



Middle Tennessee State University

Board of Trustees

Summer Quarterly Board Meeting

Tuesday, June 8, 2021
1:00 p.m.

MEC Meeting Room – 2nd Floor
Miller Education Center
503 East Bell Street
Murfreesboro, Tennessee 37130



**Middle Tennessee State University
Board of Trustees**

Quarterly Board Meeting

Tuesday, June 8, 2021
1:00 p.m.

AGENDA

Call to Order

Pledge of Allegiance

Introduction of Student-Veteran

Welcome and Opening Remarks

Roll Call

Minutes Tab 1
 April 6, 2021 Board Meeting

Academic Affairs, Student Life and Athletics Committee Report
and Recommendations Tab 2

1. Approval of Tenure and Promotion Candidates
2. Approval of Board Priority Consistent with Strategic Plan

Audit and Compliance Committee Report and Recommendations Tab 3

1. Approval of Policy Revision
 - a. 25 Equal Opportunity, Affirmative Action, and Nondiscrimination
2. Approval of Audit and Compliance Committee Charter
3. Approval of Audit Charter for the Audit Office

Executive and Governance Committee Report and Recommendations Tab 4

1. Approval of Board of Trustees Policy Revision: Board Committees
2. Approval of New Board of Trustees Policy: Requests to Address Board of Trustees

Finance and Personnel Committee Report and Recommendations Tab 5

1. Approval of Permanent Appointment of University Counsel
2. Approval of Capital Disclosures
3. Approval of Capital Maintenance Projects Submittal
4. Approval of Tuition, Fees, and Housing Rates

- 5. Approval of Compensation Plan
- 6. Approval of Operating Budgets
 - a. Estimated 2020-21 Budget
 - b. Proposed 2021-22 Budget

Appointment of Student TrusteeTab 6

Introduction of Faculty Trustee..... Tab 7

President’s Report

Closing Remarks

Adjournment



**Middle Tennessee State University
Board of Trustees**

Action Item

DATE: June 8, 2021

SUBJECT: **Minutes of April 6, 2021
Spring Quarterly Board Meeting**

PRESENTER: Chairman Steve Smith

BACKGROUND INFORMATION:

Approval of minutes of April 6, 2021 Spring Quarterly Board Meeting

MIDDLE TENNESSEE STATE UNIVERSITY
BOARD OF TRUSTEES
MINUTES

The Middle Tennessee State University Board of Trustees met on April 6, 2021, in the Miller Education Center Meeting Room at Middle Tennessee State University.

Call to Order and Pledge of Allegiance

Board Chair Steve Smith called the meeting to order at 1:00 p.m. Lt. Gen. (Ret.) Keith Huber led the Pledge of Allegiance.

Introduction of Student Veteran

Gen. Huber introduced Army Sergeant Jessica Pierson. Sergeant Pierson was raised in Germany, where her father was stationed in the Army, is an Army wife, and an Army widow. Sergeant Pierson enlisted in the Army and was assigned to 101st Airborne Division Air Assault at Fort Campbell. She deployed to combat in Iraq, and after losing her husband, completed her original tour of duty and was honorably discharged.

While a student at MTSU, Sergeant Pierson was a student worker, helping other veterans. Sergeant Pierson recently graduated from MTSU with a Bachelor of Science Degree. She has rejoined the military in the Tennessee Army National Guard and is employed as the Transition Manager at the Daniels Center. Sergeant Pierson stated that she enjoyed working with other veterans as a student worker at MTSU, which led her to pursue her current position at the Daniels Center.

Roll Call

Acting Board Secretary Jeff Farrar called the roll. The following trustees were in attendance: J.B. Baker, Tom Boyd, Pete DeLay, Darrell Freeman, Chris Karbowskiak, Mary Martin, Stephen Smith, Pam Wright, and Delanie McDonald. A quorum was declared.

President Sidney A. McPhee; Mark Byrnes, University Provost; Joe Bales, Vice President for University Advancement; Bruce Petryshak, Vice President for Information Technology and Chief Information Officer; Deb Sells, Vice President for Student Affairs and Vice Provost for Enrollment and Academic Services; Alan Thomas, Vice President for Business and Finance; Andrew Oppmann, Vice President for Marketing and Communications; Brenda Burkhart, Chief Audit Executive; Jeff Farrar, Associate University Counsel and Acting Board Secretary; and, Kim Edgar, Executive Assistant to the President and Chief of Staff, were also in attendance.

Request to Address the Board - Action

The Board received a request from Mr. Braxton Coleman, a student at MTSU, to address the Board. Though the request was timely submitted, the meeting agenda had already been finalized and posted. Vice Chairman Freeman made a motion to amend the agenda to allow Mr. Coleman the opportunity to address the Board. Trustee Baker seconded the motion. The motion was unanimously approved.

Mr. Braxton Coleman – Address to the Board

Chairman Smith welcomed Mr. Braxton Coleman, a senior at MTSU, to the podium. Mr. Coleman spoke about his concerns with the police response to a protest on campus, the University's response to the COVID pandemic and his belief that the University has under-reported COVID infections and hospitalizations in the student body. Mr. Coleman also expressed other concerns that students of color have experienced and are experiencing on the MTSU campus.

After expiration of Mr. Coleman's time to speak, Vice Chairman Freeman requested that he be provided additional time to speak. Chairman Smith declined. Vice Chairman Freeman thanked Mr. Coleman for his courage for appearing and sharing with the Board information they may not know and encouraged him to return to speak at future meetings of the Board of Trustees.

Approval of Minutes – Action

The next action item was approval of the minutes from the December 8, 2020 Board Meeting. Trustee DeLay made the motion to approve the minutes from the December 8, 2020 meeting, and Trustee Baker seconded the motion. A voice vote was taken and the motion to approve the minutes from the December 8, 2020 meeting of the Board passed unanimously.

Motion to Amend the Agenda – Action

Chairman Smith noted that Vice Chairman Freeman had requested that an item be added to the agenda to allow him to make a presentation to the Board. Although the request was timely received, the meeting agenda had already been finalized, and an amendment of the agenda was required to allow Vice Chairman Freeman's presentation. Both Trustee Karbowskiak and Chairman Smith expressed concern about the need for more specific rules regarding requests to address the Board of Trustees, requests for addition of items to the agenda, disclosure of materials included in such presentations, and the timing of such matters. Chairman Smith requested that the Acting Secretary prepare a draft of such rules for the Board's consideration at a future meeting. Trustee Delay and Chairman Smith also expressed that matters that members of the Board of Trustees wish to be heard and considered by the Board should originate in Board Committees.

Trustee Karbowskiak made a motion to amend the agenda to allow Vice Chairman Freeman's presentation. Trustee Wright seconded the motion. A voice vote was taken and the motion passed.

Presentation to Board – Vice Chairman Freeman

Chairman Smith stated that there was no time limit for Vice Chairman Freeman's remarks. Vice Chairman Freeman stated that he wished to address "our collective promise to all our students, especially our Black male students" and that these students "are not experiencing the promise that we have talked about." Vice Chairman Freeman acknowledged that "this is not a new

problem, or a problem that we have alone, it is a problem that has reached epic proportions on our campus.” He stated that “a Pell grant, Black, first-generation male student coming to school here has a 10.5% chance . . . to graduate in four years. That’s completely unacceptable.” In addition, Vice Chairman Freeman noted that African-American students were dropping out of school at a disproportionate rate, with significant financial costs to themselves and the University. Vice Chairman Freeman noted MTSU’s success in maintaining a 90% six-year graduation rate for African-American student-athletes and his desire to make similar efforts and achieve similar results for African-American students who were not student-athletes. Vice Chairman Freeman stated the African-American student population at MTSU from 2015 to now is on the decline and requested more emphasis on recruiting and retaining African-American students.

Motion to Include Discussion of Efforts Related to Success of African-American Students on Future Board of Trustees Meeting Agendas – Action

Vice Chairman Freeman made a motion that the issues related to the success of African-American students be included on the agenda of every Board of Trustees meeting until sustained positive results are achieved, including actual target numbers as it relates to staff, professors, deans, African-American graduation rates, and that the Board of Trustees should allow the support of this initiative.

Trustee Boyd commended Vice Chairman Freeman’s passion and persistence in pursuing this issue and commended him on his interest in the success of Black students. Trustee Boyd also noted that he counted 14 programs to address under-represented minority Pell grant students, which is a significant effort to address this issue. Vice Chairman Freeman responded that under Dr. McPhee’s leadership, MTSU has put in the effort and is going to do more. President McPhee stated Vice Chairman Freeman has been invited to participate in a group that is attempting to address work on the graduation rate of minority students. Dr. McPhee also noted that the University has many staff members focused on this issue, who are doing a good job of

addressing the concerns raised by Vice Chairman Freeman. Vice Chairman Freeman applauded Dr. McPhee, his leadership, and his team for the work that's been done.

Vice Chairman Freeman's motion failed for lack of a second.

Committee Report: Academic Affairs, Student Life, and Athletics

Committee Chair Pam Wright reported that the Academic Affairs, Student Life, and Athletics Committee met on March 16, 2021. The Committee approved the minutes from the November 10, 2020 meeting. The Committee report contained four (4) action items, unanimously approved by the Committee, for the Board's consideration. All items were presented by Provost Mark Byrnes. Materials outlining these actions were made available for review prior to the Board meeting and were contained in the Board notebooks.

Approval of Expedited Tenure – Action

First, Dr. Byrnes presented two requests for approval of expedited tenure. Policy 204 Tenure, Section VII provides that “[t]he University may find it necessary to expedite tenure review in order to recruit high-quality faculty for administrative positions. Departmental input regarding tenure for an administrator is necessary since tenure is awarded in a specific department.” Professor Kenneth Currie, Department Chair of Engineering Technology, and Professor Kathleen Schmand, Dean of Walker Library, were recently hired into administrative positions. These faculty members have been reviewed for tenure by their department chair and dean according to MTSU Policy 204 Tenure and their respective college and department policies. The President and University Provost recommend that tenure be granted effective April 6, 2021.

Revision to Policy 50 Timely Reporting of a Substantive Change for Accredited Institutions of the SACSCOC – Action

Dr. Byrnes presented information regarding approval of revision to Policy 50 Timely Reporting of a Substantive Change for Accredited Institutions of the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC). SACSCOC adopted a revised Substantive Change

Policy and Procedures in December, 2020. The proposed revision to Policy 50 clarifies and updates the University's substantive change policy and procedures to align with SACSCOC requirements.

New Academic Degree Programs: Bachelor of Business Administration in Supply Chain Management; Bachelor of Science in Media Management; Bachelor of Science in Photography – Action

Dr. Byrnes presented a request for approval of three (3) new academic degree programs. University Policy 251 Approval of Academic Programs, Units, and Modifications states all academic actions that require review and approval by THEC must be approved by the Board of Trustees. Proposed new academic programs were:

- Elevation of the existing concentration in Supply Chain Management within the Bachelor of Business Administration (B.B.A.) in Management to a free-standing B.B.A. degree with a major in Supply Chain Management to be effective Summer 2021.
- Elevation of the existing concentration in Media Management within the Bachelor of Science (B.S.) in Media and Entertainment to a free-standing B.S. degree with a major in Media Management to be effective Summer 2021.
- Elevation of the existing concentration in Photography within the Bachelor of Science (B.S.) in Media and Entertainment to a free-standing B.S. degree with a major in Photography to be effective Summer 2021.

Degree under Consideration: Master of Fine Arts in Independent Film and Television – Action

Dr. Byrnes presented a request for approval of degree under consideration – Master of Fine Arts (M.F.A.), Independent Film and Television. Per THEC Policy A1.0 (New Academic Programs: Approval Process), “upon consideration by an institution to develop a new academic program in excess of 24 SCH and notification to the institutional governing board, the institution may submit a Letter of Notification to THEC.” Pending the results of feasibility studies, the University may submit a Letter of Notification to THEC seeking to create, within the Department of Media Arts in the College of Media and Entertainment, a M.F.A. in Independent Film and Television.

The program would be composed of three tracks: Documentary; Creative Producing; and Live Event TV. The program's focal tracks create a unique offering both in the region and the state. Film and TV remain burgeoning industries, as noted by the Atlanta Film Commission. Additional supporting factors include the program-ready infrastructure, strong faculty representation in the track areas, and a clear advantage in the rapidly growing documentary market. Finally, based on the interest already expressed for this degree, this program would offer a diverse student body, including many first-generation college students, an accessible and affordable means to career advancement, as well as offering those with established careers a means of transitioning to a terminal degree to teach.

Annual Report of Academic Program Actions – Information

Presentation Addressing Achievement Gaps Initiatives – Information

Dr. Byrnes reported on the above-referenced information items.

Motion

Trustee Baker made the motion to approve the action items recommended by the Committee and Trustee Boyd seconded the motion. A voice vote was taken and motion carried.

Committee Report: Audit and Compliance Committee

Committee Chair Pete DeLay reported the Audit and Compliance Committee met on March 16, 2021. The Committee approved the minutes from its November 10, 2020 meeting. The Committee report contained one (1) action item, unanimously approved by the Committee, to be considered and voted on by the Board. Several information items were also presented. Materials outlining these actions were made available for review prior to the Board meeting and were contained in the Board notebooks.

Revision to Policy 25 Equal Opportunity, Affirmative Action, and Nondiscrimination – Action

Ms. Christy Sigler, Interim Assistant to the President for Institutional Equity and Compliance,

presented Policy 25 Equal Opportunity, Affirmative Action, and Nondiscrimination. The proposed revisions were drafted to reflect the adoption of MTSU Policy 29 Title IX Compliance and to update job titles and terminology. Due to discussion concerning terminology, wording, and references, Policy 25 was not approved. Additional revisions to Policy 25 will be considered and presented again at the next Committee meeting.

Revision to Policy 90 Athletic Integrity and Conduct of Athletics Staff – Action

Ms. Gené Stephens, Assistant Vice-President, Office of Compliance and Enterprise Risk Management, presented Policy 90 Athletic Integrity and Conduct of Athletics Staff. The proposed revisions were drafted to clarify that matters covered by the University's discrimination-based investigation policies (Policies 26, 27, and 29) and matters covered by NCAA or Conference-USA rules are not subject to review under Policy 90. In addition, cross-references and policy names were updated and corrected. Revisions to Policy 90 Athletic Integrity and Conduct of Athletics Staff were unanimously approved by the Committee.

Report of Conflict of Interest Disclosures in 2020 – Information

Review of President's Statement of Disclosure of Interests for 2021 – Information

Report on Compliance with Public Records Policy – Information

Results of Five External Reviews – Information

Quarterly Report of Results of Internal Audit Reports – Information

Information was presented on the above-referenced information items.

The Committee went into executive session to discuss audits, investigations, and litigation.

Motion

Trustee DeLay made the motion to approve the action item recommended by the Committee and Trustee Karbowski seconded the motion. A voice vote was taken and the motion to approve the action item carried.

Committee Report: Executive and Governance Committee

Trustee DeLay reported that the Executive and Governance Committee met on March 16, 2021. The Committee approved the minutes from its March 17, 2020 meeting. The Committee report contained one (1) action item, unanimously approved by the Committee, to be considered and voted on by the Board. Materials outlining the action item were made available for review prior to the Board meeting and were contained in the Board notebooks.

Institutional Mission/Mission Profile – Action

T.C.A. §49-8-101(d) requires the institution to annually submit its institutional mission statement to THEC for review and approval. On February 12, 2021, the University Planning Committee reviewed the mission statement and mission profile. It approved revisions to the mission profile, which were then reviewed and approved by the President. Once approved by the Board, the mission statement and mission profile will be provided to THEC to fulfill this statutory requirement. Dr. Mary Hoffschwelle, Associate Provost, presented the revisions to the University's institutional mission statement and mission profile.

Motion

Trustee Boyd made the motion to approve the action items recommended by the Committee and Trustee Baker seconded the motion. Chairman Smith asked if the stated date of the prior Committee minutes was correct. Acting Board Secretary Farrar confirmed that the date was correct. A voice vote was taken and motion carried.

Committee Report: Finance and Personnel Committee

Trustee Boyd reported that the Finance and Personnel Committee met on March 16, 2021. The Committee approved the minutes from its November 10, 2020 meeting. The Committee report contained three (3) actions items, unanimously approved by the Committee, to be considered and voted on by the Board. Information items were also presented. Materials outlining these

actions were made available for review prior to the Board meeting and were contained in the Board notebooks.

Revision to Policy 641 Student Fees-Incidental Charges and Refunds – Action

Mr. Alan Thomas, Vice President for Business and Finance, presented a request to update Policy 641 Student Fees–Incidental Charges and Refunds to include the charging of maintenance fees and tuition for the Winter Session (Section VI.A.3.).

Revision to Policy 730 Campus Crisis and Emergency Management – Action

Mr. Thomas also presented a request to update Policy 730 Campus Crisis and Emergency Management to evaluate needs and provide guidance to ensure continuity of instruction, research, and service and to maintain quality and integrity of courses and programs. Other revisions included minor edits and corrections.

Capital Disclosures - Action

Mr. Bill Waits presented for approval a summary of proposed revisions to the Fiscal Year 21/22 Capital Budget Disclosure list.

Budget Updates – Information

Composite Financial Index – Information

The Committee received a report on the above-referenced information items.

The Committee also voted to remove CFI from regular reporting to the Finance and Personnel Committee.

Motion

Trustee DeLay made the motion to approve the action items recommended by the Committee and Trustee Wright seconded the motion. A voice vote was taken and motion carried.

Board Secretary's Report

The Board Secretary has been delegated the limited authority to make technical revisions to policies and report them to the Board to notify them of the revisions being made. Acting Board Secretary Farrar reported that there were two technical revisions to report:

- Policy 29 Title IX Compliance was revised on January 7, 2021 to replace the name and email address of the retired Assistant Vice President for Institutional Equity and Compliance (Marian Wilson) with the name and email address of the Interim Vice President for Institutional Equity and Compliance (Christy Sigler).
- Policy 605 Reports of Expenditures by the President was revised on January 14, 2021 to change responsible division from President's Division to Business and Finance.

Report of the President

Dr. McPhee opened his report by commending Mr. Braxton Coleman for his presentation to the Board. Dr. McPhee stated that the information he had previously provided to the Board, that no University students had been hospitalized as a result of COVID-19, was accurate based on information available to the University. Dr. McPhee also noted that he has previously reached out to Mr. Coleman and requested that he serve on the Social Justice Committee. Dr. McPhee reiterated that he was proud of the work that University medical personnel has done with regards to COVID-19.

Enrollment/Recruitment

Dr. McPhee gave a brief update on enrollment and recruitment. He acknowledged that the decisions by highly selective colleges, including Ivy League and state flagship universities, to eliminate SAT and ACT test requirements have resulted in a surge in applications to those institutions. Because more students are eligible for those institutions, it is impacting regional institutions, like MTSU. He also noted that, as a result of the COVID-19 pandemic, many of the high schools have not been open and, as a result, University representatives have been unable to meet with counselors and students, which has been a major challenge for the University's recruitment efforts. Additionally, high school guidance counselors have been working remotely,

resulting in a decrease in the number of high school transcripts and documents needed to complete applications for admission.

As of April 1, 2021, MTSU has received more than 10,000 freshman applications, which is down by just over 7% since last year at this time. MTSU has admitted 6,717 new freshman, which is a decrease of 10% since last year. An admission yield rate of 45% of those admitted students is needed to maintain freshman enrollment consistent with last year. As of April 1, MTSU's transfer applications are also down 5.7% and transfer admissions are down by just 2%. Dr. McPhee is confident that the new transfer class for Fall 2021 will meet, and perhaps exceed, last fall's numbers. Dr. McPhee congratulated Dr. Sells and her staff on their efforts.

COVID-19 Update

Dr. McPhee reported that MTSU began administering the COVID-19 vaccine in the lobby of the Student Health and Wellness Center and in the School of Nursing on February 25, 2021. As of Monday, March 29, the School of Nursing has administered 2,650 vaccines and the Health Service Center has administered 2,194, for a total so far of 4,849. On April 12, the vaccination effort will expand to the Student Union. The Division of Marketing and Communication and Student Health Services have begun an awareness campaign entitled "Don't Miss Your Shot" to raise awareness and encourage students to be vaccinated. Dr. McPhee commended Vice President for Marketing and Communications, Andrew Oppmann, and his staff for their success in the campaign.

Airport

Dr. McPhee updated the Board on the status of the Aerospace program and ongoing discussions with the Murfreesboro Airport. The success of MTSU's Aerospace program, which is ranked in the top five in the nation, has led to an enrollment growth in that program. This growth has been further accelerated by the Delta Airline's selection of MTSU as an area for hiring. This growth has created some degree of tension with the airport.

The Murfreesboro Airport has been the program's base of operations for many years and MTSU has enjoyed a strong and mutually beneficial partnership with the City. MTSU's fuel purchases and other fees have been a major source of revenue for the Airport. MTSU's partnership with the Airport on a grant application resulted in a \$1,000,000 grant to fund a ramp expansion. In return, the Airport has been a convenient and safe location for MTSU students to fly.

Dr. McPhee noted the significant growth in the number of students, from 319 in Fall 2013 to 886 in Fall 2020, has increased the number of training flights. Dr. McPhee and Chairman Smith have had numerous conversations with city officials to discuss ways to mitigate noise complaints resulting from increased air traffic. MTSU has begun exploring the possibility of using nearby airports for operation and also looking at another site at other area airports that will accommodate the future needs of the large number of professional pilot students.

Legislative Update

Dr. McPhee reported that MTSU has had two budget hearings before the General Assembly, in the House Ways and Means Committee on February 22 and the Senate Education Committee on February 24. The Committees raised general questions about the impact of the pandemic specifically on future capital outlay products, projects, and online delivery of courses. Other questions also centered on federal stimulus funding being received and specifically the student aid portion. Dr. McPhee reported that both Committees unanimously passed the University budget for this year.

Finance and Personnel Committee Follow-Up

Dr. McPhee provided additional information in response to a question raised by Chairman Smith in a recent Finance and Personnel Committee meeting regarding the University's economic impact to Rutherford County related to its capital projects. Over the past five years, MTSU's construction and renovation projects have input \$121 million into the local economy.

Fundraising

Fundraising continues to remain strong. MTSU is at \$8.6 million for the year, over \$2 million more than this time last year. In February, MTSU completed another successful True Blue giving campaign, raising \$461,000 from 836 individuals in only three days. Dr. McPhee was pleased to report that 150 of that 836 were first-time givers to the University.

