institutions have access to, collect, and use non-SSN government-issued identifiers such as driver's licenses, passports, HIPAA National Provider Identifiers, Employee Identification Numbers (EIN), and military identification cards, among others.
- 2. TBR institutions shall follow the Minimum Necessary standard and strive to safeguard these identifiers.

VI. **Other Externally-Assigned Identifiers and Other Personally Identifiable Information**

- A. TBR institutions shall follow the Minimum Necessary standard and strive to safeguard any externally assigned identifiers which may be collected.

VII. **Responsibility for Maintenance and Access Control**

- 1. Other institutional offices may maintain and administer electronic and physical repositories containing personal identification numbers for uses in accordance with this policy.
- B. Access to electronic and physical repositories containing PII shall be controlled based upon reasonable and appropriate administrative, physical, technical, and organizational safeguards.
- C. Individuals who inadvertently gain access to a file or database containing PII should report it to the appropriate authority.
- D. All paper documents with PII must be under lock and key or otherwise securely stored.

- E. Document retention policies dictate schedules for PII deletion and/or destruction. Proper disposal of PII shall involve cross-cut shredders (for paper), securely wiping/deleting data (for digital information) and other information security approved methods of eliminating this data.

## VIII. **Enforcement**

- A. Violations of this policy resulting in misuse of, unauthorized access to, or unauthorized disclosure or distribution of PII may subject individuals to legal and/or disciplinary action, up to and including the termination of employment or contract with the institution or, in the case of students, suspension or expulsion from the institution.

### **Sources**

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#### **Authority**

T.C.A. § 49-8-203

#### **History**

NEW Guideline approved at August 19, 2014 President's Meeting; effective September 26, 2014. Revised and changed to policy at Special Called Meeting May 14, 2019.

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BOARD TRANSMITTAL

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MEETING: Committee Chairs Meeting

SUBJECT: Proposed TBR Policy 1.08.02.00 Digital Identity  
Authentication Management and Access Control

DATE: August 27, 2024

PRESENTER: Chief Information Officer Jon Calisi

PRESENTATION  
REQUIREMENTS: 5 minutes

ACTION REQUIRED: Informational Purposes

STAFF  
RECOMMENDATION: Not Applicable

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The purpose of this policy is to establish a minimum expectation with respect to digital identity authentication methods, access controls, and password construction to protect data stored on computer systems throughout the TBR system.

Merged content from the previous Access Control policies G-051 and G-052 into policy 1.08.02.00 to eliminate redundant wording and enhance the existing policy. The proposed revisions, which have been approved by the IT Sub council and Presidents Council, are attached in clean copy form.

# Digital Identity, Authentication Management, and Access Control: 1:08:02:00

## Policy Area

General Policy

## Applicable Divisions

TCATs, Community Colleges, System Office, Board Members

## Purpose

The purpose of this policy is to establish a minimum expectation with respect to digital identity authentication methods, access controls, and password construction to protect data stored on computer systems throughout the TBR system.

## Policy

### I. Secure Authentication Methods

Secure methods that uniquely identify the user shall be used for authentication of access to all TBR and institutional networks and systems. Examples of secure authentication methods include passwords, two-factor authentication (2FA), biometrics, and public/private key pairs.

### II. Password (and Passphrase) Construction

- a) To safeguard institutional data access, it's essential to establish and maintain robust password management protocols. All users are obliged to create secure passwords for network and system access in alignment with the given guidelines (except when technological limitations prevent adherence):
- b) Instead of conventional passwords, passphrases may be utilized. Passphrases are exempt from complexity regulations.
- c) Both passwords and or passphrases shall be at least 14 characters long at a minimum.
- d) Passwords should include at least three out of the following four character types:
  - Uppercase letters
  - Lowercase letters
  - Numbers
  - Special characters or symbols (when allowed by the software)

### III. Password Management

#### 1. Storage and Visibility

- a) Passwords must not be stored in a manner which allows unauthorized access.

- b) Passwords will not be stored in a clear text file.
- c) Passwords will not be sent via unencrypted e-mail.

## **2. Changing Passwords**

- a) If 14-character passwords or longer and or passphrases are used, there is no requirement for routine password expiration/rotation. Otherwise, users must change their passwords every 120 days.
- b) Passwords must be changed within one business day if any of the following events occur:
  - Unauthorized password discovery or usage by another person
  - System compromise (unauthorized access to a system or account)
  - Insecure transmission of a password
  - Accidental disclosure of a password to an unauthorized person
  - Status changes for personnel with access to privileged and/or system accounts
- c) Password Files and Hashes
  - Password files or hashes should not be shared with any entity without formal written consent.

## **3. System Accounts**

1. System accounts are not required to expire but must meet the password construction requirements above (where supported by the underlying technologies).
2. Vendor-provided passwords must be changed upon installation using the password construction requirements above (where supported by the underlying technologies).

