



Middle Tennessee State University
Board of Trustees
Fall Quarterly Board Meeting
Rulemaking Hearing

Tuesday, September 13, 2022
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, September 13, 2022
1:00 p.m.

AGENDA

Call to Order

Pledge of Allegiance

Introduction of Student-Veteran

Welcome and Opening Remarks

Roll Call

Minutes.....Tab 1

June 14, 2022 Board Meeting

Rulemaking Hearing.....Tab 2

1. Rule 0240-07-03 Traffic, Parking and Safety Enforcement – Amendment

**Academic Affairs, Student Life and Athletics Committee Report
and Recommendations**Tab 3

1. Approval of Expedited Tenure

Audit and Compliance Committee Report and Recommendations.....Tab 4

1. Annual Report for Audit and Consulting Services
2. Risk Assessment Reporting

Finance and Personnel Committee Report and RecommendationsTab 5

1. Revisions to Policies
 - a. 160 Naming of Facilities and Building Plaques
 - b. 100 Use of Campus Property and Facilities Scheduling
 - c. 775 Traffic, Parking, and Safety Enforcement (Policy & Rule)
2. Capital Outlay Project Request

Board Secretary's ReportTab 6

President's Report

Request to Address the Board

Closing Remarks

Adjournment



**Middle Tennessee State University
Board of Trustees**

Action Item

DATE: September 13, 2022

SUBJECT: **Minutes of June 14, 2022
Summer Quarterly Board Meeting**

PRESENTER: Chairman Steve Smith

BACKGROUND INFORMATION:

Approval of minutes of June 14, 2022 Summer Quarterly Board Meeting

MIDDLE TENNESSEE STATE UNIVERSITY
BOARD OF TRUSTEES
MINUTES

The Middle Tennessee State University Board of Trustees met on June 14, 2022, 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 U.S. Army 2nd Lt. Caleb Watts. Lt. Watts initially enrolled at MTSU in 2016 and graduated with a bachelor's degree in Economics in 2020. He then decided to pursue a career in the military, but first explored the graduate school options available through ROTC. He was awarded an MTSU ROTC scholarship and earned his master of arts in Economics in May 2022 along with a commission as a Second Lieutenant in the active-duty U.S. Army. Lt. Watts's family has a number of recent MTSU alums, including his mother. Lt. Watts has been accepted as an Economics PhD candidate and will deploy to Korea in the beginning of 2023. Lt. Watts thanked MTSU for its support of veterans and highlighted the competency of the military science program.

Roll Call

Board Secretary James Floyd called the roll. The following trustees were in attendance: Tom Boyd, Rick Cottle, Pete DeLay (REMOTE-VERIFIED), Darrell Freeman, Joey Jacobs, Chris Karbowskiak (REMOTE-VERIFIED), Stephen Smith, and Pam Wright (REMOTE-VERIFIED). A quorum was declared.

Mark Byrnes, University Provost; Joe Bales, Vice President for University Advancement; Yvette Clark, Interim 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; James Floyd, University Counsel and Board Secretary; and Kim Edgar, Executive Assistant to the President and Chief of Staff, were also in attendance.

Approval of April 5, 2022, Meeting Minutes – Action

Trustee Jacobs made the motion to approve the minutes from the April 5, 2022, meeting, and Trustee Boyd seconded the motion. A roll call vote was taken, and the motion was approved unanimously.

Committee Report: Academic Affairs, Student Life, and Athletics

Committee Chair Pam Wright reported that the Academic Affairs, Student Life, and Athletics Committee met on May 24, 2022. The Committee approved the minutes from the March 15, 2022, meeting. The Committee report contained three action items, which were unanimously approved for the Board’s consideration. Information items included a report on applications and enrollment activity and a presentation on Open Education Resources. Materials outlining these actions were made available for review prior to the Board meeting and are contained in the Board notebooks.

Tenure and Promotion Candidates – Action

Provost Byrnes reported to the Committee that faculty members applied for tenure and/or promotion in September 2021. They 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 and 205 Promotion of Tenured and Tenurable Faculty along with their respective college and department policies. The president and university provost recommended that these faculty be granted tenure and/or promotion

effective August 1, 2022. This Committee unanimously approved the 28 candidates recommended for tenure and 29 candidates for promotion.

Approval of the Joey A. Jacobs Chair of Excellence in Accounting Chairholder – Action

MTSU Policy 800 General Personnel requires the approval of the president and Board of Trustees for appointments of Chairs of Excellence. Mr. Jarrett Decker was recommended as the Chairholder by the Dean, Provost, and President and was approved unanimously by the Committee. His academic-year salary will be \$200,000.00.

Chairman Smith recognized Trustee Jacobs for his one-million-dollar donation which created the Joey A. Jacobs Chair of Excellence in Accounting.

Academic Degree Program, Bachelor of Science in Cybersecurity – Action

In accordance with MTSU Policy 251 Approval of Academic Programs, Units, and Modifications, all academic actions that require review and approval by THEC must be approved by the Board of Trustees. This Committee unanimously approved the new degree program.