Dr. McPhee concluded by thanking members of the Board for their commitment and time. Some of these issues faced by the University are very difficult, but MTSU will continue to assess where improvement is needed and will continue to look at areas to strengthen and work towards making this one of the top universities in the country.

Vice Chairman Freeman stated he understood that the Murfreesboro Airport has become one of the busiest airports in the state. He noted that on one day the Murfreesboro Airport had more landings and takeoffs than the Nashville International Airport. Vice Chairman Freeman stated that with that amount of traffic there is an unsafe element to having that many landings and takeoffs without a tower. Vice Chairman Freeman expressed his gratitude that the University was working with the Murfreesboro Airport to find other locations to accommodate some of the landings. President McPhee responded that he is very much aware of that issue and the safety of the students in the area is the number one priority.

Chairman Smith commented that the next couple of years will be a tremendous challenge in terms of graduating students. He commented on the fantastic opportunity accompanying the growth of the Aerospace program to become the #1 aviation school in the country.

Trustee Baker asked if the Board could be on record as sending congratulations to Emily Howse for her new appointment of heading up THEC. Vice Chairman Freeman stated he has been working with Dr. Howse and she has been outstanding.

Trustee Boyd commended MTSU for being on the Princeton Review, a student-determined recognition.

Adjournment

Chairman Smith adjourned the meeting at 2:30 p.m.

Respectfully Submitted,

Jeff Farrar

Acting Board Secretary

DRAFT



**Middle Tennessee State University
Board of Trustees**

MEETING: Summer Quarterly Board Meeting

SUBJECT: **Academic Affairs, Student Life, and Athletics Committee**

DATE: June 8, 2021

PRESENTER: Pam Wright
Committee Chair

-
- Approval of Tenure and Promotion Candidates
 - Approval of Board Priority Consistent with Strategic Plan



**Middle Tennessee State University
Board of Trustees**

Action Item

MEETING: Summer Quarterly Board Meeting

DATE: June 8, 2021

SUBJECT: **Approval of Tenure and Promotion**

BACKGROUND INFORMATION:

The following faculty members applied for tenure and/or promotion in September 2020 and have been reviewed by their department chair/school director, department/school committee, college committee, college dean, provost, and president, as stipulated by MTSU Policies 204 Tenure, 205 Promotion of Tenured and Tenurable Faculty, and their respective college and department policies. The president and provost recommend they be granted tenure and/or promotion effective August 1, 2021.

Faculty Tenure Recommendations for 2021-22

	Name	Department
1	Abston, Kristie	Management
2	Arik, Murat	Management
3	Barbosa, Salvador	Computer Science
4	Chaney, James	Global Studies and Human Geography
5	Cruikshank, Sally	Journalism and Strategic Media
6	DiCicco, Jonathan	Political Science and International Relations
7	Dye, Christopher	Music
8	El Kadiri, Racha	Geosciences
9	Eschenfelder, Christine	Journalism and Strategic Media
10	Gao, Ying	Agriculture
11	Hanson, Michael	Recording Industry
12	Harden, Vickie	Social Work
13	Jackson, Alexander	Psychology
14	Julian, Kristi	Human Sciences
15	Lancaster, Barbara	Nursing
16	Matthews, Lucy	Marketing
17	Neff, Thomas	Media Arts
18	Neupane, Suman	Physics and Astronomy
19	Scott, Amanda	Collection Development and Management
20	Smith, Adam	Management
21	Stickle, Benjamin	Criminal Justice Administration
22	Williams, Ralph	Management

Faculty Promotion Recommendations for 2021-22

	Name	Department	Proposed Rank	Current Rank
1	Abston, Kristie	Management	Associate Professor	Assistant Professor
2	Anfinson, Erin	Art and Design	Professor	Associate Professor
3	Arik, Murat	Management	Associate Professor	Assistant Professor
4	Ayers, Cynthia	Human Sciences	Senior Instructor	Instructor
5	Barbosa, Salvador	Computer Science	Associate Professor	Assistant Professor
6	Binkley, Helen	Health and Human Performance	Professor	Associate Professor
7	Blackwell, Aleka	English	Professor	Associate Professor
8	Chaney, James	Global Studies and Human Geography	Associate Professor	Assistant Professor
9	Cruikshank, Sally	Journalism and Strategic Media	Associate Professor	Assistant Professor
10	DiCicco, Jonathan	Political Science and International Relations	Professor	Associate Professor
11	Downs, Kevin	Agriculture	Professor	Associate Professor
12	Dunlap, John	Health and Human Performance	Professor	Associate Professor
13	Dye, Christopher	Music	Associate Professor	Assistant Professor
14	El Kadiri, Racha	Geosciences	Associate Professor	Assistant Professor
15	Elleman, Amy	Elementary and Special Education	Professor	Associate Professor
16	Eschenfelder, Christine	Journalism and Strategic Media	Associate Professor	Assistant Professor
17	Franklin, Sekou	Political Science and International Relations	Professor	Associate Professor
18	Gao, Ying	Agriculture	Professor	Associate Professor
19	Hanson, Michael	Recording Industry	Associate Professor	Assistant Professor
20	Harden, Vickie	Social Work	Associate Professor	Assistant Professor
21	Henderson, Frances	English	Master Instructor	Senior Instructor
22	Jackson, Alexander	Psychology	Associate Professor	Assistant Professor
23	Julian, Kristi	Human Sciences	Professor	Associate Professor
24	Kaplan, Jennifer	Mathematical Sciences	Professor	Associate Professor
25	Lancaster, Barbara	Nursing	Associate Professor	Assistant Professor
26	Matthews, Lucy	Marketing	Associate Professor	Assistant Professor
27	Moore, Shelley C.	Nursing	Professor	Associate Professor
28	Neff, Thomas	Media Arts	Associate Professor	Assistant Professor

	Name	Department	Proposed Rank	Current Rank
29	Neupane, Suman	Physics and Astronomy	Associate Professor	Assistant Professor
30	Owusu, Andrew	Health and Human Performance	Professor	Associate Professor
31	Phillips, Kristin	Health and Human Performance	Master Instructor	Senior Instructor
32	Scott, Amanda	Library Collection Development and Management	Associate Professor	Assistant Professor
33	Smith, Adam	Management	Associate Professor	Assistant Professor
34	Smith, Carter	Criminal Justice Administration	Master Instructor	Senior Instructor
35	Smith, Daniel	Economics and Finance	Professor	Associate Professor
36	Volkov, Anatoliy	Chemistry	Professor	Associate Professor
37	Volpe Rinonapoli, Paolo	World Languages, Literatures, and Cultures	Master Instructor	Senior Instructor
38	Williams, Ralph	Management	Associate Professor	Assistant Professor



**Middle Tennessee State University
Board of Trustees**

Action Item

MEETING: Summer Quarterly Board Meeting

DATE: June 8, 2021

SUBJECT: **Board Priority Consistent with Strategic Plan**

BACKGROUND INFORMATION:

The MTSU Board of Trustees propose to make it the number one priority of the University, consistent with the Strategic Plan, to increase the graduation rate of the entire university over the coming five years.



**Middle Tennessee State University
Board of Trustees**

MEETING: Summer Quarterly Board Meeting

SUBJECT: **Audit and Compliance Committee**

DATE: June 8, 2021

PRESENTER: Pete DeLay
Committee Chair

- Approval of Policy Revision
 - a. 25 Equal Opportunity, Affirmative Action, and Nondiscrimination
- Approval of Audit and Compliance Committee Charter
- Approval of Audit Charter for the Audit Office



**Middle Tennessee State University
Board of Trustees**

Action Item

MEETING: Summer Quarterly Board Meeting
DATE: June 8, 2021
SUBJECT: **Approval of Policy Revision**

BACKGROUND INFORMATION:

Policy 25: Equal Opportunity, Affirmative Action, and Nondiscrimination

The proposed revisions are drafted to reflect the adoption of MTSU Policy 29 Title IX Compliance and to update job titles and terminology.



25 Equal Opportunity, Affirmative Action, and Nondiscrimination

Approved by Board of Trustees

Effective Date: ~~June 5, 2017~~ _____, 2021

Responsible Division: President

Responsible Office: Institutional Equity and Compliance

Responsible Officer: Assistant to the President for Institutional Equity and Compliance

I. Statement of Nondiscrimination

It is the intent of Middle Tennessee State University (MTSU or University) to fully comply with the applicable provisions of federal and state civil rights laws, including, but not limited to, Executive Order 11246, as amended; the Rehabilitation Act of 1973, as amended; the Americans with Disabilities Act of 1990, as amended; the Vietnam Era Veterans Readjustment Act of 1974, as amended; the Equal Pay Act of 1963, as amended; Titles VI and VII of the Civil Rights Act of 1964, as amended; Title IX of the Educational Amendments of 1972, as amended; the Age Discrimination in Employment Act of 1967; the Age Discrimination Act of 1975; the Pregnancy Discrimination Act; the Genetic Information Nondiscrimination Act of 2008; Section 485(f) of the HEA, as amended by Section 304 of the Violence Against Women Reauthorization Act of 2013, the regulations implementing these Acts found at 34 CFR § 668.41, §668.46, and Appendix A to Subpart D of Part 668 and regulations promulgated pursuant thereto.

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

II. Procedures to Address Claims of Discrimination or Harassment

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

- A. Allegations of discrimination and harassment based on sex (including pregnancy), sexual orientation, gender identity/expression, and sexual misconduct will be addressed pursuant to the procedures set forth in [Policies 27 Misconduct, Discrimination and Harassment Based on Sex Including Pregnancy, Sexual Orientation, and Gender Identity/Expression](#) and [29 Title IX Compliance](#).
- B. Allegations of discrimination and harassment based on categories other than sex, sexual orientation, and gender identity/expression (for example, harassment based on race or disability status) will be addressed pursuant to the procedures set forth in [Policy 26 Discrimination and Harassment based on Protected Categories other than Sex](#).

Complaints ~~alleging violations of discrimination and harassment policies~~ may be filed ~~and will be adjudicated by any current or former student, applicant for employment, or current or former employee who believes he/she has been subjected to prohibited discrimination or harassment, or who believes he/she has observed such activities taking place. Complaints against students alleging discrimination or harassment under either of these policies shall be addressed by the Office of Student Conduct pursuant to the procedures outlined in the applicable policy. Complaints against administrators, faculty, staff, contractors, or third parties alleging discrimination or harassment under either of these policies shall be addressed by the Office of Institutional Equity and Compliance (IE&C)~~ pursuant to the procedures set forth in the applicable policy.

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

III. Statement of Policy

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

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

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

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

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

IV. Implementation

A. Administrative Responsibility

The President of MTSU has appointed [Office of Institutional Equity and Compliance \(IE&C\)](#) as the area responsible for developing and implementing the University's equal opportunity and affirmative action program and for ensuring fair practices in employment and education.

Pursuant to this appointment, IE&C shall:

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

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

V. Plan for Affirmative Action

The affirmative action plan is designed to promote and ensure equal opportunity at MTSU. Its goal is to ensure additional efforts to recruit, employ, and promote qualified members of groups and persons formerly excluded, even where exclusion cannot be traced to particular discriminatory actions on the part of the employer. Further, it is the intent of the affirmative action plan to overcome the effects of systematic institutional forms of exclusion and discrimination, which in practice tend to perpetuate the status quo. This plan requires that MTSU determine the under-utilization of ~~minorities~~ individuals of color and women, set goals and timetables for remedy of under-utilization of same, and describe plans and procedures for correcting said under-utilization of underrepresented individuals (persons of color protected by law) ~~minorities~~ and women. ~~Minorities~~ people of color are defined for this purpose by the Department of Labor as ~~Native American, Asian,~~ Black/~~or~~ African American, Hispanic/Latino, Asian/Pacific Islander, American Indian/Alaskan Native ~~and~~ two (2) or more races. ~~In addition,~~

~~for data collection purposes, provision shall be made to report the number of respondents who are Hispanic or Latino.~~

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

Under-representation, for purposes of this plan, is defined as having fewer individuals of color minorities or females in a particular section of the contractor's work force, (i.e., department, job title, etc.) than would be expected in terms of their overall representation in the contractor's work force or relevant sector of that work force.

Utilization Analyses

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

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

- C. In compliance with Title 41, Chapter 60 of the Code of Federal Regulations, MTSU will undertake one (1) or both of the following steps:
1. Determine which job groups are "feeder pools" for the job group in question. The feeder pools are job groups from which individuals are promoted.
 2. Ascertain which employees could be promoted or transferred with appropriate training.
- D. Distribution of Affirmative Action Plan. Copies of the affirmative action plan ~~shall be distributed to all major organizational units~~ are distributed to Academic Affairs, Human Resources, the President's Office (kept in IEC), and made available to the public in the University library. ~~Each College Dean also receives the University data, as well as their specific college and department data. These units shall ensure distribution to all personnel within the appropriate units who have responsibility for the implementation thereof. The affirmative action plan shall also be made available, upon request, to any employee, applicant, recruitment source, minority and women's organizations, and equal employment opportunity monitoring authorities.~~

VI. Personnel Action, Policies, and Procedures

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

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

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

B. Compensation

1. Faculty, Administrative, and Professional Staff: Faculty salaries shall be determined by earned degrees, experience, academic rank, and other appropriate factors. Administrative and Professional staff salaries shall be determined by factors such as job responsibilities, level of training and experience, and demonstrated effectiveness.
2. Classified Staff: Job classifications and salary schedules will be established for clerical and support positions. The appropriate classifications and salaries shall be applied uniformly and equitably.
3. The average salaries of males and females within the same job classification shall be compared, and any noticeable discrepancies shall be analyzed to determine the

reasons therefore. If differences cannot be accounted for in terms of relative merit and/or seniority, immediate action shall be taken to correct the discrepancy.

C. Training

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

D. Communication

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

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

1. testing criteria;
2. evaluation criteria;
3. professional qualifications (degrees, experience, etc.); and

4. criteria for promotion and tenure.

VII. Sexual Orientation and Gender Identity/Expression

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

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

Forms: none.

Revisions: June 5, 2017 (original); _____, 2021~~none~~.

Last Reviewed: _____ 2021~~June 2017~~.

References: Executive Order 11246; Rehabilitation Act of 1973; Americans with Disabilities Act of 1990; Vietnam Era Veterans Readjustment Act of 1974; Equal Pay Act of 1963; Age Discrimination in Employment Act of 1967; Age Discrimination Act of 1975; Pregnancy Discrimination Act; Civil Rights Act of 1964; Title IX of the Education Amendments; Policies 26 Discrimination and Harassment Based on Categories Other than Sex; 27 Misconduct, Discrimination, and Harassment Based on Sex including Pregnancy, Sexual Orientation, and Gender Identity/Expression; 29 Title IX Compliance; 810 Performance Evaluation Reviews.



25 Equal Opportunity, Affirmative Action, and Nondiscrimination

Approved by Board of Trustees

Effective Date: _____, 2021

Responsible Division: President

Responsible Office: Institutional Equity and Compliance

Responsible Officer: Assistant to the President for Institutional Equity and Compliance

I. Statement of Nondiscrimination

It is the intent of Middle Tennessee State University (MTSU or University) to fully comply with the applicable provisions of federal and state civil rights laws, including, but not limited to, Executive Order 11246, as amended; the Rehabilitation Act of 1973, as amended; the Americans with Disabilities Act of 1990, as amended; the Vietnam Era Veterans Readjustment Act of 1974, as amended; the Equal Pay Act of 1963, as amended; Titles VI and VII of the Civil Rights Act of 1964, as amended; Title IX of the Educational Amendments of 1972, as amended; the Age Discrimination in Employment Act of 1967; the Age Discrimination Act of 1975; the Pregnancy Discrimination Act; the Genetic Information Nondiscrimination Act of 2008; Section 485(f) of the HEA, as amended by Section 304 of the Violence Against Women Reauthorization Act of 2013, the regulations implementing these Acts found at 34 CFR § 668.41, §668.46, and Appendix A to Subpart D of Part 668 and regulations promulgated pursuant thereto.

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

II. Procedures to Address Claims of Discrimination or Harassment

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

- A. Allegations of discrimination and harassment based on sex (including pregnancy), sexual orientation, gender identity/expression, and sexual misconduct will be addressed pursuant to the procedures set forth in Policies [27 Misconduct, Discrimination and Harassment Based on Sex Including Pregnancy, Sexual Orientation, and Gender Identity/Expression](#) and [29 Title IX Compliance](#).
- B. Allegations of discrimination and harassment based on categories other than sex, sexual orientation, and gender identity/expression (for example, harassment based on race or disability status) will be addressed pursuant to the procedures set forth in [Policy 26 Discrimination and Harassment based on Protected Categories other than Sex](#).

Complaints alleging violations of discrimination and harassment policies may be filed and will be adjudicated pursuant to the procedures set forth in the applicable policy.

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

III. Statement of Policy

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

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

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

- D. Ensuring that all employment decisions are implemented without prohibited discrimination.

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

IV. Implementation

A. Administrative Responsibility

The President of MTSU has appointed Office of Institutional Equity and Compliance (IEC) as the area responsible for developing and implementing the University's equal opportunity and affirmative action program and for ensuring fair practices in employment and education.

Pursuant to this appointment, IEC shall:

1. Ensure that plans are prepared and administered effectively within the time frame established.
2. Promote the equal opportunity program and affirmative action plan and ensure compliance with federal, state, and local laws and statutes, and University policies.
3. Receive and investigate complaints alleging violation of federal, state, or local statutes, or University policies that provide protection from discrimination, harassment, and retaliation on the bases of race, color, religion, creed, ethnic or national origin, sex (including pregnancy), sexual orientation, gender identity/expression, disability, age (as applicable), status as a protected veteran, genetic information, and any other legally protected class.
4. Assess the effectiveness of the program and recommend improvements.
5. Ensure that affirmative action plans are developed annually, and implemented as a means of aggressively pursuing the principles of equal employment opportunity.
6. Ensure that affirmative action goals and timetables are developed to correct problem areas and situations contributing to the under-utilization, under-representation, or inequitable treatment of protected class employees.
7. Provide positive leadership in the implementation of affirmative action programs on the campus and ensure that appropriate attention is devoted to the program in staff and faculty meetings. This shall include informing all supervisors that their

performance evaluation will include an assessment of the effectiveness of their participation in the equal opportunity programs and affirmative action plan in compliance with [Policy 810 Performance Evaluation Reviews](#).

8. Gather and report data related to the equal opportunity program and affirmative action plan.
9. Ensure that policies and procedures are implemented to address all forms of harassment, including a procedure to receive and investigate complaints and recommend necessary action to the appropriate decision-maker.
10. Develop and implement educational programs regarding all types of harassment.

B. Supervisory Responsibility. Each Vice President and other supervisory personnel shall:

1. Disseminate this policy to the employees in the offices and operations for which he/she has immediate responsibility.
2. Discuss this and other related policies directly with employees, to answer questions about them, to support them, and to urge support and cooperation by employees.
3. Seek the assistance of IEC as necessary.

V. Plan for Affirmative Action

The affirmative action plan is designed to promote and ensure equal opportunity at MTSU. Its goal is to ensure additional efforts to recruit, employ, and promote qualified members of groups and persons formerly excluded, even where exclusion cannot be traced to particular discriminatory actions on the part of the employer. Further, it is the intent of the affirmative action plan to overcome the effects of systematic institutional forms of exclusion and discrimination, which in practice tend to perpetuate the status quo. This plan requires that MTSU determine the under-utilization of individuals of color and women, set goals and timetables for remedy of under-utilization of same, and describe plans and procedures for correcting said under-utilization of underrepresented individuals (persons of color protected by law) and women. People of color are defined for this purpose by the Department of Labor as Black/African American, Hispanic/Latino, Asian/Pacific Islander, American Indian/Alaskan Native and two (2) or more races.

Under-utilization, for the purpose of this plan, is defined as "having fewer women or people of color in a particular job than would reasonably be expected by their availability." Goals will be established considering availability and the results of the utilization analysis. The University shall adopt the whole person measure in compliance with regulations of the Office of Federal Contract Compliance Programs (OFCCP). Specifically, percentage goals will be established by EEO-6 category and job group. Goals and objectives by organizational unit shall be established

to correct identifiable deficiencies. Goals by organizational unit shall refer to action-oriented efforts rather than percentage goals. Where problem areas are identified by organizational units, the affirmative action plan shall include a description of the efforts which the University has taken or will take to correct those problem areas in accordance with OFCCP requirement 41 CFR 60-2.13(d).

Under-representation, for purposes of this plan, is defined as having fewer individuals of color or females in a particular section of the contractor's work force, (i.e., department, job title, etc.) than would be expected in terms of their overall representation in the contractor's work force or relevant sector of that work force.

Utilization Analyses

- A. An analysis of the utilization of minorities and women will be performed. This analysis will include, but not be limited to, the following:
 1. Ensuring that the EEO-6 Report is completed for all categories of employees (executive/administrative/managerial, faculty, professional/non-faculty, clerical, technical/paraprofessional, skilled crafts, service maintenance).
 2. Considering the number of women and individuals of color employed by EEO-6 category and job group and the reasons for any under-utilization.
 3. Comparing, as necessary, the salaries and wages of men and women by job classification.
- B. The following factors must be considered in establishing goals:
 1. The percentage of individuals of color or women with requisite skills in the reasonable recruitment area, where "reasonable recruitment area" refers to the geographical area from which the contractor usually seeks, or reasonably could seek, workers to fill the positions in question; and
 2. The percentage of individuals of color or women among those promotable, transferable, and trainable within the contractor's organization, where "trainable" refers to employees who could, with appropriate training, become promotable or transferable within the AAP year.
- C. In compliance with Title 41, Chapter 60 of the Code of Federal Regulations, MTSU will undertake one (1) or both of the following steps:
 1. Determine which job groups are "feeder pools" for the job group in question. The feeder pools are job groups from which individuals are promoted.

2. Ascertain which employees could be promoted or transferred with appropriate training.
- D. Distribution of Affirmative Action Plan. Copies of the affirmative action plan are distributed to Academic Affairs, Human Resources, the President's Office (kept in IEC), and made available to the public in the University library. Each College Dean also receives the University data, as well as their specific college and department data.