## **IV. Multi-Factor Authentication (MFA)**

Multi-factor authentication (MFA) is required to be used by all users with public-facing access to critical systems such as information systems, email, or remote access such as virtual private networks (VPN).

## **V. Access Controls**

- a) Access to information assets must be restricted to authorized users and must be protected by appropriate physical, administrative, and logical authentication and authorization controls.
- b) Protection for information assets must be commensurate with the

- classification level assigned to the information.
- c) Each computer system shall have an automated access control process that identifies and authenticates users and then permits access based on defined requirements or permissions for the user or user type.
  - d) All users of secure systems must be accurately identified; a positive identification must be maintained throughout the login session, and actions must be linked to specific users.
  - e) Access control mechanisms may include user IDs, access control lists, constrained user interfaces, encryption, port protection devices, secure gateways/firewalls, and host-based authentication.

## **VI. Access Privileges**

- a) Each user's access privileges shall be authorized on a need-to-know basis as dictated by the user's specific and authorized role.
- b) Authorized access shall be based on least privilege, meaning only the minimum privileges required to fulfill the user's role shall be permitted.
- c) Access privileges shall be defined to maintain appropriate segregation of duties to reduce the risk of misuse of information assets.
- d) Any access granted to data must be authorized by the appropriate data trustee.
- e) Access privileges shall be controlled based on the following criteria as appropriate:
  - Identity (user ID)
  - Role or function
  - Physical or logical locations
  - Time of day/week/month
  - Transaction-based access
  - Access modes such as read, write, execute, delete, create, and/or search
- f) Privileged access (e.g., administrative accounts, root accounts) must be granted based strictly on role requirements.
- g) The number of personnel with special privileges should be carefully limited.

## **VII. Access Account Management**

- a) User ID accounts must be established, managed, and terminated to maintain the necessary level of data protection.
- b) The following requirements apply to network logons as well as individual application and system logons and should be implemented where technically and procedurally feasible:



- Account creation requests must specify access either explicitly or request a role that has been mapped to the required access.
- New accounts created by mirroring existing user accounts must be audited against the explicit request or roles for appropriate access rights.
- Accounts must be locked out according to individual campus requirements after an institution-defined number of consecutive invalid logon attempts.
- When a user account is locked out, it should remain locked out for a minimum of five minutes or until authorized personnel unlock the account.
- User interfaces must be locked according to individual campus requirements after an institution-defined length of system/session idle time.
  - This requirement applies to workstation and laptop sessions as well as application sessions where feasible.
  - The office of information technology shall implement measures to enforce this requirement and to require the user to re-authenticate to reestablish the session.
- Systems housing or using restricted information must be configured in such a way that access to the restricted information is denied unless specific access is granted.
- Access to restricted information is never to be allowed by default.
- Information Technology personnel revoke access upon notification that access is no longer required in accordance with the following procedures:
  - Access privileges of terminated or transferred users must be revoked or changed as soon as notification of termination or transfer occurs.
  - In cases where an employee is not leaving on good terms, the user ID must be disabled simultaneously with departure.
  - Access for users who are on leaves of absence or extended disability must be suspended until the user returns.
  - Access to Banner Admin Pages is consistently denied to adjunct faculty members. The procedure for managing access for adjunct faculty accounts is established at the local institution level, incorporating defined dates of employment according to contract status and integrating input from entities responsible for adjunct contract oversight. Each institution, guided by its academic calendar and directives from contract control authorities for adjunct faculty, will implement this specified procedure on a schedule set by the respective campus. The

scope of this process is to be defined by each individual campus, ensuring that adjunct faculty have restricted access beyond their designated course timelines to fulfill job requirements, which may be extended upon a justified request detailing specific access needs.

- User IDs will be disabled after a period of inactivity that is determined appropriate by the current business process and the individual campus.
- All third-party access (contractors, business partners, consultants, vendors) must be authorized and monitored using processes determined by the individual campuses.
- Appropriate logging will be implemented commensurate with the sensitivity/criticality of the data and resources.
- Logging of attempted access must include failed logons.
- Where practical, successful logons to systems with restricted information shall be logged.
- Logs should be monitored and regularly reviewed to identify security breaches or unauthorized activity.
- Logs shall be maintained for at least ninety days.
- A periodic audit of secured systems to confirm that access privileges are appropriate must be conducted. The audit will consist of reviewing and validating that user access rights are still needed and are appropriate.
- Applications requiring an account not tied to a single user shall employ service-based accounts. Users oversee these accounts and maintain their passwords.
- Applications requiring these accounts shall be monitored and audited by individual campus documented procedures dictated by the application for which they are provisioned.
- Service-based accounts due to their application-centric use are not subject to standard user account management rules.

## **VIII. Compliance and Enforcement**

- a) The policy applies to all users of information resources, including students, faculty, staff, temporary workers, vendors, and any other authorized users.
- b) Persons in violation of this policy are subject to a range of sanctions determined and enforced by the individual institutions, including the loss of computer network access privileges, disciplinary action, dismissal from the institution, and legal action.