VI. Personnel Action, Policies, and Procedures

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

- A. Recruitment, Assignment, Transfer, and Promotion
 1. Position announcements shall be distributed for consideration by all interested individuals. Announcements shall indicate the duties, responsibilities, and authorities of the position and the minimum qualifications needed by the applicant. Announcements shall carry a filing date, the method of filing an application, and the person to whom the application is to be made.
 2. Recruitment literature and vacancy announcements shall carry clear statements that the University is an equal opportunity/affirmative action employer and that positions are open to all applicants unless there is a bona fide occupational qualification requirement.
 3. Recruitment literature and vacancy announcements shall be sent to all recognized sources of candidates according to the type of position and in ways designed to solicit and encourage applications from qualified applicants who are female and/or individuals of color.
 4. Recruitment sources and advertising media utilized shall include organizations and community agencies related to female and/or individuals of color. Each applicant's qualifications shall be evaluated by comparing him/her with realistic job standards developed on the basis of work requirement.
 5. For professional positions such factors as education, professional experience, scholarly achievement, leadership ability, understanding of problems with which the position is to deal, demonstrated drive, tact, and initiative would be considered.
 6. For non-professional positions such factors as education, experience, and demonstrated ability will be considered, and appropriate skills tests will be utilized.

7. The receipt and disposition of all applications shall be recorded, and all applicants shall be informed as to when their application will become inactive.
8. Employee qualifications shall be evaluated against position requirements. Consideration shall be given to past performance and recommendations of colleagues and others in a position to evaluate potential performance.
9. All personnel involved in recruiting, screening, selection, and promotion of employees shall be carefully selected and trained to ensure elimination of bias in all personnel actions.
10. If the use of any tests other than skills tests is contemplated in evaluating applicants or employees, they must be validated by a professional psychometrist prior to use as a screening device.

B. Compensation

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

C. Training

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

D. Communication

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

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

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

VII. Sexual Orientation and Gender Identity/Expression

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

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

Forms: none.

Revisions: June 5, 2017 (original); _____, 2021.

Last Reviewed: _____ 2021.

References: Executive Order 11246; Rehabilitation Act of 1973; Americans with Disabilities Act of 1990; Vietnam Era Veterans Readjustment Act of 1974; Equal Pay Act of 1963; Age Discrimination in Employment Act of 1967; Age Discrimination Act of 1975; Pregnancy Discrimination Act; Civil Rights Act of 1964; Title IX of the Education Amendments; Policies 26 Discrimination and Harassment Based on Categories Other than Sex; 27 Misconduct, Discrimination, and Harassment Based on Sex including Pregnancy, Sexual Orientation, and Gender Identity/Expression; 29 Title IX Compliance; 810 Performance Evaluation Reviews.



**Middle Tennessee State University
Board of Trustees**

Action Item

MEETING: Summer Quarterly Board Meeting

DATE: June 8, 2021

SUBJECT: **Review and Approval of the Audit and
Compliance Committee's Charter**

BACKGROUND INFORMATION:

Tennessee Code Annotated Title 4, Chapter 35 requires state governing boards that are responsible for the preparation of financial statements to have an audit committee and the audit committee must have a charter that is approved by the Comptroller of the Treasury. The MTSU Audit and Compliance Committee Charter in Section IV.G.1 requires a review of the charter every four years or as needed to assess the adequacy of the charter. Any proposed changes need the approval of the Board and the Comptroller of the Treasury. The current charter is dated September 12, 2017.

The current charter is included in the meeting materials. The charter has been reviewed for compliance with state law and the Comptroller of the Treasury's Guidelines for Audit Committee Charters. There are no proposed revisions to the current Audit and Compliance Committee Charter other than to update the signatures to the current Chair of the committee.

Middle Tennessee State University

Audit and Compliance Committee Charter

I. Purpose

The Audit and Compliance Committee, a standing committee of the Middle Tennessee State University Board of Trustees (Board), will assist the Board in exercising oversight of the University's financial and accounting practices, internal controls, risk assessments and standards of conduct.

II. Mission

The Audit and Compliance Committee will provide oversight of the following areas:

- A. Audit engagements with the Tennessee Comptroller's Office, including the integrity of financial statements and compliance with legal and regulatory requirements,
- B. Audit engagements with external auditors,
- C. Internal Audit activities,
- D. Internal Audit administration,
- E. Internal controls and compliance with laws, regulations, and other requirements,
- F. Risk and control assessments,
- G. Fraud, waste, and abuse prevention, detection, and reporting, and
- H. Other areas as directed by the Board.

III. Authority

The Audit and Compliance Committee has the authority to authorize or facilitate audits or investigations into any matter within its scope of responsibility. The Committee is authorized to:

- A. Seek any information it requires from employees or external parties. Employees are directed to cooperate with the Committee's requests,
- B. Meet with Board and institutional officials, external and internal auditors, legal counsel, or others as necessary, and
- C. Oversee the University's internal audit function.

IV. Responsibilities

The Audit and Compliance Committee has responsibilities for the following:

- A. Tennessee Comptroller's Office Audits (State Auditors)
 - 1. Understand the scope and approach used by the State Auditors in conducting their examinations,
 - 2. Review results of the Comptroller's examinations of financial statements and any other matters related to the conduct of the audits,

3. Review with management and legal counsel any legal matters (including pending litigation) that may have a material impact on the financial statements, and any material reports or inquiries from regulatory or governmental agencies,
 4. Ensure that the Comptroller is notified of any indications of fraud in the manner prescribed by the Comptroller,
 5. Resolve any differences between management and the Comptroller's auditors regarding financial reporting, and
 6. Meet, as needed, with the Comptroller's auditors to discuss any matters that the Audit and Compliance Committee or State Auditors deem appropriate.
- B. External Audits
1. Understand the scope and approach used by the external auditors in conducting their examinations,
 2. Review results of the external auditors' examinations and any other matters related to the conduct of the external audits, and
 3. Meet, as needed, with the external auditors to discuss any matters that the Audit and Compliance Committee or external auditors deem appropriate.
- C. Internal Audit (Audit and Consulting Services)
1. Ensure that the Chief Audit Executive reports directly to the Audit and Compliance Committee and has direct and unrestricted access to the chair of the Audit and Compliance Committee,
 2. Review and approve the internal audit charter for the University's department of Audit and Consulting Services,
 3. Review and approve the annual audit plans for the University's department of Audit and Consulting Services, including management's request for unplanned audits,
 4. Receive and review significant results of internal audits performed,
 5. Work with University management and Audit and Consulting Services to assist with the resolution of cooperation issues and to ensure the implementation of audit recommendations,
 6. Review the results of the year's work with the Chief Audit Executive, and
 7. Ensure the University's internal audit function maintains a quality assurance and improvement program, including internal procedures and assessments and a periodic external quality assessment of conformance with the Institute of Internal Auditors' *International Standards for the Professional Practice of Internal Auditing*.
- D. Internal Audit Administration
1. Ensure the Chief Audit Executive's administrative reporting relationship to the President is independent.
 2. Ensure that Audit and Consulting Services has adequate resources in terms of staff and budget to effectively perform its responsibilities.
 3. Review and approve the appointment and compensation of the Chief Audit Executive,
 4. Recommend to the Board dismissal of the Chief Audit Executive only for cause

5. Review and approve the compensation and termination of campus internal auditors.

E. Risk, Internal Control and Compliance

1. Consider the effectiveness of the internal control system and compliance with laws and regulations, including computerized information system controls and security,
2. Review and evaluate risk assessments performed by institutional management and the Board, and
3. Inform the Comptroller of the Treasury of the results of risk assessments and controls completed by University management.

F. Fraud

1. Ensure that the Board and the University have an effective process in place to prevent, detect, and report fraud, waste and abuse.
2. Facilitate audit and investigative matters, including advising auditors and investigators of any pertinent information received by the Audit and Compliance Committee.

G. Other

1. Review and assess the adequacy of the Audit and Compliance Committee's charter every four years or as needed, whichever is earlier, requesting Board approval for any proposed changes.
2. Ensure there are procedures for the receipt, retention, and treatment of complaints about accounting, internal controls, or auditing matters.
3. Review the University's code of conduct and/or policies regarding employee conduct to ensure that they are easy to access, are widely distributed, are easy to understand and implement, include a confidential mechanism for reporting code violations, are enforced, and include a conflict of interest policy.
4. Review the University's conflict of interest policy to ensure that the term "conflict of interest" is clearly defined, the policy is comprehensive, annual signoff is required, and potential conflicts are adequately resolved and documented.

V. Independence

The members of the Audit and Compliance Committee shall be free of any interests, in fact or in appearance, that are in conflict with their duties as members of the Audit and Compliance Committee.

VI. Membership

- A. Pursuant to TCA 4-35-104, the Audit and Compliance Committee shall have at least three voting members,
- B. The Audit and Compliance Committee members shall be appointed by the Board Chair and serve a two (2) year term,
- C. The chair of the Audit and Compliance Committee shall be appointed by the Board Chair and serve a one (1) year term,

- D. Appointments of the Audit and Compliance Committee members and its chair shall be approved by the Board,
- E. The Board Chair shall serve as an ex officio Voting member of the Audit and Compliance Committee,
- F. The Audit and Compliance Committee shall include at least one member, the chair of the committee, who shall have accounting and financial management expertise, and
- G. The other members of the Audit and Compliance Committee shall be generally knowledgeable in financial, management, and auditing matters.

VII. Meetings

- A. The Audit and Compliance Committee shall meet at least quarterly during each calendar year, and may meet more frequently as deemed necessary. Meetings may be requested by the Board Chair, chair of the Audit and Compliance Committee or the Comptroller of the Treasury,
- B. The Audit and Compliance Committee may invite Board management, auditors, or others to attend and provide relevant information,
- C. Minutes shall be made of all meetings of the Audit and Compliance Committee and provided to the Board Chair, the President of the University and the Secretary to the Board. The minutes shall be maintained as the official record of such meetings,
- D. A majority of the voting members of the committee shall constitute a quorum for the transaction of business.
- E. All meetings of the Audit and Compliance Committee shall adhere to the Open Meetings Act, Tennessee Code Annotated Title 8, Chapter 44, except that pursuant to TCA Section 4-35-108(b), the Audit and Compliance Committee may hold confidential, nonpublic executive sessions for the sole purpose of discussing the following:
 - 1. Items deemed not subject to public inspection under Tennessee Code Annotated, Sections 10-7-503 and 10-7-504, and all other matters designated as confidential or privileged under state or federal law,
 - 2. Litigation,
 - 3. Audits or investigations, and
 - 4. Matters involving information under Tennessee Code Annotated, Section 4-35-107(a), where the informant has requested anonymity.

Approvals

Approved by:  Date: Sept. 12, 2017
 Christine Karbowski
 Chair of the Audit Committee

Approved by:  Date: 9/12/17
 Stephen B. Smith
 Chairman of the Board



**Middle Tennessee State University
Board of Trustees**

Action Item

MEETING: Summer Quarterly Board Meeting

DATE: June 8, 2021

SUBJECT: **Review and Approval of the Audit Charter
for the Audit Office**

BACKGROUND INFORMATION:

The International Standards for the Professional Practice of Internal Auditing (Standards) requires, "The purpose, authority, and responsibility of the internal audit activity must be formally defined in an internal audit charter, consistent with the Mission of Internal Audit and the mandatory elements of the International Professional Practices Framework (the Core Principles for the Professional Practice of Internal Auditing, the Code of Ethics, the *Standards*, and the Definition of Internal Auditing). The chief audit executive must periodically review the internal audit charter and present it to senior management and the board for approval."

The Audit Charter presented for approval is the same charter approved in May 2017 when MTSU's governance changed to the Board of Trustees. The charter has been reviewed for compliance with state law, MTSU policy 70 Internal Audit and the *Standards* with no proposed revisions except to update the signatures to include the current Chair of the Audit and Compliance Committee.

Introduction

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

Purpose

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

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

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

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

Authority and Scope

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

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

Responsibility and Role

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

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

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

Organizational Status/Reporting Structure

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

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

Audit Standards and Ethics

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

Periodic Review of Internal Audit Charter

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

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

Date

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

Date

Trustee Pete DeLay, Committee Chair
Audit and Compliance Committee
Board of Trustees
Middle Tennessee State University

Date



**Middle Tennessee State University
Board of Trustees**

MEETING: Summer Quarterly Board Meeting

SUBJECT: **Executive and Governance Committee**

DATE: June 8, 2021

PRESENTER: Steve Smith
Committee Chair

- Approval of Board of Trustees Policy Revision
 - a. Board Committees

- Approval of New Board of Trustees Policy
 - a. Requests to Address Board of Trustees



**Middle Tennessee State University
Board of Trustees**

Action Item

MEETING: Summer Quarterly Board Meeting

DATE: June 8, 2021

SUBJECT: **Proposed Board of Trustees Policy Revision: Board Committees**

BACKGROUND INFORMATION:

The Southern Association of Colleges and Schools Commission on Colleges requires that a governing board “defines and regularly evaluates its responsibilities and expectations” (Standard 4.2.g Board self-evaluation). The University’s compliance certification report for reaffirmation of accreditation must explain how the MTSU Board of Trustees meets the requirement, supported by evidence such as Board policies and procedures, minutes of meetings, schedules for self-evaluation, and reports on findings from those evaluations. The proposed change will clarify the Executive and Governance Committee’s responsibility for a regular schedule of Board self-evaluation and use of evaluation results for improvement.

Middle Tennessee State University

Board of Trustees Policy

Board Committees

Section 1. Purpose

The Middle Tennessee State University Board of Trustees (Board) is responsible for the governance of Middle Tennessee State University. As provided in the Board Bylaws, the Board may establish standing and special committees as it deems appropriate and necessary to fulfill these responsibilities. This Board policy establishes the committees of the Board, defining their membership and duties.

Section 2. Standing Committees

The standing committees of the Board shall be:

- Executive and Governance
- Audit and Compliance
- Finance and Personnel
- Academic Affairs, Student Life and Athletics

Section 3. Membership

- 3.1** Each standing committee shall have at least three (3) voting members who shall each serve a two-year term.
- 3.2** Each standing committee shall have a chair who shall serve a one-year term.
- 3.3** Members of the standing committees, with the exception of the Executive and Governance Committee, shall be appointed by the Board Chair. The Board Chair shall also appoint the chairs of the standing committees.
- 3.4** The Board Chair shall serve as an ex officio member of all standing committees, entitled to vote.
- 3.5** Each committee shall have an administrator of the University to assist with its work.
- 3.6** The Board Chair may appoint additional member(s) to standing or special committees if the assistance of others with particular professional or business expertise is necessary to carry out the responsibilities of the committee or subcommittee. No such additional non-trustee member shall have voting privileges.

Section 4. Special Committees

The Board Chair or Vice Chair may appoint special committees for specific assignments. Membership may be as determined appropriate. The chair of a special committee shall be designated by the Board Chair at the time the special committee is appointed. Matters assigned to a special committees shall be subject to action and approval by a designated standing committee or the Board before becoming effective.

Section 5. Meetings

- 5.1** The Committees shall meet as often as necessary to carry out their responsibilities.
- 5.2** Meetings may be called by the Board Chair, the President of the University or the committee chair.

Section 6. Notice of Meeting; Agenda

- 6.1 When feasible, committee members shall receive at least ten (10) days' notice of meetings to include the purpose of the meeting.
- 6.2 When feasible, a copy of the agenda and related materials shall accompany notice of the meeting.
- 6.3 Matters not appearing on the agenda of a standing or special committee meeting may be considered only upon an affirmative vote of the entire committee.

Section 7. Quorum

A majority of the voting members of each standing or special committee shall constitute a quorum for the transaction of business. In the absence of a quorum, those attending may adjourn the meeting until a quorum is present.

Section 8. Minutes

Minutes shall be made of all standing and special committee meetings and provided to the Board Chair, the President of the University and the Secretary to the Board. The minutes shall be maintained as the official record of such meetings.

Section 9. Open Meetings and Public Notice

All meetings of standing and special committees shall be open to the public except as authorized by a statutorily or judicially recognized exception to the Tennessee Open Meetings Act, T.C.A. § 8-44-101, et. seq. Notice provided to the public shall be compliant with the Open Meetings Act.

Section 10. Authority of the Standing and Special Committees

- 10.1 The authority of the standing and special committees shall be subject to action by the entire Board. The committees' actions must be authorized and approved by the Board before becoming effective unless the Board delegates to the committee the authority to act on its own behalf.
- 10.2 The standing and special committees shall have the right to retain independent consultants.

Section 11. Executive and Governance Committee

- 11.1 The Executive and Governance Committee shall be composed of the Chair and Vice Chair of the Board, and the Chair of the Audit and Compliance Committee. The Chair of the Board shall be the chair of this committee.
- 11.2 The Executive and Governance Committee may act for the Board between regular Board meetings on urgent matters except the following, which shall be reserved to the Board:
 1. Presidential selection, evaluation and termination
 2. Amendments to the Board Bylaws
 3. Adoption of the annual budget
 4. Tenure and promotion decisions
- 11.3 The Executive and Governance Committee shall ensure the integrity of the Board and is responsible for:
 1. Establishing and maintaining standards of Board conduct.

2. Assessing the performance of the Board and Board members by monitoring compliance with the Board's Code of Conduct and Conflict of Interest policies.
3. Ensuring an effective orientation and continuing education process for Board members.
4. Periodically reviewing and ensuring compliance with the Board Bylaws and other Board policies, recommending amendments when appropriate.
5. Reviewing the committee structure of the Board for continued effectiveness.
6. Overseeing the work of the other standing committees.
7. Other matters as assigned by the Board.

11.4 The Executive and Governance Committee shall be responsible for regularly evaluating the Board's responsibilities and expectations on at least a biennial basis, which shall include:

1. Preparation of self-evaluation procedures and instrument.
2. Presentation and discussion of results from completed self-evaluations, including board strengths, needs, and actions for improvement.

11.45 The Executive and Governance Committee shall have the right to retain independent consultants.

Section 12. Audit and Compliance Committee

12.1 The Audit and Compliance Committee shall assist the Board in exercising oversight of the University's financial and accounting practices, internal controls and standards of conduct. The Committee shall have the authority to direct University management to initiate and address specific audit and compliance issues within the mandate of the Committee. It may conduct or authorize or facilitate any audit or investigation appropriate to fulfill its oversight responsibilities.

12.2 The Audit and Compliance Committee is responsible for and shall make recommendations to the Board related to:

1. Oversight of adherence to laws, regulation and policies that pertain to the University's operations.
2. Oversight of the quality and integrity of the accounting and financial reporting practices and processes, and systems of internal controls regarding finance, accounting and legal compliance.
3. Audit issues reported in the University's external audits or reviews.
4. Presidential audits.
5. Oversight of the internal audit function including reviews of the internal audit reports and monitoring of the resolutions of any audit issues.
6. Ensuring compliance with legal and regulatory requirements.
7. Oversight and monitoring of internal controls, compliance and risk management functions of the University.
8. Oversight of the process for the reporting of suspected illegal, improper, wasteful or fraudulent activities involving University resources.
9. Other matters as assigned by the Board.

12.3 The University's Director of Audit and Consulting Services reports administratively to the President of the University and functionally to the Audit and Compliance Committee, and the Board. The Audit and Compliance Committee will review and recommend the appointment of the Director of Audit and Consulting Services who shall be removable only for cause by a majority vote of the Board. The Director of Audit and Consulting Services shall have direct and unrestricted access to the chair of Page 71

the Audit and Compliance Committee. The Director of Audit and Consulting Services shall make a comprehensive report on the internal audit function to the Board through the Audit and Compliance Committee at a stated meeting. The report will include the annual audit plan and a review of all previous year audits completed and in progress, including any follow-up reviews and any audits that were scheduled but not completed.

Section 13. Finance and Personnel

13.1 The Finance and Personnel Committee shall oversee the integrity and stability of the University's financial operations, long-term economic health and allocation of resources, and its physical assets of land, buildings and equipment.

13.2 The Finance and Personnel Committee is responsible for:

1. Monitoring the financial performance of the University and reporting to the Board.
2. Reviewing and recommending annual and long-range operating and capital and maintenance budgets.
3. Reviewing and recommending rates for student tuition and fees.
4. Overseeing financial reporting and related disclosures.
5. Recommending adoption or modification of capital improvement plans and the facilities master plan, advocating for new structures, and rehabilitating or removing older structures.
6. Creating and maintaining a maintenance capital expenditures budget and proposed timeline for all capital assets whose repair or replacement would result in an expenditure of \$100,000 or more.
7. Recommending appropriate action with regard to the acquisition and disposition of real property.
8. Recommending execution of contracts as required by University policy.
9. Actions related to personnel, including faculty and staff compensation.
10. Ensuring adequate policies and procedures are in place to promote the effectiveness, integrity and security of the University's information technology investments and their operation.
11. Other matters as assigned by the Board.

Section 14. Academic Affairs, Student Life and Athletics

The Academic Affairs, Student Life and Athletics Committee shall oversee the quality of academic programs and services, student life and athletics consistent with the mission of the University. The committee shall make recommendations to the Board relating to:

1. Approval of proposals for new academic programs and the significant revision of existing programs.
2. Ensuring and protecting, within the context of faculty shared governance, the educational quality of the University and its academic programs.
3. Matters regarding faculty tenure and promotion.
4. Approval of admission, progression, retention and graduation standards.
5. Institutional and program accreditation, and program review.
6. Promoting the welfare of students attending the University.
7. Metrics to measure efficiency of each academic department.
8. The operation of the intercollegiate athletics programs to assist the Board in carrying out its responsibility of those programs.

9. Other matters as assigned by the Board.

Effective Date: ~~June 5, 2017.~~

Revisions: None.

Middle Tennessee State University

Board of Trustees Policy

Board Committees

Section 1. Purpose

The Middle Tennessee State University Board of Trustees (Board) is responsible for the governance of Middle Tennessee State University. As provided in the Board Bylaws, the Board may establish standing and special committees as it deems appropriate and necessary to fulfill these responsibilities. This Board policy establishes the committees of the Board, defining their membership and duties.

Section 2. Standing Committees

The standing committees of the Board shall be:

- Executive and Governance
- Audit and Compliance
- Finance and Personnel
- Academic Affairs, Student Life and Athletics

Section 3. Membership

- 3.1** Each standing committee shall have at least three (3) voting members who shall each serve a two-year term.
- 3.2** Each standing committee shall have a chair who shall serve a one-year term.
- 3.3** Members of the standing committees, with the exception of the Executive and Governance Committee, shall be appointed by the Board Chair. The Board Chair shall also appoint the chairs of the standing committees.
- 3.4** The Board Chair shall serve as an ex officio member of all standing committees, entitled to vote.
- 3.5** Each committee shall have an administrator of the University to assist with its work.
- 3.6** The Board Chair may appoint additional member(s) to standing or special committees if the assistance of others with particular professional or business expertise is necessary to carry out the responsibilities of the committee or subcommittee. No such additional non-trustee member shall have voting privileges.

Section 4. Special Committees

The Board Chair or Vice Chair may appoint special committees for specific assignments. Membership may be as determined appropriate. The chair of a special committee shall be designated by the Board Chair at the time the special committee is appointed. Matters assigned to a special committees shall be subject to action and approval by a designated standing committee or the Board before becoming effective.

Section 5. Meetings

- 5.1** The Committees shall meet as often as necessary to carry out their responsibilities.
- 5.2** Meetings may be called by the Board Chair, the President of the University or the committee chair.

Section 6. Notice of Meeting; Agenda

- 6.1 When feasible, committee members shall receive at least ten (10) days' notice of meetings to include the purpose of the meeting.
- 6.2 When feasible, a copy of the agenda and related materials shall accompany notice of the meeting.
- 6.3 Matters not appearing on the agenda of a standing or special committee meeting may be considered only upon an affirmative vote of the entire committee.

Section 7. Quorum

A majority of the voting members of each standing or special committee shall constitute a quorum for the transaction of business. In the absence of a quorum, those attending may adjourn the meeting until a quorum is present.

Section 8. Minutes

Minutes shall be made of all standing and special committee meetings and provided to the Board Chair, the President of the University and the Secretary to the Board. The minutes shall be maintained as the official record of such meetings.

Section 9. Open Meetings and Public Notice

All meetings of standing and special committees shall be open to the public except as authorized by a statutorily or judicially recognized exception to the Tennessee Open Meetings Act, T.C.A. § 8-44-101, et. seq. Notice provided to the public shall be compliant with the Open Meetings Act.

Section 10. Authority of the Standing and Special Committees

- 10.1 The authority of the standing and special committees shall be subject to action by the entire Board. The committees' actions must be authorized and approved by the Board before becoming effective unless the Board delegates to the committee the authority to act on its own behalf.
- 10.2 The standing and special committees shall have the right to retain independent consultants.

Section 11. Executive and Governance Committee

- 11.1 The Executive and Governance Committee shall be composed of the Chair and Vice Chair of the Board, and the Chair of the Audit and Compliance Committee. The Chair of the Board shall be the chair of this committee.
- 11.2 The Executive and Governance Committee may act for the Board between regular Board meetings on urgent matters except the following, which shall be reserved to the Board:
 - 1. Presidential selection, evaluation and termination
 - 2. Amendments to the Board Bylaws
 - 3. Adoption of the annual budget
 - 4. Tenure and promotion decisions
- 11.3 The Executive and Governance Committee shall ensure the integrity of the Board and is responsible for:

1. Establishing and maintaining standards of Board conduct.
 2. Assessing the performance of the Board and Board members by monitoring compliance with the Board's Code of Conduct and Conflict of Interest policies.
 3. Ensuring an effective orientation and continuing education process for Board members.
 4. Periodically reviewing and ensuring compliance with the Board Bylaws and other Board policies, recommending amendments when appropriate.
 5. Reviewing the committee structure of the Board for continued effectiveness.
 6. Overseeing the work of the other standing committees.
 7. Other matters as assigned by the Board.
- 11.4** The Executive and Governance Committee shall be responsible for regularly evaluating the Board's responsibilities and expectations on at least a biennial basis, which shall include:
1. Preparation of self-evaluation procedures and instrument.
 2. Presentation and discussion of results from completed self-evaluations, including board strengths, needs, and actions for improvement.
- 11.5** The Executive and Governance Committee shall have the right to retain independent consultants.

Section 12. Audit and Compliance Committee

- 12.1** The Audit and Compliance Committee shall assist the Board in exercising oversight of the University's financial and accounting practices, internal controls and standards of conduct. The Committee shall have the authority to direct University management to initiate and address specific audit and compliance issues within the mandate of the Committee. It may conduct or authorize or facilitate any audit or investigation appropriate to fulfill its oversight responsibilities.
- 12.2** The Audit and Compliance Committee is responsible for and shall make recommendations to the Board related to:
1. Oversight of adherence to laws, regulation and policies that pertain to the University's operations.
 2. Oversight of the quality and integrity of the accounting and financial reporting practices and processes, and systems of internal controls regarding finance, accounting and legal compliance.
 3. Audit issues reported in the University's external audits or reviews.
 4. Presidential audits.
 5. Oversight of the internal audit function including reviews of the internal audit reports and monitoring of the resolutions of any audit issues.
 6. Ensuring compliance with legal and regulatory requirements.
 7. Oversight and monitoring of internal controls, compliance and risk management functions of the University.
 8. Oversight of the process for the reporting of suspected illegal, improper, wasteful or fraudulent activities involving University resources.
 9. Other matters as assigned by the Board.
- 12.3** The University's Director of Audit and Consulting Services reports administratively to the President of the University and functionally to the Audit and Compliance Committee, and the Board. The Audit and Compliance Committee will review and recommend the appointment of the Director of Audit and Consulting Services who shall be removable only for cause by a majority vote of the Board. The Director of

Audit and Consulting Services shall have direct and unrestricted access to the chair of the Audit and Compliance Committee. The Director of Audit and Consulting Services shall make a comprehensive report on the internal audit function to the Board through the Audit and Compliance Committee at a stated meeting. The report will include the annual audit plan and a review of all previous year audits completed and in progress, including any follow-up reviews and any audits that were scheduled but not completed.

Section 13. Finance and Personnel

13.1 The Finance and Personnel Committee shall oversee the integrity and stability of the University's financial operations, long-term economic health and allocation of resources, and its physical assets of land, buildings and equipment.

13.2 The Finance and Personnel Committee is responsible for:

1. Monitoring the financial performance of the University and reporting to the Board.
2. Reviewing and recommending annual and long-range operating and capital and maintenance budgets.
3. Reviewing and recommending rates for student tuition and fees.
4. Overseeing financial reporting and related disclosures.
5. Recommending adoption or modification of capital improvement plans and the facilities master plan, advocating for new structures, and rehabilitating or removing older structures.
6. Creating and maintaining a maintenance capital expenditures budget and proposed timeline for all capital assets whose repair or replacement would result in an expenditure of \$100,000 or more.
7. Recommending appropriate action with regard to the acquisition and disposition of real property.
8. Recommending execution of contracts as required by University policy.
9. Actions related to personnel, including faculty and staff compensation.
10. Ensuring adequate policies and procedures are in place to promote the effectiveness, integrity and security of the University's information technology investments and their operation.
11. Other matters as assigned by the Board.

Section 14. Academic Affairs, Student Life and Athletics

The Academic Affairs, Student Life and Athletics Committee shall oversee the quality of academic programs and services, student life and athletics consistent with the mission of the University. The committee shall make recommendations to the Board relating to:

1. Approval of proposals for new academic programs and the significant revision of existing programs.
2. Ensuring and protecting, within the context of faculty shared governance, the educational quality of the University and its academic programs.
3. Matters regarding faculty tenure and promotion.
4. Approval of admission, progression, retention and graduation standards.
5. Institutional and program accreditation, and program review.
6. Promoting the welfare of students attending the University.
7. Metrics to measure efficiency of each academic department.

8. The operation of the intercollegiate athletics programs to assist the Board in carrying out its responsibility of those programs.
9. Other matters as assigned by the Board.

Effective Date: _____, 2021.

Revisions: June 5, 2017 (original); _____, 2021.



**Middle Tennessee State University
Board of Trustees**

Action Item

MEETING: Summer Quarterly Board Meeting

DATE: June 8, 2021

SUBJECT: **Proposed New Board of Trustees Policy:
Requests to Address Board of Trustees**

BACKGROUND INFORMATION:

Board Bylaws Section 8.d.4. permits anyone wishing to address the Board to submit a written request to do so at least seven (7) days prior to the scheduled Board meeting. At the April 6, 2021 Board of Trustees meeting, several Trustees expressed that the Board needed procedures for considering and fulfilling such requests. Proposed Board Policy, Requests to Address Board of Trustees, sets forth procedures for such requests including a procedure for making such requests; a listing of permissible subjects; time allocation for speakers; and other matters.

Middle Tennessee State University

Board of Trustees Policy

Requests to Address Board of Trustees

Section 1. During each regularly held meeting of the Middle Tennessee State University Board of Trustees (Board), the Board will provide an opportunity for members of the public to address the Board. (See Board Bylaws 8.d.4). This policy sets forth the procedure for requesting and conducting such presentations.

Section 2. Procedure for Requests

Requests to address the Board must be submitted to the Secretary of the Board and be received at least seven (7) days prior to the scheduled meeting of the Board. The request must include the requestor's contact information and the issue to be addressed. Any written materials that the requestor wishes to provide to the Board or utilize during their presentation must be submitted with their request to address the Board.

The request will be discussed between the Chair and the President and, at least three (3) business days in advance of the meeting, the Secretary will either notify the requester that the request has been approved or provide written reasons for the denial of the request.

Section 3. Permissible Subjects

Individuals may speak about items on the Board meeting agenda or other issues germane to the responsibility of the Board. Meeting agendas are posted on the Board website prior to each meeting.

This policy shall not apply to any matter for which state law mandates specific public comment requirements, such as T.C.A. § 49-7-1603 (relating to comments on increases of tuition and fees) and T.C.A. § 4-5-201 *et seq.* (relating to public hearings on University rules). In addition, the Board will not hear speakers on the following topics: grievances or appeals specific to individual students or employees; pending or threatened litigation involving the University or University officials; the employment status of any specific individual; statements concerning the private activities, lifestyles, or beliefs of any individuals; proposals or bids for contracts.

Section 4. Time Allocation

4.1 A cumulative maximum of thirty (30) minutes will be allocated during each regular Board meeting for individuals to address the Board.

4.2 Each speaker will be permitted to speak for a maximum of five (5) minutes. Time will be allocated to speakers in the order in which their requests are received.

4.3 Exceptions to these time periods will only be allowed at the discretion of the Board Chair.

4.4 Speakers may not combine their five (5) minute allotment with another speaker and may not give any part of their time to another person.

Section 5. Other Terms and Conditions

- 5.1** Only one (1) speaker will be permitted to speak at a time.
- 5.2** The Board Chair will designate the order in which speakers will address the Board.
- 5.3** Speakers will not be permitted to use audio/visual equipment during their remarks.
- 5.4** After consultation with the President and the Chair, and at least forty-eight (48) hours in advance of the Board meeting, the Board Secretary will distribute any written materials provided by the speaker to the Trustees.
- 5.5** Presentations to the Board are limited to informational matters only. The Board will not take any action during a public comment session. The speaker is not permitted to make a motion or request Board action during their presentation. The Chair, at his/her discretion, may refer a matter raised during a presentation session to the President for appropriate response, or may refer the matter for consideration at a subsequent Board or Committee meeting. The Chair may also request or permit comment by members of the University administration.

Effective Date: _____, 2021.



**Middle Tennessee State University
Board of Trustees**

MEETING: Summer Quarterly Board Meeting

SUBJECT: **Finance and Personnel Committee**

DATE: June 8, 2021

PRESENTER: Joey Jacobs
Committee Chair

- Approval of Permanent Appointment of University Counsel
- Capital Disclosures
- Capital Maintenance Projects Submittal
- Approval of Tuition, Fees and Housing Rates
- Approval of Compensation
- Approval of Operating Budgets
 - a. Estimated 2020-21 Budget
 - b. Proposed 2021-22 Budget



**Middle Tennessee State University
Board of Trustees**

Action Item

MEETING: Summer Quarterly Board Meeting

DATE: June 8, 2021

SUBJECT: **Permanent Appointment of the University Counsel**

BACKGROUND INFORMATION:


Policy 808 – Compensation Reporting and Approvals – requires the appointment and salary recommendation of Vice Presidents or other executives reporting directly to the President be approved by the Board of Trustees.

The attached recommendation to permanently appoint Mr. James Floyd as University Counsel, as well as the salary request included, falls under this approval requirement and is therefore being presented to the Finance and Personnel Committee.

Office of the President
Middle Tennessee State University
204 Cope Administration Building
Murfreesboro, Tennessee 37132
615-898-2622
FAX: 615-898 2507



To: Mr. Steve Smith, Chairman, Middle Tennessee State University Board of Trustees
Mr. Joey Jacobs, Committee Chairman of the Finance and Personnel Committee

From: Sidney A. McPhee, President 

Subject: Appointment of the University Counsel and Secretary to the MTSU Board of Trustees

Date: May 25, 2021

I wish to recommend to the Board the appointment of Mr. James Floyd as the University Counsel and Secretary to the MTSU Board of Trustees.

Mr. Floyd is currently the Senior Associate General Counsel at Vanderbilt University and has been there since 2009. Prior to his current position, Mr. Floyd was the University Counsel at MTSU for six years. Mr. Floyd has a proven record of success with more than 24 years of higher education experience as well as experience in state government. It is for these reasons that I recommend the appointment of Mr. James Floyd as University Counsel and Secretary to the MTSU Board of Trustees with an annual salary of \$230,000 beginning July 15, 2021.

If you have any questions or concerns, please let me know.

c: Dr. Christy Sigler, Interim Assistant to the President for Institutional Equity and Compliance
Mr. Alan Thomas, Vice President for Business and Finance
Ms. Kathy Musselman, Assistant Vice President for Human Resources

JAMES CHRISTOPHER FLOYD

[REDACTED]
Nashville, Tennessee 37204

[REDACTED]
Email: james.c.floyd@gmail.com

November 23, 2020

Dear Dr. McPhee:

It is with earnest confidence that I submit my application for the University Counsel and Secretary to the Board position at Middle Tennessee State University (MTSU) believing that my professional background and personal attributes will make me an asset to the leadership of the University.

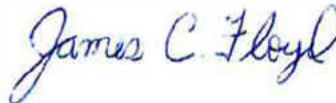
I bring over twenty-four years of higher education experience to the position as well as leadership experience from my role as the general counsel with two previous employers including MTSU. Beginning from my early career, I built relationships on a stalwart reputation that allowed me to expand my background across state government from the Tennessee Attorney General's Office to the Office of the Governor and weaving my path into higher education at the Tennessee Board of Regents and MTSU. Throughout this time, I developed a broad working knowledge of the statutes, regulations, administrative decisions, and judicial cases that are relevant to higher education.

My current practice as Senior Associate General Counsel at Vanderbilt University allows me to be a trusted partner as I guide constituents in addressing substantive legal issues that impact Vanderbilt. I advise leaders across institutional business sectors on the legal implications of proposed policies and actions as well as counsel management regarding compliance with federal and state laws. This is a broad practice, which includes student affairs, distance education, athletics, intellectual property, transactions, and labor & employment. Working within a large research institution presents complex and nuanced legal demands. Among the latitude of prominent and large scale matters presented, I have collaborated on an uncoupling of the Vanderbilt University Medical Center as well as led initiatives such as the development of online courses and experiential learning.

I am very excited to have the opportunity to return to the role of University Counsel and assume governance duties as Secretary to the Board. While I am familiar with MTSU, in my time away the University has continued to evolve as a multi-faceted and complex entity. This is reflected in the growth of the academic enterprise and facilities along with other areas that I have observed during my absence. I am eager to learn details so I can reintegrate myself into the campus community and share my legal perspective to help mitigate risks and strategically position the University as it moves forward in its vision and pursuits.

I will deliver proven fortitude and acuity in combination with a level headed and collegial approach to fulfill the responsibilities of the position and further Middle Tennessee State University's mission. I respectfully ask for your consideration of me for the position of University Counsel and Secretary to the Board.

Sincerely,



James C. Floyd

JAMES CHRISTOPHER FLOYD

[REDACTED]
Nashville, Tennessee 37204

[REDACTED]
Email: james.c.floyd@gmail.com

PROFESSIONAL SKILLS:

- Knowledgeable, innovative and collaborative attorney with a broad and sophisticated understanding of the significant issues affecting higher education.
- Seasoned litigator of claims involving Title VII, ADA, ADEA, OWBPA, FLSA, FMLA, IRCA, contracts, student affairs, health insurance coverage, wrongful termination, state discrimination laws, and faculty discipline.
- Significant experience advising clients and developing policies to proactively avoid and mitigate risks.
- Strong analytical ability to resolve multifaceted business and legal issues.
- Successful negotiator of complex transactions and contracts.
- Experience managing the training and development department for the largest employer in the State of Tennessee.
- Self-motivated producer with time management skills to multi-task, prioritize and meet deadlines.
- Ability to interface, partner, and establish rapport with stakeholders in all levels of an organization.
- Effective communicator both orally and in writing.

EDUCATION:

TULANE UNIVERSITY SCHOOL OF LAW, New Orleans, Louisiana
Juris Doctor: May 1993

THE UNIVERSITY OF ALABAMA, Tuscaloosa, Alabama
Bachelor of Science, Accounting: May 1990

EMPLOYMENT:

September 2009 to Present

VANDERBILT UNIVERSITY
Nashville, Tennessee

Senior Associate General Counsel

- Provide functional advice to senior managers and campus stakeholders pertaining to various legal issues and obligations that may affect the University including, but not limited, to compliance with federal and state regulations and risk management strategies.
- Practice includes reviewing labor and employment matters across the University with emphasis on compliance with laws and regulations covering discrimination, disability, wage and hour, union activities, medical leave, immigration, e-verify, background checks, and other workplace issues.
- Draft and review contracts, and recommend proactive strategies and actions to minimize legal risks and ensure legal compliance.
- Develop and present training sessions to University personnel on legal topics that are relevant to University functions.
- Participate in the formation of policies that involve legal issues and assess the legal implications of policy decisions contemplated by administrators, as well as faculty, staff and student committees.
- Handle administrative matters before the EEOC, THRC, OCR, NSF, OFCCP, and other federal and state governmental agencies.
- Advise and manage a wide variety of sensitive and confidential matters and litigation.
- Utilize substantial knowledge of litigation strategy, trial work, and civil procedure, including class and collective actions.

JAMES CHRISTOPHER FLOYD

Page 2 of 4

- Work closely with outside counsel in developing case strategy consistent with University policy and protocols.
- Draft, review, and revise discovery documents, pleadings, and briefs.
- Offer guidance and assistance to colleagues in the Office of the General Counsel in a highly collaborative fashion.
- Participate in the planning and development of long-term projects as assigned.
- Perform similar or related duties as assigned.
- **Areas of practice include:** labor and employment, faculty matters, privacy issues, conflicts of interest, immigration, contracts, student admissions, financial aid, FERPA, Title IX, the Clery Act, athletics, student affairs, student background checks, legislation review, protection of minors issues, online education, research misconduct, export controls, intellectual property, and University policies.

September 2003 to **MIDDLE TENNESSEE STATE UNIVERSITY**

September 2009 Murfreesboro, Tennessee

University Counsel

- Oversaw all legal matters for the largest undergraduate higher education institution in the State of Tennessee.
- Member of the President's Cabinet providing advice on strategic planning and policy implementation for the University.
- Provided proactive legal counsel through workshops and other educational presentations with the goal of avoiding and limiting risks.
- Counseled the provost, deans, and department chairs on faculty appointments, tenure, promotion, leaves, training and compliance, and conflict of interest assessment.
- Supervised the Assistant University Counsel and support staff.
- Worked with and managed outside counsel to control legal costs and ensure proper handling of cases to University standards.
- Coordinated legislative issues with the Tennessee Board of Regents' lobbyists, including drafting potential legislation, conducting bill review, and interacting with state legislators.
- Assisted the Office of Tennessee Attorney General and Reporter with trial preparation and made court appearances as both lead and second chair counsel.
- Interacted with and represented the University's interests to external agencies of Federal and State government including, but not limited to, the EEOC, OCR, and THRC.
- **Areas of practice included:** general business and contractual matters of all types, government regulatory compliance, policy formation, construction, health care, faculty affairs, labor and employment, employee benefits, information security, student affairs, real estate, sponsored research and technology transfer, intellectual property, NCAA compliance, immigration, international matters, administrative law, gifts and estates, general non-profit corporation law, public records, and government practice.

JAMES CHRISTOPHER FLOYD

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July 2001 to
September 2003

TENNESSEE DEPARTMENT OF PERSONNEL

Nashville, Tennessee

General Counsel and Assistant Commissioner

- Advised the Commissioner of Personnel on the development and implementation of personnel policies.
- Provided executive management for the following programs: Employee Relations, Research, Employee Development, and Equal Employment Opportunity.
- Acted as legislative liaison.
- Served as liaison between clients and enforcement agencies on EEO matters including responding to external complaints of discrimination.
- Coordinated reasonable accommodations based on disability and religious practices.
- **Areas of practice included:** contracts, constitutional claims, defamation, health insurance coverage, wage and hour, lobbying, employment discrimination and wrongful termination.

August 2000 to
July 2001

OFFICE OF THE GOVERNOR – STATE OF TENNESSEE

Nashville, Tennessee

Deputy Legal Counsel to the Governor

- Advised the Governor and his staff on issues of law and policy that confronted them on a day-to-day basis.
- Counseled the Governor on matters related to the University of Tennessee Board of Trustees and the Tennessee Board of Regents including board governance.
- Drafted legislation and lobbied the General Assembly.
- Performed projects as assigned by the Legal Counsel to the Governor.
- Responsibilities included all legal aspects of policy questions, legal issues arising in connection with the Governor's decision to sign or veto legislation, ethical questions, and financial disclosures.
- Reviewed requests for executive clemency and extradition.
- Managed lawsuits against the Governor in his official capacity.

September 1998 to
August 2000

TENNESSEE BOARD OF REGENTS – OFFICE OF THE GENERAL COUNSEL

Nashville, Tennessee

Assistant General Counsel

- Provided legal advice and consultation to the Board of Regents and TBR administrators.
- Reviewed and recommended TBR policies, procedures, guidelines and other documents as needed.
- Primary legal counsel for eleven institutions in the TBR system, one of the nation's largest higher education systems.
- Negotiated and drafted settlement agreements.
- Drafted and reviewed employment contracts.
- Represented clients in administrative hearings.
- Successfully argued before the NCAA Committee on Infractions.
- **Areas of practice included:** faculty affairs, athletics, labor and employment, student affairs, constitutional law, contracts, academic and corporate governance, conflicts of interest, gifts and development, and immigration issues.