- c) Some violations may constitute criminal offenses per Tennessee and other local and federal laws. The institution will carry out its responsibility to report such violations to the appropriate authorities.
- d) Documented exceptions to this policy may be granted by the information security officer for the institution based on limitations to risk and use.

## Definitions

**Authentication:** A process that allows a device or system to verify the unique identity of a person, device, or other system that is requesting access to a resource.

**Digital identity:** Information on an entity used by computer systems to represent an external agent. That agent may be a person, organization, application, or device. Also referred to as a user account or user profile.

**System account:** A special account used for automated processes without user interaction or for device management. These accounts are not assigned to an individual user for login purposes.

**Privileged account:** An account with elevated access or privileges to a secure system or resource. This type of account is authorized and trusted to perform security-relevant functions that an ordinary user account is not authorized to perform. Privileged accounts are assigned to individual users. The College System of Tennessee – the system office and affiliated institutions

## References

[NIST Special Publication 800-63: Digital Identity Guidelines Frequently Asked Questions](#)

## History

*Merged content from the previous Access Control policies G-051 and G-052 into policy 1.08.02.00 to eliminate redundant wording and enhance the existing policy.*

**TENNESSEE BOARD OF REGENTS**  
**Committee Meetings**  
**Thursday, September 19, 2024 – 1:00 p.m. (Central)**  
**Agenda**

- I. Committee on Academic Policies and Programs and Student Life
  1. Consent Agenda:
    - Revisions to TBR Policy 2.01.00.00, General Education Requirements and Degree Requirements
  2. TCAT Program Approvals (*Reed*)
  3. Institutional Mission Profiles (*Deaton*)
  4. 2025 TBR General Education Core (*Reed/Denn*)
  5. Research and Innovation Projects (*Deaton/Moreland*)
    - Accelerated Courses
    - TN Coaching Project
    - Reimagining the Community College Experience
  
- II. Committee on Personnel and Compensation
  1. Consent Agenda:
    - Promotion Recommendation at Pellissippi State Community College
    - Faculty Promotion Correction from Pellissippi State Community College
    - Revisions to TBR Policy 6.04.00.00, Pregnancy, Childbirth and Related Medical Conditions
  2. Faculty Emeritus (*Reed*)
  
- III. Committee on Workforce Development
  1. THEC Workforce Contact Hours Report (*Sisk*)
  2. Workforce Convening Outcomes (*Sisk/Adams*)
  
- IV. Committee on External Affairs
  1. Consent Agenda:
    - Revisions to TBR Policy, 9.01.03.00, Advertising
  2. Legislative Priorities (*McCormick*)
  
- V. Committee on Finance and Business Operations
  1. Consent Agenda:
    - Revisions to TBR Policy 4.02.01.00, Approvals of Agreements and Contracts
  2. Legislative Priorities Budget Request (*Fox*)

- This meeting will be live-streamed and archived on the TBR website at <https://www.tbr.edu/board/september-2024-quarterly-board-meeting>.
- Persons who want to request to address the Board may follow the process authorized by [TBR Policy 1.02.12.00 – Requests to Address the Board](#).

**TENNESSEE BOARD OF REGENTS**  
**Quarterly Board Meeting**  
**Friday, September 20, 2024 – 9:30 a.m. (Central)**  
**Agenda**

- I. **Minutes**
  - A. June 13, 2024 Quarterly Board Meeting
- II. **Report of Interim Action**
- III. **Report of the Committees**
  - A. Report of the Academic Policies and Programs/Student Life Committee Meeting on September 19, 2024
  - B. Report of the External Affairs Committee Meeting on September 19, 2024
  - C. Report of the Workforce Development Committee Meeting on September 19, 2024
  - D. Report of the Finance and Business Operations Committee Meeting on September 19, 2024
  - E. Report of the Personnel and Compensation Committee Meeting on September 19, 2024
  - F. Report of the Audit Committee Meeting on August 27, 2024
- IV. **Report of the Regents Award for Excellence in Philanthropy**
- V. **Report of the Chancellor**
  - Student Access and Success Data
- VI. **Unfinished Business**
- VII. **New Business**
  - A. Consent Agenda:
    - Revisions to TBR Policy 1.08.04.00 Personally Identifiable Information
    - Proposed TBR Policy 1.08.02.00, Digital Identity Authentication Management and Access Control
  - B. Recommendation for Next President at TCAT Jackson (*Tydings*)
  - C. Proposed 2025 Meeting Dates

- *This meeting will be live-streamed and archived on the TBR website at <https://www.tbr.edu/board/september-2024-quarterly-board-meeting>.*
- *Persons who want to request to address the Board may follow the process authorized by [TBR Policy 1.02.12.00 – Requests to Address the Board](#).*