JAMES CHRISTOPHER FLOYD

Page 4 of 4

December 1993 to September 1998 **STATE OF TENNESSEE ATTORNEY GENERAL AND REPORTER
CIVIL LITIGATION AND STATE SERVICES DIVISION**

Nashville, Tennessee

Assistant Attorney General

- Responsible for own caseload from inception through trial.
- Drafted and argued various motions in Federal and State Court.
- Prepared and drafted interrogatories, document requests, and answered same.
- Took and defended depositions.
- Prepared summary judgment motions and motions to dismiss.
- Negotiated and drafted settlement agreements.
- Researched and drafted memoranda regarding higher education desegregation.
- Wrote Attorney General Opinion letters.
- *McClellan v. Board of Regents of State Univ.*, 921 S.W.2d 684 (Tenn. 1996). Successfully argued sexual harassment case before the Tennessee Supreme Court. *Lester v. Walker*, 907 S.W.2d 812 (Tenn.Ct.App. 1995). Court refused to review student's grade. *Geier v. Sundquist*, 372 F.3d 784, 796 (6th Cir. 2004). Member of litigation team in higher education desegregation class action lawsuit, which has been described as "rare and exceptional" and one of "national significance."
- **Areas of practice included:** labor and employment, ethics, higher education, constitutional law, contracts, health insurance coverage, and administrative law.

BAR ADMISSION & ACTIVITIES: State Bar of Tennessee, 1993. Admitted to United States Supreme Court, United States Court of Appeals, Sixth Circuit, and all United States District Courts in Tennessee. Vanderbilt Leadership Academy (Class of 2013). National Association of College and University Attorneys. University Professional and Continuing Education Association. American Bar Association. Daniel Payne Outreach Ministries, Inc. (Board of Directors). Boy Scouts of America (Assistant Scout Master, 2006-2015). YMCA Youth Sports Coach (2000-2016). Trevecca Nazarene University Management and Human Relations Advisory Council (Member, 2001-2003). Tennessee Government Executive Institute (2002 Graduate). Tennessee Housing Development Agency (Board of Directors, 2000-2001). Harry Phillips American Inn of Court (Associate Member, 1996 1998).



**Middle Tennessee State University
Board of Trustees**

Action Item

MEETING: Summer Quarterly Board Meeting

DATE: June 8, 2021

SUBJECT: **Capital Disclosures**

BACKGROUND INFORMATION:

In accordance with THEC Policy 4.0.6C, concerning disclosure of projects funded through bonds, gifts, grants or local funds, MTSU plans to submit one project, the “Campus Quadrangle Improvements,” as part of the FY 2022/2023 MTSU Capital Budget Request. This disclosure is to replace the “Campus Quadrangle Site Improvements” that is currently disclosed but will expire July 2022.

On May 14, MTSU disclosed another project, the “College Heights Renovation” project to THEC via quarterly disclosure to be included in the FY 21/22 MTSU disclosure list. This proposed project will serve the University Police Department by renovating space to accommodate a police training simulator and provide office space for emergency management and police personnel.

Disclosure of a capital project is the first step in the project approval process and indicates an institution is considering a large-scale project investment but does not obligate the University to carry out the work identified.

Included in the materials is a summary of disclosure requests for your review and approval.

MTSU Disclosures FY 2021/2022

Additional project submitted to THEC via quarterly disclosure on May 14, 2021

Project	Project Description	Disclosure Year	Project Cost	Funding Sources		
				Gifts	Plant Funds	TSSBA Bonds
College Heights Renovation	Minor upgrades to the College Heights Building to renovate space for the University Police. Renovations include space to accommodate a police training simulator, offices for emergency management personnel, and related work.	Quarter 1 FY21/22	\$435,000		\$435,000	

Note: This project was disclosed in addition to all MTSU projects currently disclosed for FY21/22

MTSU Disclosures FY 2022/2023

Proposed disclosure to be included in FY22/23 Capital Budget request to THEC - due August 2, 2021

Project	Project Description	Disclosure Year	Project Cost	Funding Sources		
				Gifts	Plant Funds	TSSBA
Campus Quadrangle Improvements	Site improvements to the central campus quadrangle, including sidewalks, exterior lighting, landscaping, grading, drainage, and all related work.	Proposed FY22/23	\$2,020,000		\$2,020,000	

Note: This project disclosure will be active July 2022 and is to replace the "Campus Quadrangle Site Improvements" currently disclosed for FY 20/21 that will expire July 2022.



**Middle Tennessee State University
Board of Trustees**

Action Item

MEETING: Summer Quarterly Board Meeting

DATE: June 8, 2021

SUBJECT: **Capital Maintenance Projects Submittal**

BACKGROUND INFORMATION:

The Board of Trustees is charged with approving the Capital Maintenance Project requests for Middle Tennessee State University for FY 2022-23 in conjunction with instructions received from the Tennessee Higher Education Commission (THEC).

Included in these materials are the FY 2022-23 Governing Board Maintenance Pools and Allocation(s) as provided by THEC for all public institutions.

These materials provide documentation to be submitted to THEC as follows:

- Capital Maintenance requests for eight (8) projects for FY 2022-23 totaling \$11,798,000.
- Summary of Capital Maintenance potential project requests for five years, FY 2022-23 thru FY 2026-27

**THEC FY2022-23 Governing Board
Maintenance Pools and Allocations**

(Total Recommendation \$175,000,000/\$35,000,000)

Governing Board	Maintenance Pool (%)	Maintenance Allocation (\$)	Maintenance Allocation (\$)
MTSU	6.7%	\$11,798,000	\$2,360,000
APSU	3.2%	\$5,597,000	\$1,119,000
ETSU	7.8%	\$13,612,000	\$2,722,000
TSU	5.0%	\$8,735,000	\$1,747,000
TTU	5.3%	\$9,328,000	\$1,866,000
UoM	12.3%	\$21,467,000	\$4,293,000
SPA/LGI Subtotal	40.3%	\$70,536,000	\$14,107,000
UT System Subtotal	39.3%	\$68,740,000	\$7,145,000
TBR System Subtotal	20.4%	\$35,724,000	\$9,309,000
Grand total	100%	\$175,000,000	\$35,000,000

Note: Recent MTSU Capital Maintenance Allocation by FY
 FY 2021-22; \$9.9million (7 projects)
 FY 2020-21; \$4.6million (1 project)
 FY 2019-20; \$4.7million (5 projects)
 FY2018-19; \$8.2million (7 projects)
 FY2017-18; \$8.9million (5 projects)
 FY2016-17; \$6.7million (5 projects)
 FY2015-16; \$2.6million (1 project)

Capital Maintenance Request: FY2022-23

Governing Board: Middle Tennessee
 2022-23 Maintenance Allocation: \$11,798,000

Fiscal Year	Priority*	Institution	Project	Project Cost	Project Description
2022-23	1	MTSU	Multiple Buildings Elevator Modernization Phase 3	\$ 1,407,800	Modernization of elevators in several buildings to improve reliability and address current codes. This project represents Phase 3 of a three phase project.
2022-23	2	MTSU	Campus Wide Lighting and Lighting Control Updates	\$ 952,200	Campus wide modifications to interior and exterior lighting and lighting control systems.
2022-23	3	MTSU	Multiple Buildings Mechanical & Controls Updates	\$ 2,000,000	Identification and replacement of existing mechanical equipment across campus that has met or exceeded its anticipated service life. The project will also update legacy controls components and associated controls in multiple buildings on campus.
2022-23	4	MTSU	Campus Wide Access Control and Security Updates	\$ 800,000	Update of campus access control and security systems including hardware, software, and system components.
2022-23	5	MTSU	Multiple Buildings Exterior Envelope Updates	\$ 2,000,000	Repair or replacement of various exterior envelope components in multiple buildings on campus including exterior cladding, doors, windows, overhangs, porches, stairs, and all related work
2022-23	6	MTSU	Campus Wide Utilities	\$ 2,500,000	Repair and replacement of the campus utility systems including but not limited to; underground electrical, steam, steam condensate, hot water, steam manholes, sanitary sewer, domestic water, and backflow preventers, stormwater infrastructure, and all related work.
2022-23	7	MTSU	Multiple Buildings Roof Replacements	\$ 1,400,000	Roof replacements for multiple buildings on campus that includes refurbishing wall panels and all related work.
2022-23	8	MTSU	Campus Wide Sidewalk Repair and Replacements	\$ 738,000	Repair and replacement of sidewalks and hardscape areas on campus to provide accessible walkways free of obstructions and impediments.
			Total Project Cost	\$ 11,798,000	

* Requests are not limited to 10. Insert more rows if there are more projects to recommend. Total costs must fall within allocation.

Capital Maintenance Out-Years: FY 2023-24 through 2026-27

Fiscal Year	Priority	Institution	Project	Project Cost	Project Description
2023-24	1	MTSU	KUC Mechanical and HVAC Upgrades Phase II	\$ 1,500,000	Upgrade distributed mechanical and HVAC systems including piping systems and control devices.
2023-24	2	MTSU	Multiple Buildings Plumbing & Restroom Upgrades	\$ 2,950,000	Plumbing & restroom upgrades, in several buildings, to improve functionality and meet current codes.
2023-24	3	MTSU	Multiple Buildings Elevator Modernization	\$ 1,500,000	Modernization of elevators in several buildings to improve reliability and address current codes.
2023-24	4	MTSU	Multiple Buildings Leak Detection and Hydronic System Flood Mitigation	\$ 800,000	In conjunction with best practices and the State's requirement for water intrusion prevention, provide utility isolation, leak detection devices, and associated controls to enhance the campus' water intrusion plan.
2023-24	5	MTSU	Non-Commercial Building Updates	\$ 500,000	Address major HVAC, electrical, plumbing, interiors and exterior envelope for non-commercially constructed buildings on campus.
2023-24	6	MTSU	Life Safety Fire Alarm System Upgrades Phase III	\$ 1,000,000	Fire alarm system upgrades and testing.

Fiscal Year	Priority	Institution	Project	Project Cost	Project Description
2024-25	1	MTSU	Campus Wide Utilities	\$ 2,150,000	Repair and replacement of the campus utility systems including but not limited to; underground electrical, steam, steam condensate, hot water, steam manholes, sanitary sewer, domestic water, and backflow preventers, stormwater infrastructure, and all related work.
2024-25	2	MTSU	Multiple Buildings Elevator Modernization	\$ 1,500,000	Modernization of elevators in several buildings to improve reliability and address current codes.
2024-25	3	MTSU	Central and Satellite Plant Systems Updates	\$ 1,000,000	Identification and replacement of existing heating and cooling systems, co-generation equipment, auxiliary equipment, and associated controls in the Central and Satellite Plants that has met or exceeded its anticipated service life.
2024-25	4	MTSU	Campus Stormwater BMP Phase II	\$ 650,000	Stormwater improvements to meet best management practices.
2024-25	5	MTSU	JUB Building Mechanical HVAC, Windows & Ceiling Upgrades	\$ 2,550,000	Mechanical & HVAC upgrades and ceiling replacements in building to improve reliability and meet codes (coordinate with window project)
2025-26	1	MTSU	Multiple Buildings Mechanical Equipment & Controls Updates	\$ 1,200,000	Identification and replacement of existing mechanical equipment across campus that has met or exceeded its anticipated service life. The project will also update controls components and associated controls in multiple buildings on campus.
2025-26	2	MTSU	Campus Wide Utilities Updates Including PMH Gear Replacement	\$ 1,500,000	Repair and replacement of the campus utility systems including but not limited to; pad mounted electrical switchgear, underground electrical, steam, steam condensate, hot water, steam manholes, sanitary sewer, domestic water, and backflow preventers, stormwater infrastructure, and all related work.
2025-26	3	MTSU	Several Buildings Roof Replacements	\$ 1,000,000	Replace roofs, for various buildings, that are out of warranty and in need of major repairs.
2025-26	4	MTSU	Multiple Buildings Mechanical, HVAC, Lighting, Ceiling Upgrades	\$ 2,500,000	Mechanical and HVAC upgrades and ceiling replacements in buildings to improve reliability and meet codes. (coordinate with window project)
2025-26	5	MTSU	Multiple Buildings Boiler and Hot Water System Updates	\$ 2,500,000	Replace existing steam systems with local hot water boiler distribution systems.
2026-27	1	MTSU	Campus Wide Emergency Generator Refurbishments and Replacements	\$ 1,500,000	Refurbish and replace aging and lower functioning emergency generators on campus to improve performance and reliability.
2026-27	2	MTSU	Campus Wide Sidewalk Repair and Replacements	\$ 700,000	Repair and replacement of sidewalks and hardscape areas on campus to provide accessible walkways free of obstructions and impediments.
2026-27	3	MTSU	Campus Wide Lighting and Lighting Control Updates	\$ 1,500,000	Campus wide modifications to interior and exterior lighting and lighting control systems.
2026-27	4	MTSU	Multiple Buildings Plumbing Upgrades	\$ 1,250,000	Plumbing upgrades, in several buildings, to improve functionality and meet current codes.
2026-27	5	MTSU	Jones Hall Mechanical, HVAC, Lighting, Ceiling Upgrades	\$ 2,500,000	Mechanical and HVAC upgrades and ceiling replacements in building to improve reliability and meet codes. (coordinate with window project)
2026-27	6	MTSU	Central and Satellite Plant Systems Updates	\$ 1,500,000	Identification and replacement of existing heating and cooling systems, co-generation equipment, auxiliary equipment, and associated controls in the Central and Satellite Plants that has met or exceeded its anticipated service life.

3.1 DB70

1 **Department:** Tennessee Higher Education Commission
Institution: Middle Tennessee State University
Project: Multiple Buildings Elevator Modernization Phase 3
City/County: Murfreesboro/Rutherford

2 **Fiscal Year:** 2022 / 2023

3		New		Reno/Maint
<input type="checkbox"/>	Capital Outlay			
<input checked="" type="checkbox"/>	Capital Maintenance	0	Gross Sq.Ft.	0
<input type="checkbox"/>	Disclosure	0	Net Sq.Ft.	0
<input checked="" type="checkbox"/>	Designer Required	0.00	Cost/Sq.Ft.	0.00

4 Project Description:

Upgrade and repairs of elevators in multiple buildings campus wide and all related work. This project represents the third phase of a three phase project.

5	Total Project	This Request	Estimated Building Construction Cost:	
	2,735,000	1,125,000		0
	0	0	Building Construction	
	0	0	Site & Utilities	
	0	0	Built-in Equipment	
	2,735,000	1,125,000	Bid Target	
	273,500	112,500	Contingency:	10.00 10.00 percent
	3,008,500	1,237,500	MACC (Maximum Allowable Construction Cost)	
	247,022	109,540	Fee:	35/LogP-1.15= 8.21079694 Renovation
	0	0	Movable Equipment	
	20,000	10,000	first other	Haz. Materials abate
	20,000	10,000	second other	
	104,478	40,760	Administration & Miscellaneous	
	3,400,000	1,407,800	Total Cost	

6 Funding Request:	THIS REQUEST	
3,400,000	1,407,800	STATE funds
0	0	FEDERAL funds
0	0	Local and Institutional Funds

7 Previous SBC Approved Funding:	fund year	description
already approved for existing SBC project	1,835,000	2021-2022 Elev. Mod. Ph I & II
	157,200	2018-2019 Residual 366/009-09-18
1,992,200	0	
plus This Request	0	
1,407,800	0	

8 **SBC Action:** If an existing project, SBC Project No.: NA

9 **Designer:** NA

3.2 Project Support Documentation sheet 1

Institution: Middle Tennessee State University

Project: Multiple Buildings Elevator Modernization Phase 3

A. Architectural Program Scope

To provide necessary modernization and/or repairs of passenger elevators including but not limited to those located in Keathley University Center, James Walker Library, Miller Education Center, Cason Kennedy Nursing Building, Business and Aerospace Building, and Peck Hall.

B. Evidence of Physical Facility Need

A review of the facilities' elevator inventory for these buildings, combined with age, general condition, past work order history, visual inspections, occurrence of repair, and lack of available replacement parts demonstrates the need for modernization.

C. Historical Profile

Elevators in the Keathley University Center were installed in 1967.
Elevators in the James Walker Library were installed in 1997.
Elevators in Peck Hall were installed in 2005.
Elevators in Miller Education Center were installed in 1998.
Elevators in Cason Kennedy Nursing Building were installed in 1994.
Elevators in the Business and Aerospace Building were installed in 1995.

D. Summary Results and Date of Physical Facilities Survey

2021 - Keathley University Center - 60
2021 - James Walker Library - 70
2021 - Peck Hall - 70
2021 - Miller Education Center - 70
2021 - Cason Kennedy Nursing Building - 70
2021 - Business and Aerospace Building - 70

3.1 DB70

1 Department: Tennessee Higher Education Commission
Institution: Middle Tennessee State University
Project: Campus Wide Lighting and Lighting Controls Updates
City/County: Murfreesboro/Rutherford

2 Fiscal Year: 2022 / 2023

3		New		Reno/Maint
<input type="checkbox"/>	Capital Outlay			
<input checked="" type="checkbox"/>	Capital Maintenance	0	Gross Sq.Ft.	0
<input type="checkbox"/>	Disclosure	0	Net Sq.Ft.	0
<input checked="" type="checkbox"/>	Designer Required	0.00	Cost/Sq.Ft.	0.00

4 Project Description:

This project includes campus wide modifications to interior and exterior lighting including lighting controls.

5	Total Project	This Request	Estimated Building Construction Cost:	
	765,000	765,000		0
	0	0	Building Construction	
	0	0	Site & Utilities	
	0	0	Built-in Equipment	
	765,000	765,000	Bid Target	
	76,500	76,500	Contingency:	10.00 10.00 percent
	841,500	841,500	MACC (Maximum Allowable Construction Cost)	
	77,100	77,100	Fee:	35/LogP-1.15= 9.16219982 Renovation
	0	0	Movable Equipment	
	0	0	first other	
	0	0	second other	
	33,600	33,600	Administration & Miscellaneous	
	952,200	952,200	Total Cost	

6 Funding Request:	THIS REQUEST	
952,200	952,200	STATE funds
0	0	FEDERAL funds
0	0	Local and Institutional Funds

7 Previous SBC Approved Funding:	fund year	description
already approved for existing SBC project	0	
0	0	
plus This Request	0	
952,200	0	

8 SBC Action: If an existing project, SBC Project No.: NA

9 Designer: NA

3.2 Project Support Documentation sheet 1

Institution: Middle Tennessee State University

Project: Campus Wide Lighting and Lighting Controls Updates

A. Architectural Program Scope

The campus is currently served by 13 different interior lighting control systems of varying age and condition. Interior lighting, lighting controls, and the associated components (i.e. controllers, mechoshades, etc.) will be re-configured and replaced as necessary to provide a consolidated and updated system to serve the campus. Site lighting and lighting and lighting controls associated with multiple buildings on campus will also be updated to provide improved illumination and increased security.

B. Evidence of Physical Facility Need

Building lighting and lighting controls to be replaced in this project are either past their expected service life span or currently present ongoing maintenance and operational issues that require frequent attention. Consolidation around a campus standard approach for these systems will reduce time and effort spent troubleshooting and repairing these systems. Site lighting and lighting controls are needed to address improve light levels in various locations to increase campus security.

C. Historical Profile

N/A

D. Summary Results and Date of Physical Facilities Survey

N/A

3.1 DB70

1 Department: Tennessee Higher Education Commission
Institution: Middle Tennessee State University
Project: Multiple Buildings Mechanical & Controls Updates
City/County: Murfreesboro/Rutherford

2 Fiscal Year: 2022 / 2023

3		New		Reno/Maint
<input type="checkbox"/>	Capital Outlay			
<input checked="" type="checkbox"/>	Capital Maintenance	0	Gross Sq.Ft.	0
<input type="checkbox"/>	Disclosure	0	Net Sq.Ft.	0
<input checked="" type="checkbox"/>	Designer Required	0.00	Cost/Sq.Ft.	0.00

4 Project Description:

This project will identify and replace existing mechanical equipment across campus that has met or exceeded its anticipated service life. The project will also update legacy controls components and associated controls in multiple buildings on campus.

5	Total Project	This Request	Estimated Building Construction Cost:	
	1,615,000	1,615,000		0
	0	0	Building Construction	
	0	0	Site & Utilities	
	0	0	Built-in Equipment	
	1,615,000	1,615,000	Bid Target	
	161,500	161,500	Contingency:	10.00 10.00 percent
	1,776,500	1,776,500	MACC (Maximum Allowable Construction Cost)	
	152,409	152,409	Fee:	35/LogP-1.15= 8.57916277 Renovation
	0	0	Movable Equipment	
	10,000	10,000	first other	Haz. Materials Abatement
	0	0	second other	
	61,091	61,091	Administration & Miscellaneous	
	2,000,000	2,000,000	Total Cost	

6 Funding Request:	THIS REQUEST	
2,000,000	2,000,000	STATE funds
0	0	FEDERAL funds
0	0	Local and Institutional Funds

7 Previous SBC Approved Funding:	fund year	description
already approved for existing SBC project	0	
0	0	
plus This Request	0	
2,000,000	0	

8 SBC Action: If an existing project, SBC Project No.: NA

9 Designer: NA

3.2 Project Support Documentation sheet 1

Institution: Middle Tennessee State University

Project: Multiple Buildings Mechanical & Controls Updates

A. Architectural Program Scope

The project will replace aged mechanical equipment on campus including, but not limited to Variable Frequency Drives (VFDs), pumps, heat exchangers, fans, motors, fan coil units, Variable Air Volume (VAV) boxes, etc. The project will also identify all legacy hardware and software control elements on campus served by the Siemens control system. All legacy pneumatics, valves, dampers, actuators, sensors, wiring, freeze protection, flow meters, airflow measuring stations, VFDs, etc. in multiple buildings will be removed and replaced.

B. Evidence of Physical Facility Need

The mechanical equipment identified for removal and replacement is at or near the end of the anticipated service life. In addition, the condition, work order history, and lack of availability of parts demonstrates the need for updating this equipment. With the migration of all control components to Direct Digital Control (DDC) over the past 20 years, the remaining pneumatic components on campus are outdated and in need of immediate replacement. The remaining legacy devices (sensors, flow stations, dampers, actuators, etc.) are at the end of their anticipated service life and in need of replacement.

C. Historical Profile

The American Society of Heating, Refrigeration, and Air Conditioning Engineers (ASHRAE) lists the anticipated service life for the following equipment: VAV boxes and fan coil units - 20 years, Dampers - 20 years, Fans - 15-25 years, Heat Exchangers - 24 years, Pumps - 20 years, motors - 18 years, starters - 17 years, Controls - 15-20 years, actuators - 15-20 years. The equipment and controls to be replaced in this project are currently at or exceed the ages included in this list.

D. Summary Results and Date of Physical Facilities Survey

N/A

3.1 DB70

1 Department: Tennessee Higher Education Commission
Institution: Middle Tennessee State University
Project: Campus Wide Access Control and Security Updates
City/County: Murfreesboro/Rutherford

2 Fiscal Year: 2022 / 2023

3		New		Reno/Maint
<input type="checkbox"/>	Capital Outlay			
<input checked="" type="checkbox"/>	Capital Maintenance	0	Gross Sq.Ft.	0
<input type="checkbox"/>	Disclosure	0	Net Sq.Ft.	0
<input checked="" type="checkbox"/>	Designer Required	0.00	Cost/Sq.Ft.	0.00

4 Project Description:

Update of campus access control and security systems including hardware, software, and system components.

5	Total Project	This Request	Estimated Building Construction Cost:	
	645,000	645,000		0
	0	0	Building Construction	
	0	0	Site & Utilities	
	0	0	Built-in Equipment	
	645,000	645,000	Bid Target	
	64,500	64,500	Contingency:	10.00 10.00 percent
	709,500	709,500	MACC (Maximum Allowable Construction Cost)	
	66,031	66,031	Fee:	35/LogP-1.15= 9.30662476 Renovation
	0	0	Movable Equipment	
	0	0	first other	
	0	0	second other	
	24,469	24,469	Administration & Miscellaneous	
	800,000	800,000	Total Cost	

6 Funding Request:	THIS REQUEST	
800,000	800,000	STATE funds
0	0	FEDERAL funds
0	0	Local and Institutional Funds

7 Previous SBC Approved Funding:	fund year	description
already approved for existing SBC project	0	
0	0	
plus This Request	0	
800,000	0	

8 SBC Action: If an existing project, SBC Project No.: NA

9 Designer: NA

3.2 Project Support Documentation sheet 1

Institution: Middle Tennessee State University

Project: Campus Wide Access Control and Security Updates

A. Architectural Program Scope

To provide new control boards, panels, servers, card readers, door hardware, door controllers, security cameras, and associated hardware and software elements required for updating the existing Lenel and Avigilon electronic access and security systems on campus.

B. Evidence of Physical Facility Need

Various components of the electronic access control and security systems on campus are in poor condition and past their anticipated service life. Lack of available of parts and ongoing service issues present operational challenges for the university. Modernization is required to provide consistently reliable serves of these critical systems.

C. Historical Profile

Most components identified for replacement are between 10-20 years old and are either at or past their anticipated service life.

D. Summary Results and Date of Physical Facilities Survey

N/A

3.1 DB70

1 Department: Tennessee Higher Education Commission
Institution: Middle Tennessee State University
Project: Multiple Buildings Exterior Envelope Updates
City/County: Murfreesboro/Rutherford

2 Fiscal Year: 2022 / 2023

3		New		Reno/Maint
<input type="checkbox"/>	Capital Outlay			
<input checked="" type="checkbox"/>	Capital Maintenance	0	Gross Sq.Ft.	0
<input type="checkbox"/>	Disclosure	0	Net Sq.Ft.	0
<input checked="" type="checkbox"/>	Designer Required	0.00	Cost/Sq.Ft.	0.00

4 Project Description:

This project involves the repair or replacement of various exterior envelope components in multiple buildings on campus including exterior cladding, doors, windows, overhangs, porches, stairs, and all related work.

5	Total Project	This Request	Estimated Building Construction Cost:	
	1,600,000	1,600,000		0
	0	0	Building Construction	
	0	0	Site & Utilities	
	0	0	Built-in Equipment	
	1,600,000	1,600,000	Bid Target	
	160,000	160,000	Contingency:	10.00 10.00 percent
	1,760,000	1,760,000	MACC (Maximum Allowable Construction Cost)	
	151,113	151,113	Fee:	35/LogP-1.15= 8.58598592 Renovation
	0	0	Movable Equipment	
	25,000	25,000	first other	Hazardous Mat. Abatement
	0	0	second other	
	63,887	63,887	Administration & Miscellaneous	
	2,000,000	2,000,000	Total Cost	

6 Funding Request:	THIS REQUEST	
2,000,000	2,000,000	STATE funds
0	0	FEDERAL funds
0	0	Local and Institutional Funds

7 Previous SBC Approved Funding:	fund year	description
already approved for existing SBC project	0	
0	0	
plus This Request	0	
2,000,000	0	

8 SBC Action: If an existing project, SBC Project No.: NA

9 Designer: NA

3.2 Project Support Documentation sheet 1

Institution: Middle Tennessee State University

Project: Multiple Buildings Exterior Envelope Updates

A. Architectural Program Scope

To repair or replace existing doors, windows, overhands, and exterior building cladding in multiple buildings as necessary to improve the integrity of the exterior envelope and to reduce water intrusion into buildings.

B. Evidence of Physical Facility Need

Reviewing the Facilities Surveys for various buildings, combined with visual inspections, shows the need for reconditioning and improving the exterior conditions of buildings on campus to prevent damage from water intrusion and to improve energy efficiency.

C. Historical Profile

Buildings on campus 35 years old or greater to be addressed including but not limited to Tennessee Livestock Center, Miller Education Center, Kirksey Old Main, Alumni Memorial Gym, Boutwell Dramatic Arts, Tucker Theater, Saunders Fine Arts, Wright Music, Jones Hall, McFarland, Stark Ag, Keathley University Center, Learning Resource Center, Peck Hall, and Todd Hall.

D. Summary Results and Date of Physical Facilities Survey

3.1 DB70

1 **Department:** Tennessee Higher Education Commission
Institution: Middle Tennessee State University
Project: Campus Wide Utilities
City/County: Murfreesboro/Rutherford

2 **Fiscal Year:** 2022 / 2023

3		New		Reno/Maint
<input type="checkbox"/>	Capital Outlay			
<input checked="" type="checkbox"/>	Capital Maintenance	0	Gross Sq.Ft.	0
<input type="checkbox"/>	Disclosure	0	Net Sq.Ft.	0
<input checked="" type="checkbox"/>	Designer Required	0.00	Cost/Sq.Ft.	0.00

4 **Project Description:**

Repair and replacement of the following campus utilities including, but not limited to, underground electrical, steam, steam condensate, hot water, steam manhole, sanitary sewer, domestic water and backflow preventers, stormwater infrastructure, and all related work.

5	Total Project	This Request	Estimated Building Construction Cost:		0
	0	0	0	Building Construction	
	1,950,000	1,950,000		Site & Utilities	
	0	0		Built-in Equipment	
	<u>1,950,000</u>	<u>1,950,000</u>		Bid Target	
	255,000	255,000	13.08	Contingency:	13.08 percent
	<u>2,205,000</u>	<u>2,205,000</u>		MACC (Maximum Allowable Construction Cost)	
	185,752	185,752	35/LogP-1.15=	Fee:	8.42413979
	0	0		Movable Equipment	Renovation
	25,000	25,000		first other	Haz. Materials Abatement
	0	0		second other	
	<u>84,248</u>	<u>84,248</u>		Administration & Miscellaneous	
	<u>2,500,000</u>	<u>2,500,000</u>		Total Cost	

6 **Funding Request:**

THIS REQUEST	
2,500,000	STATE funds
0	FEDERAL funds
0	Local and Institutional Funds

7 **Previous SBC Approved Funding:**

	fund year	description
already approved for existing SBC project	0	
0	0	
plus This Request	0	
<u>2,500,000</u>	0	

8 **SBC Action:** If an existing project, SBC Project No.: NA

9 **Designer:** NA

3.2 Project Support Documentation sheet 1

Institution: Middle Tennessee State University

Project: Campus Wide Utilities

A. Architectural Program Scope

Taking place throughout the nearly 500 acre boundary of the main campus, this project is intended to address necessary repairs to the aging utilities infrastructure. The utilities include, but are not limited to, the underground electrical, chilled water, steam, steam condensate, steam manhole, sanitary sewer, domestic water, hot water, and backflow preventers, and stormwater infrastructure. This project is intended to increase the functionality and reliability of these systems.

B. Evidence of Physical Facility Need

Due to age, condition, settling, and localized disturbances, portions of the campus' utility infrastructure is in various stages of considerable deterioration and is at risk for failure. Potential power outages, local failures at various sections of sanitary sewer, deteriorated piping insulation systems, and steaming manholes have been observed and noted in the campus' work order system. Infrared surveys have shown evidence of steam and steam condensate leaks underground. In addition, a survey completed by the Murfreesboro Water Resources Dept. showed numerous locations around campus that need to be addressed.

C. Historical Profile

Existing sanitary sewer line installations date back to 1911 in some cases. Other sewer lines needing improvement are over 50 years old and were installed as brittle clay pipe.

Underground domestic water piping installations range from 1960 to 1968 in various sections.

Refer to the 2016 Master Plan info for age of chilled water, steam, and steam condensate piping. Thermal imaging of the steam and steam condensate systems is also provided from a 2016 report.

D. Summary Results and Date of Physical Facilities Survey

N/A

3.1 DB70

1 **Department:** Tennessee Higher Education Commission
Institution: Middle Tennessee State University
Project: Multiple Building Roof Replacements
City/County: Murfreesboro / Rutherford

2 **Fiscal Year:** 2022 / 2023

3		New		Reno/Maint
<input type="checkbox"/>	Capital Outlay			
<input checked="" type="checkbox"/>	Capital Maintenance	0	Gross Sq.Ft.	70,000
<input type="checkbox"/>	Disclosure	0	Net Sq.Ft.	0
<input checked="" type="checkbox"/>	Designer Required	0.00	Cost/Sq.Ft.	16.22

4 **Project Description:**

Roof replacements for multiple buildings on campus all related work.

5	Total Project	This Request	Estimated Building Construction Cost:	1,135,400
	1,136,000	1,136,000	Building Construction	
	0	0	Site & Utilities	
	0	0	Built-in Equipment	
	1,136,000	1,136,000	Bid Target	
	114,000	114,000	Contingency:	10.04 10.04 percent
	1,250,000	1,250,000	MACC (Maximum Allowable Construction Cost)	
	110,549	110,549	Fee:	35/LogP-1.15= 8.84390456 Renovation
	0	0	Movable Equipment	
	0	0	first other	
	0	0	second other	
	39,451	39,451	Administration & Miscellaneous	
	1,400,000	1,400,000	Total Cost	

6 **Funding Request:**

THIS REQUEST

1,400,000	1,400,000	STATE funds
0	0	FEDERAL funds
0	0	Local and Institutional Funds

7 **Previous SBC Approved Funding:**

	fund year	description
already approved for existing SBC project	0	
0	0	
plus This Request	0	
1,400,000	0	

8 **SBC Action:**

If an existing project, SBC Project No.: NA

9 **Designer:**

NA

3.2 Project Support Documentation sheet 1

Institution: Middle Tennessee State University

Project: Multiple Building Roof Replacements

A. Architectural Program Scope

The replacement of the roofs are necessary to maintain overall building conditions for Keathley University Center, Peck Hall, Storage Warehouse, Black House, Wamsley House, Harrison House, and other non-commercial off-campus buildings. This project needs to include replacement roofing and flashing; rework of coping, parapets and other roof details as required; provide insulation to comply with current standards; and provide drainage for roof surfaces & gutters.

B. Evidence of Physical Facility Need

Each building has lapsed warranties for the existing roofs, deterioration of the roofing material, and poor performance of the existing roofs which necessitates replacement. Increased occurrence of leaks requires flashings to be reworked or replaced.

C. Historical Profile

Keathley University Center (KUC) was constructed in 1967. It houses a wide variety of offices, facilities and meeting rooms. Lounges are located on the second and third floors, and there is an information desk is on the second floor lobby. KUC underwent a partial re-roof that was completed in 2019 as part of SBC project 166/009-10-2017. Peck Hall was constructed in 1968 and is used for classrooms and offices. Peck Hall's last roofing project occurred in 1985 with SBC project 166/09-01-1985. The Storage Warehouse was originally constructed in 1978. It is the distribution warehouse and also used for storage and offices.

D. Summary Results and Date of Physical Facilities Survey

2021 Peck Hall Roof PFIS Score:60; 2021 Blue Warehouse Roof PFIS Score:50; 2021 KUC Roof PFIS Score: 90

3.1 DB70

1 Department: Tennessee Higher Education Commission
Institution: Middle Tennessee State University
Project: Campus Wide Sidewalk Repair and Replacements
City/County: Murfreesboro/Rutherford

2 Fiscal Year: 2022 / 2023

3		New		Reno/Maint
<input type="checkbox"/>	Capital Outlay			
<input checked="" type="checkbox"/>	Capital Maintenance	0	Gross Sq.Ft.	0
<input type="checkbox"/>	Disclosure	0	Net Sq.Ft.	0
<input checked="" type="checkbox"/>	Designer Required	0.00	Cost/Sq.Ft.	0.00

4 Project Description:

Repair and replacment of sidewalks and hardscape areas on campus to provide accessible walkways free of obstructions and impediments.

5	Total Project	This Request	Estimated Building Construction Cost:	
	0	0		0
	595,000	595,000	0	Building Construction
	0	0		Site & Utilities
	595,000	595,000		Built-in Equipment
	59,500	59,500		Bid Target
	654,500	654,500	10.00	Contingency: 10.00 percent
	61,369	61,369		MACC (Maximum Allowable Construction Cost)
	0	0	35/LogP-1.15=	9.37652104
	0	0		Fee: Renovation
	0	0		Movable Equipment
	0	0		first other
	0	0		second other
	22,131	22,131		Administration & Miscellaneous
	738,000	738,000		Total Cost

6 Funding Request:	THIS REQUEST	
738,000	738,000	STATE funds
0	0	FEDERAL funds
0	0	Local and Institutional Funds

7 Previous SBC Approved Funding:	fund year	description
already approved for existing SBC project	0	
0	0	
plus This Request	0	
738,000	0	

8 SBC Action: If an existing project, SBC Project No.: NA

9 Designer: NA

3.2 Project Support Documentation sheet 1

Institution: Middle Tennessee State University

Project: Campus Wide Sidewalk Repair and Replacements

A. Architectural Program Scope

To repair or replace sidewalks on campus to provide safe and accessible walkways.

B. Evidence of Physical Facility Need

Various walkways on campus have shifted and/or been compromised due to cracking and settling. Repair or replacement is needed to reduce tripping hazards and potential liability for the campus.

C. Historical Profile

N/A

D. Summary Results and Date of Physical Facilities Survey

N/A



**Middle Tennessee State University
Board of Trustees**

Action Item

MEETING: Summer Quarterly Board Meeting

DATE: June 8, 2021

SUBJECT: **Tuition, Fees and Housing Rates**

BACKGROUND INFORMATION:

Under the FOCUS Act, the Tennessee Higher Education Commission (THEC) now sets a binding range in which institutions can increase undergraduate in-state tuition, as well as a binding range for the combined undergraduate in-state tuition plus mandatory fees. For 2021-22, THEC approved both of these ranges at 0 – 2.0% at its May 20, 2021 Commission meeting.

Attached is a calculation of the University's unmet financial needs for 2020-21. The amount represented is net of funds provided through new state appropriations. This additional financial need is comprised of funding related to (1) employee salary increases, including faculty promotions; (2) scholarships; (3) new academic programs and student success initiatives; and (4) fixed cost increases for software maintenance agreements and operations.

Included in the materials for this section is a comparison of MTSU fee rates to

other public institutions in Tennessee, as well as comparisons to our THEC peers. The University is proposing a 1.99% increase in tuition for all students, which complies with THEC's binding range of 0 – 2.0%. The University is recommending an additional 3% increase in graduate tuition. Schedules are provided showing the effect on current in-state and out-of-state rates for students taking 15 credit hours.

In addition to tuition, materials are provided for both mandatory and non-mandatory fee requests, as well as housing rates. Only mandatory fees are subject to THEC's binding range. Non-mandatory fees and housing rates are only subject to approval by the MTSU Board of Trustees.

The total impact of the combined increase in undergraduate tuition and mandatory fees is a 1.78% increase on students taking 15 hours, which complies with THEC's total guidance of 0 – 2.0%.

Tuition and Mandatory Fees

FY 2021-22 Tuition Increase Proposal

	<u>Amount</u>
Salary Pool	\$ 4,540,500
Faculty Promotions	288,000
Scholarships & Discounts	1,918,500
Software Maintenance Agreements	850,000
New / Expanded Program Needs	1,191,950
Data Science Pipeline Match	63,720
Other Fixed Costs and Student Success Initiatives	326,700
FY 2021-22 Budget Need	<u>\$ 9,179,370</u>
State Appropriations	5,539,300
Reallocation of Existing Funds	655,070
FY 2021-22 Funds Available	<u>\$ 6,194,370</u>
Unmet Need	\$ 2,985,000
Equivalent Tuition Increase	1.99%

Tuition and Fees Comparison

Summary of Tuition and Mandatory Fees Compared to Peers, AY 2020-21

In-State/Resident, Undergraduate

	Tuition & Fees 20-21	Peer Tuition & Fees 20-21	+/- %	TN Rank ¹	Peer Max	Peer Min
APSU	\$8,627	\$9,002	-4.2%	10	\$11,120	\$5,785
ETSU	\$9,491	\$8,418	12.7%	6	\$11,156	\$5,785
MTSU	\$9,424	\$9,161	2.9%	7	\$13,014	\$6,253
TSU	\$8,183	\$9,192	-11.0%	10	\$11,156	\$5,785
TTU	\$9,828	\$8,227	19.5%	4	\$11,338	\$4,353
UM	\$9,924	\$11,155	-11.0%	10	\$14,890	\$6,410
UTC	\$9,268	\$7,679	20.7%	4	\$10,755	\$4,353
UTK	\$13,264	\$11,464	15.7%	3	\$17,510	\$6,380
UTM	\$9,748	\$9,701	0.5%	7	\$15,996	\$4,353

Universities are ranked 1-13, with 1 being highest tuition and fees and 13 being lowest tuition and fee

Source: THEC-Defined Peers

MTSU Peers

2020-21 Tuition & Fees

University	Tuition & Fees
George Mason University (VA)	13,014
University of North Texas	11,295
Old Dominion University (VA)	11,156
Georgia State University	11,076
The University of Texas at Arlington	10,964
University of Texas at San Antonio	10,093
Middle Tennessee State University	9,424
University of Southern Mississippi	8,896
Georgia Southern University	7,578
University of North Carolina-Greensboro	7,406
University of North Carolina-Charlotte	7,096
Florida International University	6,566
Florida Atlantic University	6,253

Source: The Chronicle of Higher Education
<https://www.chronicle.com/interactives/tuition-and-fees>

FY 2021-22 Graduate Tuition

Fee	Current	Proposed	Prior Increase	Revenue Generated
College of Graduate Studies	FY19-20 increased graduate tuition 3%	Additional 3% tuition increase for graduate courses	3%	\$ 600,000

Graduate student enrollment is approximately 11% of the total MTSU student body. Our peer institutions within the state and region have, on average, closer to 20% of the student body in graduate classes. This means to catch up to our peers, we need to increase graduate enrollment by 100%. MTSU is well-known undergraduate university in the Middle Tennessee Region, but is less known for its graduate programs. To overcome this knowledge gap, the College of Graduate Studies will use the revenue from this fee to market and advertise graduate programs to increase awareness, applications, and enrollment until we meet, or exceed, our peer ratio of 20% of the student body, or 5000 students. Marketing reports suggest connecting employment with graduate degrees resonates well and parallels the Governor's focus on employment with degrees. Offering new and higher graduate assistantships will also result in higher enrollment. This tuition increase will still place MTSU as the 3rd lowest graduate tuition in the state.

In-State and Out-of-State Tuition (per credit hour)

Fee	Current	New	Increase
Undergraduate In-State Maintenance Fee	\$300	\$306	\$6
Over 12 hours	\$59	\$60	\$1
Undergraduate Out-of-State Tuition	\$1,078	\$1,099	\$21
Over 12 hours	\$216	\$220	\$4
Graduate In-State Maintenance fee	\$497	\$522	\$25
Over 10 hours	\$99	\$104	\$5
Graduate Out-of-State Tuition	\$1,376	\$1,445	\$69
Over 10 hours	\$274	\$288	\$14

MTSU E-Rate (per credit hour)

Fee	Current	New	Increase
Undergraduate eRate	\$450	\$459	\$9
Undergraduate Online Course Fee	\$30	\$30	\$0
Graduate eRate	\$746	\$783	\$37
Graduate Online Course Fee	\$30	\$30	\$0

eRate is available to students who are classified as non-residents of Tennessee and who are enrolled exclusively in online courses. The Online Course Fee will be waived for Summer 2021 and Fall 2021 semesters.

Regional Scholars (per credit hour)

Fee	Current	New	Increase
Undergraduate Rate	\$540	\$549	\$9
Graduate Rate	\$785	\$813	\$28

- Regional Scholars are non-residents of Tennessee who mainly live in a state that borders Tennessee and meet specific academic requirements.
 - Graduated from a high school located in a county within a 250 mile radius of MTSU or in a state that borders Tennessee (undergrad) or have a permanent address in a county within a 250 mile radius of MTSU or in a state that borders Tennessee (graduate)
 - Have an ACT composite of 25 (SAT 1130) or above (undergrad)
 - Maintain full time enrollment (12 hours undergrad / 10 hours graduate)
 - Remain in good academic standing
- Rate is the in-state rate plus the state subsidy

FY 2021-22 Mandatory Fee Requests

Fee	Current	Proposed	Increase
Student Debt Service	\$ 204.00	\$ 204.00	-
Student Recreation	61.00	61.00	-
Student Government Association	40.00	40.00	-
Postal Services	12.00	12.00	-
Sustainable Campus Fee	8.00	8.00	-
Athletics	240.00	240.00	-
Parking Services	115.00	117.00	2.00
Technology Access Fee	112.50	117.50	5.00
Health Services	90.50	92.50	2.00
International Fee	16.00	16.00	-
Facilities Fee	36.00	36.00	-
Total	\$ 935.00	\$ 944.00	\$ 9.00

The Student Government Association has approved all increases.

FY 2021-22 Mandatory Fee Requests

Fee	Current	Proposed	Increase	Student Exposure	Prior Increase	Revenue Generated
Parking	\$ 115	\$ 117	\$ 2	Fee increase approved by SGA Executive Committee 11/12/2020	FY19-20 \$2	\$70,000

Parking Services is a 100% auxiliary enterprise operation and is totally dependent on the Parking fee for its shuttle services for students, utilities and maintenance cost of the Parking office and shuttle buses, and various parking lots, campus lighting, and sidewalk maintenance projects. The \$2 increase is also needed for mandatory salary and benefit increases.

FY 2021-22 Mandatory Fee Requests

Fee	Current	Proposed	Increase	Student Exposure	Prior Increase	Revenue Generated
Technology Access Fee	112.50	117.50	\$ 5	Fee increase approved by SGA Executive Committee 4/14/2021	FY00-01 \$12.50	\$ 175,000

The technology access fee (TAF) is a per semester fee required by each student to help offset a portion of the technology related cost on campus. The fee itself covers about \$4.2M in technology related expenses annually. The fee is used to supplement infrastructure costs and pay for classroom equipment, computer lab equipment, break/fix expenses, lab related software, etc.

Proposals are submitted each year by deans, department chairs, faculty, and our classroom design and support team to make improvements in our students' technology access and experience. Currently, requests are averaging slightly over \$6.0 million annually, which this incremental increase in the fee will help address.

FY 2021-22 Mandatory Fee Requests

Fee	Current	Proposed	Increase	Student Exposure	Prior Increase	Revenue Generated
Health Services	\$ 90.50	\$ 92.50	\$ 2	Fee increase approved by SGA Executive Committee 11/12/2020	FY19-20 \$3	\$ 70,000

Student Health Services is a 100% auxiliary enterprise operation and is totally dependent on the Student Health Services fee for its services to students and operations and its portion of the shared capital cost (with Campus Recreation) for the 202,000 square foot building. The \$2 increase is needed for: required salary and benefit increases, inflationary cost of software support and medical supplies, and overhead costs. Student demand for health and mental health services continues to be strong.

Projected Annual Impact of Requested Fee Increases Based on 15 hour Enrollment Fall and Spring

		% Increase
Current In-State Tuition	\$ 7,554	
Current Mandatory Fees	1,870	
Total In-State Tuition & Mandatory Fees	<u>\$ 9,424</u>	
1.99% In-State Tuition Increase**	\$ 150	
Requested Mandatory Fees	18	
Total Fee Increase	<u>\$ 168</u>	
New In-State Tuition	\$ 7,704	
New Mandatory Fees	1,888	
New In-State Tuition & Mandatory Fees	<u>\$ 9,592</u>	1.78%

**THEC's guidance for the combined maintenance fee and mandatory fee increase is 0-2.0%.

Non-Mandatory Fee Requests FY 2021-22

FY 2021-22 Non-Mandatory Fees

Fee	Current	Proposed	Increase	Prior Increase	Revenue Generated
Use of Aircraft	\$115-\$265/ flight hour	\$115- \$280/ flight hour	\$0-\$15/ flight hour	FY18-19 \$0-\$30/ flight hour	For all flight training fees combined, this would generate \$443,200
Instruction	\$17-\$70/ flight hour	\$17-\$75/ flight hour	\$0-\$5/ flight hour	FY18-19 \$0-\$20/ flight hour	
Use of Simulators	\$50-\$120/ flight hour	\$35-\$150/ flight hour	-\$15-\$30/ flight hour	FY18-19 \$0-\$20/ flight hour	

This increase will help fund the annual increase in cost of aircraft operation, as well as the refurbishment and replacement of an aging fleet. The additional revenue will allow the department to continue the gradual replacement of aircraft on an annual basis over the next several years. Funding will also allow for competitive pay of part-time instructors, which are normally either students or former students, and to attract these individuals to MTSU over local competitors.

FY 2021-22 Non-Mandatory Fee Requests

Fee	Current	Proposed	Increase	Revenue Generated
Art Materials Fee	\$30 / credit hour	\$30 / credit hour	\$ -	\$ 10,800

There is no change in the fee. Adding these Art Therapy courses to the existing materials fee: 3001, 3002, 4002, 4003, 5600, 5800, 6000, 6100, 6200, 6250, 6300, 6350, 6400

FY 2021-22 Non-Mandatory Fee Requests

Fee	Current	Proposed	Increase	Revenue Generated
Physician Assistant Program Course Fee	NEW	\$100 / credit hour	\$100 / credit hour	\$ 300,000

Note: the revenue estimate is by the third year of operation

The proposed fee will directly benefit the students in the MS Physician Assistant Studies program. These fees will support student learning in the classroom, in clinical settings, and in the lab environment. Revenues will be used to purchase necessary supplies, equipment, software, and resources to instruct students in the didactic and clinical courses, and to pay for required memberships, certifications, and testing. One of the goals is to provide up-to-date academic and clinical experiences, ensure students are prepared to pass the required national certification examination, and are eligible and ready to enter the workforce upon completion of the PA program.

FY 2021-22 Non-Mandatory Fee Requests

Fee	Current	Proposed	Increase	Revenue Generated
Physician Assistant Admission Fee	NEW	\$ 1,500	\$ 1,500	\$ 3,000

The proposed fee is to deter students from accepting admission in the MS Physician Assistant Studies program and then not attending. This is a non-refundable deposit applicable to students accepted into the program. The deposit will be applied to tuition for students who attend MTSU.

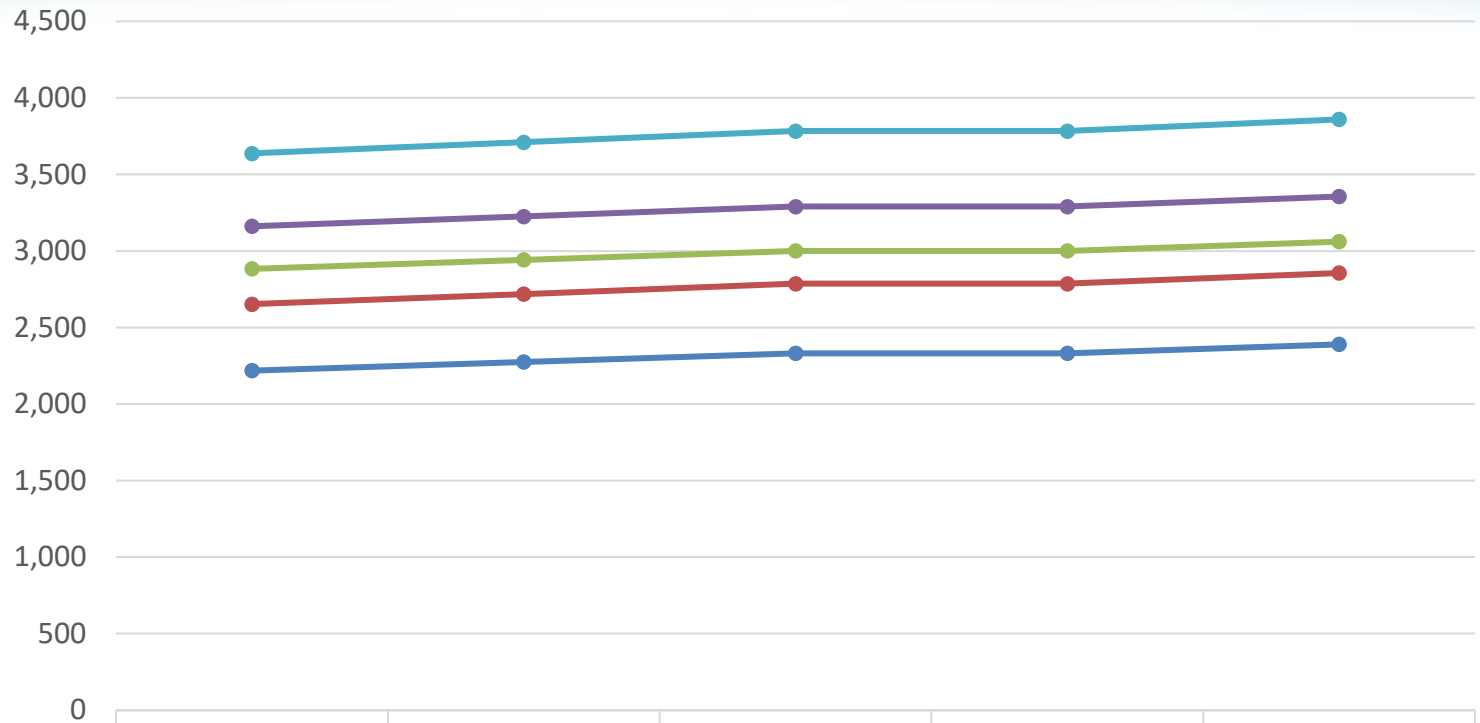
FY 2021-22 Non-Mandatory Fee Requests

Fee	Current	Proposed	Increase	Revenue Generated
Graduate Application Fee	\$35	\$1-\$100	-\$34 - \$65	\$ -

The proposed change is to establish a range for the Graduate Application fee. The President, upon recommendation of the Provost and the Vice President for Business and Finance, may reduce or increase the graduate application fee to augment recruiting and marketing of a program or programs, or in response to market demand cycles. Such adjustments are only valid for one academic year, shall not exceed \$100; and must be resubmitted to the President for approval annually to be extended.

Housing Rates FY 2021-22

Housing History Rates Per Semester



	2017-18	2018-19	2019-20	2020-21	2021-22
Dorm	2,219	2,275	2,332	2,332	2,390
Renovated Dorm	2,652	2,718	2,786	2,786	2,856
Single Apt	2,884	2,942	3,001	3,001	3,061
Scarlett Commons	3,162	3,225	3,290	3,290	3,356
Family	3,637	3,710	3,784	3,784	3,860

FY 2021-22 Housing Rates

Fee	Current	Proposed	Increase	Prior Increase	Revenue Generated
Residence Halls	\$408 - \$3,290	\$416 - \$3,356	\$8 - \$66	FY19-20 \$10 - \$65	\$ 451,162
Apartments	\$789 - \$3,784	\$805 - \$3,860	\$16 - \$76	FY19-20 \$15 - \$74	\$ 10,880

Housing is a 100% auxiliary enterprise operation and is totally dependent on dormitory and apartment rental fees to cover all costs associated with maintaining and replacing facilities. The increase is needed for required salary and benefit increases, and to cover inflationary costs of maintaining facilities provided to the students living on campus. A 2% increase is proposed for apartments and a 2.5% increase is proposed for residence halls.

Revenue Summary

Summary of Revenue Generated

	Revenue
Tuition	\$ 2,985,000
Additional Graduate Tuition	600,000
Mandatory Fees	315,000
Non-Mandatory Fees	757,000
Housing	462,042
Total Revenue	<u>\$ 5,119,042</u>



**Middle Tennessee State University
Board of Trustees**

Action Item

MEETING: Summer Quarterly Board Meeting
DATE: June 8, 2021
SUBJECT: **Compensation**

BACKGROUND INFORMATION:

Policy 808 – Compensation Reporting and Approvals requires the Board of Trustees to approve salary increases of MTSU employees.

The Governor’s budget provides \$1.1 million in non-recurring funding for the creation of a 2.0% salary pool covering the period from January 1, 2021 through June 30, 2021. Attached for your consideration and approval is a recommendation for this non-recurring salary pool.

The Governor’s budget also provides \$4.5 million in recurring funding to annualize the 2.0% January 1, 2021 salary pool and to fund a 2.0% July 1, 2021 salary pool. A recommendation for these recurring salary pools will be presented to you at the August 2021 meeting.

Funding included in the Governor’s Budget for salary increases is provided at approximately 55% of the total cost, with the University being responsible for the remaining 45%.

Salary Pool Allocation Recommendation

The President recommends your approval of the following:

- One-time bonus equivalent to six months of a 2% salary increase or \$500, whichever is greater for regular employees, both full and part-time, on the payroll as of December 31, 2020. The bonus will be calculated based on the annual salary as of May 31, 2021 and paid in the June 2021 payroll. The estimated cost of this bonus is \$1.7 million including benefits.
- Funding will be a combination of state appropriations and institutional funds. The Governor has allocated \$1.1 million in the budget for a 2.0% salary pool covering the period from January 1, 2021 through June 30, 2021, with the remaining \$600,000 to be funded by the University.

If approved, the following are the guidelines that are recommended for implementing the increase:

- The bonus will be distributed to all unrestricted and restricted regular full-time and part-time employees and participants in the post-retirement service program who were employed as of December 31, 2020 and are in an active pay status on June 1, 2021.
- Bonuses will not apply to adjunct faculty, temporary employees, graduate assistants, or student workers.
- One-time bonus equivalent to six months of a 2% increase or \$500 minimum payment is pro-rated for part-time employees.
- Unless specifically excluded by statute or on terminal leave status, all eligible persons employed as of December 31, 2020 and in an active pay status on June 1, 2021, shall receive the bonus, with the exception of employees with unsatisfactory work performance. An employee appeal process for those who don't receive the bonus due to an unsatisfactory evaluation will be provided. This is to allow the employee an opportunity to provide supporting evidence that an administrative error was made in the implementation process.



**Middle Tennessee State University
Board of Trustees**

Action Item

MEETING: Summer Quarterly Board Meeting

DATE: June 8, 2021

SUBJECT: **Operating Budgets**

BACKGROUND INFORMATION:

Under the FOCUS Act, the Board of Trustees is charged with approving the operating budgets and setting the fiscal policies for Middle Tennessee State University.

The Estimated Budget is the final budget for any given fiscal year and allows the University to reflect any adjustments needed for spring enrollment, additional funding provided through state appropriations, and other miscellaneous adjustments. The July Budget is the base budget for the upcoming fiscal year. It is based on a 1.5% tuition increase and includes mandatory fee increases, salary and operating appropriation increases approved by the General Assembly for 2021-22, and a stable enrollment.

The materials that follow represent the 2020-21 Estimated Budget and the 2021-22 Proposed Budget and are being presented for your approval.

**MIDDLE TENNESSEE STATE UNIVERSITY
ANALYSIS OF BUDGET CHANGES FOR REVENUE CATEGORIES
ESTIMATED BUDGET 2020-21**

Revenue	2020-21 October Budget	2020-21 Estimated Budget	Difference
Tuition and Fees	\$ 199,810,400	\$ 202,114,000	\$ 2,303,600
State Appropriations	107,193,500	107,193,500	-
Federal Grants and Contracts	650,000	650,000	-
Local Grants and Contracts	60,000	60,000	-
State Grants & Contracts	45,000	45,000	-
Private Grants & Contracts	281,300	281,300	-
Private Gifts	-	-	-
Sales & Services of Educ Activities	747,800	751,500	3,700
Sales & Services of Other Activities	15,352,600	15,421,200	68,600
Other Sources	1,682,400	1,682,400	-
Total Revenue	\$ 325,823,000	\$ 328,198,900	\$ 2,375,900

MIDDLE TENNESSEE STATE UNIVERSITY
UNRESTRICTED EDUCATION AND GENERAL EXPENDITURES BY FUNCTIONAL CATEGORY
ESTIMATED BUDGET 2020-21

	October Budget 2020-21	Estimated Budget 2020-21	Difference
Instruction	\$ 167,086,700	\$ 166,095,000	\$ (991,700)
Research	9,073,300	9,057,400	(15,900)
Public Service	5,926,600	6,103,300	176,700
Academic Support	35,487,100	35,289,700	(197,400)
Student Services	39,626,500	39,301,000	(325,500)
Institutional Support	27,870,100	28,191,400	321,300
Operation and Maintenance	28,854,800	29,041,500	186,700
Scholarships and Fellowships	30,424,700	30,837,700	413,000
Transfers	10,205,400	10,264,800	59,400
Total	<u>\$ 354,555,200</u>	<u>\$ 354,181,800</u>	<u>\$ (373,400)</u>

**MIDDLE TENNESSEE STATE UNIVERSITY
UNRESTRICTED EDUCATION AND GENERAL EXPENDITURES BY NATURAL CATEGORY
ESTIMATED BUDGET 2020-21**

	<u>October Budget 2020-21</u>	<u>Estimated Budget 2020-21</u>	<u>Difference</u>
Professional Salaries	\$ 146,439,000	\$ 147,840,000	\$ 1,401,000
Other Salaries	23,270,600	23,323,600	53,000
Employee Benefits	62,631,300	62,852,800	221,500
Travel	4,640,700	4,166,500	(474,200)
Operating Expense	103,114,300	101,494,200	(1,620,100)
Capital Outlay	4,253,900	4,239,900	(14,000)
Transfers	<u>10,205,400</u>	<u>10,264,800</u>	<u>59,400</u>
Total	<u>\$ 354,555,200</u>	<u>\$ 354,181,800</u>	<u>\$ (373,400)</u>

**MIDDLE TENNESSEE STATE UNIVERSITY
ANALYSIS OF BUDGET CHANGES FOR AUXILIARIES
ESTIMATED BUDGET 2020-21**

<u>Auxiliary</u>	<u>2020-21 October Budget</u>	<u>2020-21 Estimated Budget</u>	<u>Difference</u>
Bookstore	\$ 375,000	\$ 375,000	\$ -
Food Service	2,282,831	2,442,831	160,000
Housing	9,489,590	17,361,366	7,871,776
Vending	130,000	126,800	(3,200)
Recreational Center	2,557,124	3,475,700	918,576
Post Office	444,576	488,036	43,460
Parking Services	4,727,488	5,624,718	897,230
Residential & Commercial Rentals	280,000	280,000	-
Health Services	3,867,500	4,340,150	472,650
TN Miller Coliseum	621,154	884,193	263,039
Student LD Service	2,500	1,200	(1,300)
TOTAL	<u>\$ 24,777,763</u>	<u>\$ 35,399,994</u>	<u>\$ 10,622,231</u>

**MIDDLE TENNESSEE STATE UNIVERSITY
SUMMARY OF RESTRICTED CURRENT FUNDS AVAILABLE AND APPLIED
ESTIMATED BUDGET 2020-21**

Revenues	2020-21 October Budget	2020-21 Estimated Budget	Difference
Tuition and Fees	\$ 1,500,000	\$ (2,050,000)	\$ (3,550,000)
Federal Grants and Contracts	50,500,000	76,500,000	26,000,000
State Appropriations: Centers of Excellence	389,500	390,400	900
State Appropriations: Special Allocations	489,500	489,500	-
State Grants & Contracts	40,000,000	42,000,000	2,000,000
Local Grants & Contracts	50,000	45,000	(5,000)
Private Grants & Contracts	750,000	600,000	(150,000)
Private Gifts	2,500,000	2,500,000	-
Endowment Income	800,000	650,000	(150,000)
Other Income	700,000	(16,000,000)	(16,700,000)
Total Revenues	<u>\$ 97,679,000</u>	<u>\$ 105,124,900</u>	<u>\$ 7,445,900</u>
Expenses			
Instruction	\$ 9,000,000	\$ 8,500,000	\$ (500,000)
Research	3,950,000	5,000,000	1,050,000
Public Service	7,500,000	6,500,000	(1,000,000)
Academic Support	550,000	550,000	-
Student Services	3,235,000	2,500,000	(735,000)
Institutional Support	150,000	200,000	50,000
Operation and Maintenance	250,000	200,000	(50,000)
Scholarships and Fellowships	72,750,000	81,550,000	8,800,000
Auxiliary Enterprises	6,600	115,000	108,400
Total Expenses	<u>\$ 97,391,600</u>	<u>\$ 105,115,000</u>	<u>\$ 7,723,400</u>

**MIDDLE TENNESSEE STATE UNIVERSITY
ANALYSIS OF BUDGET CHANGES FOR REVENUE CATEGORIES
JULY BUDGET 2021-22**

	2020-21	2021-22	
	<u>Estimated Budget</u>	<u>July Budget</u>	<u>Difference</u>
Tuition and Fees	\$ 202,114,000	\$ 202,953,800	\$ 839,800
State Appropriations	107,193,500	115,994,200	8,800,700
Federal Grants and Contracts	650,000	650,000	-
Local Grants and Contracts	60,000	60,000	-
State Grants & Contracts	45,000	45,000	-
Private Grants & Contracts	281,300	282,500	1,200
Private Gifts	-	-	-
Sales & Services of Educ Activities	751,500	747,800	(3,700)
Sales & Services of Other Activities	15,421,200	16,374,200	953,000
Other Sources	1,682,400	1,682,400	-
	<u>\$ 328,198,900</u>	<u>\$ 338,789,900</u>	<u>\$ 10,591,000</u>

The following items are reflected above:
 Appropriation Increases for Formula Funding
 July includes 1.5% tuition increase
 July Budget Figures are Base Budget

**MIDDLE TENNESSEE STATE UNIVERSITY
UNRESTRICTED EDUCATION AND GENERAL EXPENDITURES BY FUNCTIONAL CATEGORY
JULY BUDGET 2021-22**

	Estimated Budget 2020-21	July Budget 2021-22	Difference
Instruction	\$ 166,095,000	\$ 159,662,800	\$ (6,432,200)
Research	9,057,400	5,777,900	(3,279,500)
Public Service	6,103,300	7,048,500	945,200
Academic Support	35,289,700	34,539,000	(750,700)
Student Services	39,301,000	36,117,700	(3,183,300)
Institutional Support	28,191,400	25,523,200	(2,668,200)
Operation and Maintenance	29,041,500	28,426,300	(615,200)
Scholarships and Fellowships	30,837,700	30,469,500	(368,200)
Transfers	10,264,800	11,225,000	960,200
Total	\$ 354,181,800	\$ 338,789,900	\$ (15,391,900)

The following items are reflected above:
Salary Pool
July Budget Figures are Base Budget

**MIDDLE TENNESSEE STATE UNIVERSITY
UNRESTRICTED EDUCATION AND GENERAL EXPENDITURES BY NATURAL CATEGORY
JULY BUDGET 2021-22**

	Estimated Budget 2020-21	July Budget 2021-22	Difference
Professional Salaries	\$ 147,840,000	\$ 150,569,800	\$ 2,729,800
Other Salaries	23,323,600	23,251,300	(72,300)
Employee Benefits	62,852,800	64,256,000	1,403,200
Travel	4,166,500	4,468,300	301,800
Operating Expense	101,494,200	81,365,200	(20,129,000)
Capital Outlay	4,239,900	3,654,300	(585,600)
Transfers	10,264,800	11,225,000	960,200
Total	\$ 354,181,800	\$ 338,789,900	\$ (15,391,900)

The following items are reflected above:
Salary Pool
July Budget Figures are Base Budget

**MIDDLE TENNESSEE STATE UNIVERSITY
ANALYSIS OF BUDGET CHANGES FOR AUXILIARIES
JULY BUDGET 2021-22**

Auxiliary	2020-21 Estimated Budget	2021-22 July Budget	Difference
Bookstore	\$ 375,000	\$ 375,000	\$ -
Food Service	2,442,831	2,846,889	404,058
Housing	17,361,366	16,965,025	(396,341)
Vending	126,800	130,000	3,200
Recreational Center	3,475,700	3,106,644	(369,056)
Post Office	488,036	468,300	(19,736)
Parking Services	5,624,718	5,292,200	(332,518)
Residential & Commercial Rentals	280,000	280,000	-
Health Services	4,340,150	4,195,700	(144,450)
TN Miller Coliseum	884,193	626,597	(257,596)
Student LD Service	1,200	1,200	-
TOTAL	\$ 35,399,994	\$ 34,287,555	\$ (1,112,439)

**MIDDLE TENNESSEE STATE UNIVERSITY
SUMMARY OF RESTRICTED CURRENT FUNDS AVAILABLE AND APPLIED
JULY BUDGET 2021-22**

Revenues	2020-21 Estimated Budget	2021-22 July Budget	Difference
Tuition and Fees	\$ (2,050,000)	\$ 1,500,000	\$ 3,550,000
Federal Grants and Contracts	76,500,000	45,500,000	(31,000,000)
State Appropriations: Centers of Excellence	390,400	404,800	14,400
State Appropriations: Special Allocations	489,500	489,500	-
State Grants & Contracts	42,000,000	40,500,000	(1,500,000)
Local Grants & Contracts	45,000	45,000	-
Private Grants & Contracts	600,000	700,000	100,000
Private Gifts	2,500,000	2,300,000	(200,000)
Endowment Income	650,000	700,000	50,000
Other Income	(16,000,000)	700,000	16,700,000
Total Revenues	<u>\$ 105,124,900</u>	<u>\$ 92,839,300</u>	<u>\$ (12,285,600)</u>
Expenses			
Instruction	\$ 8,500,000	\$ 4,600,000	\$ (3,900,000)
Research	5,000,000	4,800,000	(200,000)
Public Service	6,500,000	6,000,000	(500,000)
Academic Support	550,000	500,000	(50,000)
Student Services	2,500,000	2,775,000	275,000
Institutional Support	200,000	100,000	(100,000)
Operation and Maintenance	200,000	100,000	(100,000)
Scholarships and Fellowships	81,550,000	73,750,000	(7,800,000)
Auxiliary Enterprises	115,000	25,000	(90,000)
Total Expenses	<u>\$ 105,115,000</u>	<u>\$ 92,650,000</u>	<u>\$ (12,465,000)</u>

**MIDDLE TENNESSEE STATE UNIVERSITY
TOTAL REVENUE AND EXPENSE BUDGETS
ESTIMATED BUDGET 2020-21 / JULY BUDGET 2021-22**

Fund Group	2020-21 Estimated Budget	2021-22 July Budget
REVENUE		
Unrestricted Education & General Revenue	\$ 328,198,900	\$ 338,789,900
Auxiliary Revenue	35,399,994	34,287,555
Restricted Revenue	105,124,900	92,839,300
TOTAL REVENUE	\$ 468,723,794	\$ 465,916,755
EXPENSE		
Unrestricted Education & General Expenses	\$ 354,181,800	\$ 338,789,900
Auxiliary Expenses	35,399,994	34,287,555
Restricted Expenses	105,115,000	92,650,000
TOTAL EXPENSES	\$ 494,696,794	\$ 465,727,455

MIDDLE TENNESSEE STATE UNIVERSITY
TSSBA DEBT SERVICE COVERAGE - DISCLOSED PROJECTS ADJUSTMENT
July Budget 2021-22

<u>Project Name</u>	<u>Total Project Budget</u>	<u>Amt. Financed by TSSBA</u>	<u>Est. Annual Debt Service</u>	<u>Est. Annual Related Fee Rev</u>
Estimated Budget:				
School of Concrete & Construction	40,100,000	2,000,000	450,000	
Student Athlete Performance Center	66,000,000	56,000,000		
Athletic Video Board Upgrades	3,000,000	3,000,000		
July Budget:				
School of Concrete & Construction	40,100,000	2,000,000	450,000	
Student Athlete Performance Center	66,000,000	61,000,000		
Athletic Video Board Upgrades	3,900,000	3,900,000		
New Student Housing	63,200,000	63,200,000		
Parking Structure	22,800,000	22,800,000		
Tennis Facility Improvements	5,000,000	5,000,000		



**Middle Tennessee State University
Board of Trustees**

MEETING: Summer Quarterly Board Meeting

SUBJECT: **Student Trustee**

DATE: June 8, 2021

PRESENTER: Dr. Sidney A. McPhee
President



**Middle Tennessee State University
Board of Trustees**

Action Item

MEETING: Summer Quarterly Board Meeting

DATE: June 8, 2021

SUBJECT: **Student Trustee
Ms. Gabriela Jaimes**

BACKGROUND INFORMATION:

The Bylaws of the Board of Trustees provide that a student representative shall be appointed by the Board of Trustees as a non-voting member of the Board of Trustees, serving a one year term. The Student Government Association recommended three highly qualified students to the University President for review and the President has recommended Ms. Gabriela Jaimes for appointment as the Student Trustee for a term expiring at the conclusion of the June 2022 Board of Trustees meeting.



MTSU BOARD OF TRUSTEES STUDENT TRUSTEE

Thank you for being interested in applying for the Student Trustee position. Please read below to learn more about the board and the Student Trustee's role on the board.

About the Board

The Board of Trustees is the governing body of Middle Tennessee State University and is responsible for selecting and appointing the president; setting the operating budget; approving personnel appointments; granting all degrees awarded by the University, including honorary degrees; establishing tuition and fee rates; approving contracts; and approving all rules, regulations, curriculum changes, new programs and degrees of the University.

The Board consists of 10 members, 8 of whom are appointed by the governor, by and with consent of the Tennessee General Assembly. In addition, the Faculty Senate elects a faculty member to serve a two-year term, and the Student Government Association presents three students to the University President for review, and he will recommend one of the three to the Board for approval. They hold regularly scheduled meetings four times a year, and additional meetings as needed.

About the Student Trustee

The Student Trustee is a non-voting member and serves a one-year term. The Student Trustee has a fiduciary responsibility to represent the interests of the whole university, not just student interests. The Student Trustee is responsible for staying informed of current policies and issues that the board will discuss. The board has four standing committees, however the Student Trustee traditionally has sat on the Student Life Committee. The Vice President of Student Affairs is a resource for the student trustee and is available for meetings pertaining to issues of special interest at the request of the student trustee. Attendance at all meetings is required.

Please contact Dr. Danny Kelley if you have any questions or concerns with the position or application.

Dr. Danny Kelley
Assistant Vice President of Student Affairs
danny.kelley@mtsu.edu
615-898-5812



MTSU BOARD OF TRUSTEES

STUDENT TRUSTEE

Eligibility Requirements and Application

Eligibility

Student must:

- have acquired at least 40 MTSU undergraduate credit hours by the application deadline.
- have at least a 3.0 MTSU cumulative grade point average by the application deadline.
- be in good standing with the University.
- be willing to serve starting June 12, 2021 - June 11, 2022 and must be available for academic year and summer meetings. Note: The term for the first student selected under this policy, as well as a permanent set of dates for successive terms, will be determined by a vote of the BOT.
- be a full-time student during the fall and spring semester of term.

Application

Application Process

- Applications are due by **March 12, 2021, by 4:00pm**. Applications are to be sent to Danny.Kelley@mtsu.edu.
- Once application is received, recipient will be sent a confirmation email.

Selection Process

- The Student Government Association Executive Board will review the applications and select applicants to be interviewed.
- Applicants will receive an email if they have been selected for an interview, which will take place March 17 and 24, 2021.
- After the interviews are conducted, the three finalists will be sent to President McPhee for review.
- President McPhee will review the top three applications and recommend one of the three to the MTSU Board of Trustees.

Please note:

- Students who are serving as Student Government Association officers, senators or freshman council members must vacate their position if selected as the student trustee prior to being sworn in as student trustee.

Please email Danny.Kelley@mtsu.edu if you have any questions or concerns with the position or application.



MTSU BOARD OF TRUSTEES STUDENT TRUSTEE

Student Trustee Application

Applicant Information

Full Name: Jaimes Gabriela Date: 03.09.2021
Last First M.I.

Address: 810 Needham Dr.
Street Address Apartment/Unit #
Smyrna TN 37167
City State ZIP Code

Phone: (615) 900-6259 Email glj2r@mtmail.mtsu.edu

List your current cumulative GPA: 3.829 M# 01409469 MTSU credit hours earned (include undergrad and graduate hours): 107

Are you a citizen of the State of Tennessee? YES NO

Have you ever been convicted of a felony? YES NO

If yes, explain: _____

Do you have a MTSU judicial record or current judicial charges? YES NO

If yes, explain: _____

Education

Major: Communication Studies, Organizational Communication Concentration Minor: French, Spanish

Start Date: 08/2019 Anticipated Graduation Date: 05/2022

Community Service & Involvement

Involvement Type or Position Title	Organization Name	Dates of Service
President	Communication Studies Club	Jan 2020-present
Volunteer	Exotic Avian Sanctuary of TN	September 2019-present
Volunteer	Juvenile Diabetes Research Foundation	September 2017-present

References

Please list two MTSU professional (full-time faculty/staff) references.

Full Name: Deanne Priddis Relationship: Faculty Club Advisor

Email Address: dee.priddis@mtsu.edu Phone: _____

Full Name: Lori Kissinger Relationship: Professor, Internship Supervisor

Email Address: lori.kissinger@mtsu.edu Phone: 615-210-8819

Short Answer Questions

On a separate page, please answer the following short answer questions:

1. Why are you interested in applying for the Student Trustee position?
2. How has your University experience prepared you for this type of position?

Disclaimer and Signature

As an applicant for a position as the MTSU Student Trustee, do you verify that you meet all criteria for the position as outlined on the cover page of this application? YES NO

May we verify your GPA, class standing, judicial standing, and residency? YES NO

I certify that my answers are true and complete to the best of my knowledge. I understand that my application will be shared with a selection committee and grant permission for this information to be shared.

If this application leads to a nomination, I understand that false or misleading information in my application or interview may result in my release from an appointment as the MTSU Student Trustee.

Signature: *J. Jaimes* Date: 03.11.2021

1. Why are you interested in applying for the Student Trustee position?

Frankly, I don't believe I took enough advantage of such opportunities to entrench myself in the community in high school or at my first university (I'm a transfer student), and this might have contributed to my sense of detachment from these schools. When I came to MTSU, I finally experienced that sense of belonging, accompanied by a sense of responsibility to contribute to the vibrancy of the campus community. As an MTSU student who is active on campus, active in the community, and passionate about helping other students feel at home here, it would be an honor to represent my school on the Board and know that I'm serving the mission of MTSU to "generate, preserve, and disseminate knowledge and collaboratively promote excellence through teaching and learning, research, creative activity, and public engagement." I am also enthused by the opportunity to learn and collaborate with the esteemed faculty, alumni, and community members who serve on the Board; in my view, it is invaluable to forge connections like these as I approach graduation and prepare to become a thriving professional who actively engages with my community.

2. How has your University experience prepared you for this type of position?

My leadership experience with the Communication Studies Club at MTSU has undoubtedly prepared me for this kind of responsibility: I'm used to working with the members of my leadership team to plan and execute club events, appoint new leadership, and manage the club's budget. My experience with budget planning and setting also extends to my internship with Borderless Arts of Tennessee, run by MTSU's own Professor Lori Kissinger, in which my team and I planned, from inception to execution, the main fundraising event of the year.

Furthermore, my position as the Office Manager for a counseling practice in Nashville has provided me with ample experience in recruiting, interviewing, and selecting staff members based on their capacity to carry out the duties of the position and their fit within the culture of the organization. In both the capacities of club President and Office Manager, one of my foremost duties is the creation, editing, and approval of official documents (contracts, regulations, policies, marketing material, letters, etc.). Upon reading the description of the Student Trustee position, I believe these skills would be easily transferrable to work on the Board.

Lastly, my classes here at MTSU (and the professors who teach them), especially in the Communication Studies Department, have sharpened and honed my research, writing, listening, speaking, and teamwork skills. What I love about my major is that these skills are highly sought-after and applicable to a wide array of experiences—the Student Trustee position would be no exception.



**Middle Tennessee State University
Board of Trustees**

MEETING: Summer Quarterly Board Meeting

SUBJECT: **Faculty Trustee**

DATE: June 8, 2021

PRESENTER: Dr. Sidney A. McPhee
President



**Middle Tennessee State University
Board of Trustees**

Information Item

MEETING: Summer Quarterly Board Meeting

DATE: June 8, 2021

SUBJECT: **Faculty Trustee
Dr. Frederick S. Cottle**

BACKGROUND INFORMATION:

The Bylaws of the Board of Trustees provide that a University faculty member selected by the University Faculty Senate shall serve as a voting member of the Board of Trustees, serving a two year term. Dr. Frederick (Rick) Cottle was selected by the Faculty Senate to serve as the Faculty Trustee with a term expiring at the conclusion of the June 2023 Board of Trustees meeting.

MTSU Faculty Trustee 2021 Election Timeline

Approved by Faculty Senate November 9, 2020

November 20, 2020 - Campus Announcement

Email announcement to campus detailing election procedures and timeline.

January 25, 2021 - Nominations Due

Nominations should be submitted to facultysenate@mtsu.edu by 5 pm. To be eligible to serve as the Faculty Trustee, the faculty member must be a tenured, full-time faculty member who has worked at least seven (7) consecutive years at MTSU, and who has performed less than 50% of their work in the area of administration during these seven (7) years.

February 1, 2021 - Written Statement Due from Candidates

Candidates submit a one-page written statement and c.v. to facultysenate@mtsu.edu by 5 pm. Suggested topics for statement: (1) Experience in shared-governance work (2) Role of Faculty Trustee (3) Faculty Trustee's relationship to the Senate.

February 8, 2021 - Faculty Senate Meeting: Candidates Announced

A list of all individuals nominated and eligible to stand for election will be provided to senators at the 3:30 pm meeting.

March 15, 2021 - Faculty Senate Meeting: Candidates Meet with the Senate

Candidates will be scheduled to meet individually with the Faculty Senate during the 3:30 pm meeting.

April 12, 2021 - Faculty Senate Meeting: Trustee Election

The election will be held during the 3:30 pm meeting. Candidates will be notified of election results immediately following the meeting.

Elections occur every two years in odd-numbered years.

Middle Tennessee State University

2021 Faculty Trustee Nomination Guideline

Due to COVID-19, the nomination procedure for Faculty Trustee has been adapted to avoid in-person signatures.

Candidate Eligibility Requirements

1. Completed seven (7) consecutive years at MTSU with workload assignments of less than 50% in administration during the entire seven (7) years.
2. Full-time, tenured faculty member.
3. Must be nominated by seven (7) tenured faculty members *from three different colleges* who are not performing a majority of work in the area of administration.

Suggested Wording for Nomination Email

When requesting nominations, the suggested wording below includes the information necessary to complete each nomination.

As a tenured faculty member of Middle Tennessee State University, in the College of _____, I hereby nominate _____, who is a member of the Department of _____, to stand for election as Faculty Trustee on the MTSU Board of Trustees.

MTSU Email Signature

Submit nominations by email to the Faculty Senate at faculty senate@mtsu.edu by 5:00 pm on *Monday, January 25, 2021*.

Human Sciences Department

Frederick S. Cottle, Ph.D.
MTSU Box 86
Murfreesboro, TN 37132
Rick.Cottle@mtsu.edu
Office: 615-494-8752
Fax: 615-494-8642



January 29, 2021

Mr. Robert Gordon
President-Elect Faculty Senate
Middle Tennessee State University
Murfreesboro, TN 37132

Dear Mr. Gordon,

I am nominated as a candidate for Faculty Representative to the Board of Trustees of Middle Tennessee State University (MTSU) for a two-year term beginning in June 2021. I accept the nomination and submit this letter along with my curriculum vitae for the MTSU Faculty Senate's consideration.

Serving the current year (2020-2021) as Faculty Senate President and the previous three years as a Faculty Senate Steering Committee member have prepared me to step into the role of Faculty Trustee. Interacting with faculty and all levels of administration in the act of shared governance has given me the experience necessary to bring broad perspective views to the Board of Trustees.

Thirty plus years of experience in industry allows me to evaluate, from a position of experience, the positions that current Board Members take on issues. I can then work along side MTSU Administration to evaluate those positions and help determine the best course for the University.

The Faculty Trustee must have strong relationships with faculty, students, staff, administration, trustees, and the community. I have worked hard over the past 9 years to develop those relationships.

If elected, I will represent the faculty of MTSU to the best of my ability. I pledge to defend academic freedom, tenure, and the various constituencies that make MTSU a great university. The constant question in my mind will continue to be "What moves MTSU forward?"

If you have any questions regarding my candidacy feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to be "FC", written in a cursive style.

Frederick S. Cottle, Ph.D.
Associate Professor
Middle Tennessee State University

Curriculum Vitae

FREDERICK S. COTTLE

May 2021

EDUCATION

Doctor of Philosophy

Integrated Textile & Apparel Science Consumer Affairs	2012	Auburn University
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Master of Business Administration

Sales & Marketing Management	2003	University of Phoenix
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Bachelor of Science

Textile Management & Technology	1984	Auburn University
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PROFESSIONAL EXPERIENCE

Middle Tennessee State University, Murfreesboro, TN

2018 – Present	Associate Professor	Textiles, Merchandising, & Design
2013 – 2018	Assistant Professor	Textiles, Merchandising, & Design

Kansas State University, Manhattan, KS

2012 – 2013	Assistant Professor	Apparel, Textile, & Interior Design
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University of North Carolina – Greensboro, Greensboro, NC

2011 – 2012	Visiting Professor	Consumer Apparel & Retail Studies
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Auburn University, Auburn, AL

2009 – 2011	Graduate Teaching Assistant	Consumer Affairs
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Middle Tennessee State University, Murfreesboro, TN

2007 – 2009	Assistant Professor	Textiles, Merchandising, & Design
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Office Expressions, Murfreesboro, TN

2006 – 2008	Owner	Office Furniture Sales & Service
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Kimball Office, Jasper, IN

2005 – 2006	District Account Manager	Office Furniture Sales & Marketing
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Interface Flooring Systems, Atlanta, GA

1989 – 2005	Account Executive	Carpet Tile Sales & Marketing
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West Point Pepperell, West Point, GA

1978 – 1989	Industrial Engineer	Textile Manufacturing
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HONORS & AWARDS

- 2019 Middle Tennessee State University - Named by graduating students as a person who makes a difference at MTSU
- 2015 Phi Kappa Phi, Nominated influential faculty member by student inductee.
- 2014 – 2015 Middle Tennessee State University - Named by graduating students as a person who makes a difference at MTSU
- 2010 – 2011 Auburn University Preparing Future Faculty (PFF) Fellow
- 2010 – 2011 Auburn University Johnson Industries Scholarship Recipient
- 2009 – 2011 Auburn University Graduate Teaching Assistantship and Fellowship
- 2009 – 2010 Auburn University Tiger Rags Scholarship Recipient
- 2007 – 2008 Middle Tennessee State University - Named by graduating students as a person who makes a difference at MTSU
- 2000 Southern Ambassador, Interface Sales Summit
- 1986 Phi Psi Textile Honorary Fraternity, Alumni Award
- 1980 – 1984 West Point Pepperell Co-op Scholar
- 1982 – Present Phi Psi Textile Honorary Fraternity Member

PUBLICATIONS

- 2019 LaFever, H., Brinthaup, T., **Cottle, F.S.**, & Asbury, M.B., (2019). 'Changes in Body Esteem After Viewing a 3D Full-Body Representation of Oneself'. *Journal of Family & Consumer Sciences* 111.NO.4, pp. 24-34, doi:10.14307/JFCS111.4.24
- 2019 Asbury, M. B. and **Cottle, F. S.**, "Describing the Body in New Terms: An Examination of 3D Body-Scanning Technology and Language Use", *Proceedings of the 3DBODY.TECH 2019 - 10th Int. Conf. and Exhibition on 3D Body Scanning and Processing Technologies*, Lugano, Switzerland, 22-23 Oct. 2019, pp. 167-171, doi:[10.15221/19.167](https://doi.org/10.15221/19.167)
- 2015 Cottle, C.A., **Cottle, F.S.**, & Bell, T.W., (2015). 'From suits to robes: The use of African inspired apparel as a communication tool in the mid-twentieth century American avant-garde jazz community'. *Journal of Fashion, Style, & Popular Culture (Special Issue on Music & Fashion 2:2)*, pp. 191-206, doi: 10.1386/fspc.2.2.191_1
- 2014 **Cottle, F. S.**, Ulrich, P. V., & Connell, L.J., Framework of understanding somatological constructs relative to the fit of apparel. *Proceedings of the 5th Annual Conference on 3D Body Scanning Technology*, Lugano, Switzerland, 2014 Oct., pp 347-356, full paper [14.347](https://doi.org/10.15221/14.347) doi:[10.15221/14.347](https://doi.org/10.15221/14.347)

SERVICE**Departmental**

- 2020 – Present Faculty Search Committee Member.
- 2018 – 2019 Chair, AAFCS Compliance Committee, Human Sciences, Middle Tennessee State University.
- 2015 – 2019 Developer and Coordinator of TXMD Industry Advisory Board
- 2015 – 2017 Scholarship Committee Member, Human Sciences, Middle Tennessee State University
- 2014 – 2015 Library Committee, Human Sciences, Middle Tennessee State University.

University

- 2021 Search Committee Member, University Counsel
- 2020 – 2021 President, Faculty Senate, Middle Tennessee State University
- 2020 – 2021 Chairman, TAF Committee, Middle Tennessee State University
- 2020 Search Committee Member, Career Services Director
- 2017 – 2021 Member, Faculty Senate, Middle Tennessee State University.
- 2017 – 2020 Member, Faculty Senate Steering Committee, Middle Tennessee State University.
- 2014 – 2016 At-large member Athletic Compliance Committee, Middle Tennessee State University.
- 2014 – 2015 Faculty Liaison, Disability Access Center, Middle Tennessee State University.

Professional

- 2019 – Present Member, Arts, Audio/Visual Technology and Communication Advisory Council
Department of Education, State of Tennessee.
- 2015 – Present Advisory Council, Nashville Fashion Week (NFW).
- 2015 – 2017 Board of Directors, Nashville Fashion Alliance (NFA).
- 2014 – 2016 Committee Member, Nashville Fashion Alliance (NFA) Education Committee.

Community

- 2020 – Present Board of Directors, Rutherford County Arts Alliance. Fashion Committee Chair (2020-2021)
- 2017 - 2020 Board of Directors, MainStreet Murfreesboro. Vice Chair (2019)
- 2007 – 2009 Board Member, Rutherford County Heritage Partnership.