Motion

Trustee Freeman made the motion to approve the action items recommended by the Committee and Trustee Boyd seconded the motion. A roll call vote was taken and the motion to approve the action items carried unanimously.

Committee Report: Audit and Compliance Committee

Committee Chair Pete DeLay reported that the Audit and Compliance Committee met on May 24, 2022. The Committee approved the minutes from its March 15, 2022, meeting. The Committee report contained no action items. Information items presented included a report of independence of the Chief Audit Executive; results of external reviews – Tennessee Department of Health, Compliance and Ethics Office Monitoring Review Report issued on March 1, 2022;

and the quarterly report – results of internal audit reports. There were no audit findings or reportable issues.

During the closing remarks, Provost Byrnes announced that Brenda Burkhart, Chief Audit Executive, was retiring on June 30 after a 35+ year career at MTSU. Brenda was thanked for her service to the university.

The public meeting of the Committee was adjourned, and the Committee went into executive session to discuss audits and investigations.

Materials outlining this information were made available for review prior to the Board meeting and are contained in the Board notebooks.

Committee Report: Finance and Personnel Committee

Trustee Jacobs reported that the Finance and Personnel Committee met on May 24, 2022. The Committee approved the minutes from its March 15, 2022, meeting. The Committee report contained seven action items, which were unanimously approved for consideration by the Board. Materials outlining these actions were made available for review prior to the Board meeting and were contained in the Board notebooks.

Approval of Revisions to Policies 641 Student Fees, Incidental Charges, and Refunds and 730 Campus Crisis and Emergency Management – Action

Revisions to Policy 641 related to updating the corporate partnership rate previously approved by the Board of Trustees and setting the tuition rate for dual enrollment to the maximum grant amount stipulated by the Tennessee Student Assistance Corporation (TSAC). Revisions to Policy 730 reflected various changes to the university's emergency operations plan, including the movement of responsibility to the University Police Department.

Capital Outlay Project Submittal – Action

Bill Waits, Assistant Vice President for Campus Planning, presented the proposed MTSU capital outlay request for FY 2023-2024, which includes the new academic building project that will provide academic classrooms, class labs, faculty and staff offices, and support space for selected Liberal Arts departments and the associated Center for Innovation and Leadership, History Museum, and MTSU archives and exhibit spaces. A 300-seat lecture hall is included in the scope of work to host public lectures and other community events. The deadline for submitting Capital Outlay projects to THEC is August 26, 2022.

Capital Disclosures – Action

Mr. Waits also presented plans to submit five projects as part of the 2023-2024 Capital Budget Request, which includes two new athletic projects and the re-disclosure of three previously disclosed projects.

Capital Maintenance Projects Submittal – Action

Joe Whitefield, Assistant Vice President for Facilities Services, presented the request submittal to THEC which includes capital maintenance requests for seven projects for FY 2023-2024 totaling \$15,807,000.00 and a summary of capital maintenance project requests for an additional four years, FY 2024-2025 through FY 2027-2028.

Approval of Proposed Tuition, Fees, and Housing Rates – Action

Alan Thomas, Vice President for Business and Finance, presented this report. For 2022-2023, THEC approved binding ranges for undergraduate in-state tuition and the combined undergraduate in-state tuition plus mandatory fees at 0% in alignment with the Governor's Budget. The Committee approved the recommendation for a 0% increase in undergraduate tuition and fees as well as a 0% increase in graduate and out-of-state tuition. A 3% increase in housing rates for next year was approved.

Compensation Plan – Action

The compensation plan was presented by Kathy Musselman, Assistant Vice President for Human Resources. The Governor’s Budget provided partial funding of \$4.6 million in recurring funding for a 4% salary pool. The estimated cost to fully fund a 4% salary pool for the university was \$7.2 million. The following recommendations, along with full funding of the salary pool, were presented for approval:

- Increase salaries for employees below the 2022 poverty level.
- Provide a 2.0% Cost of Living Allowance (COLA) increase with a \$1,000 minimum.
- Update current salary ranges from 2014-2015 CUPA data to 2020-2021 CUPA data and provide market adjustments.

Trustee Jacobs commended Alan Thomas and his team for their dedicated work on the compensation plan.

Operating Budgets – Action

The estimated budget is the final budget for the fiscal year and reflects adjustments needed for spring enrollment, additional funding provided through state appropriations, and other miscellaneous adjustments. The July budget is a base budget for the upcoming fiscal year and is based on a 0% tuition increase, no mandatory fee increases, and a stable enrollment. Salary and operating appropriation increases approved by the General Assembly for 2022-2023 have been reflected in the July budget. Vice President Thomas presented in detail both the 2021-2022 estimated budget and the 2022-2023 proposed budget.

Motion

Trustee Freeman made the motion to approve the action items recommended by the Committee and Trustee Boyd seconded the motion. A roll call vote was taken and the motion to approve the action items carried unanimously.

Student Trustee - Action

Chairman Smith recognized Gabrielle Jaimes, who was not able to attend the meeting, for her service as the 5th MTSU Student Trustee.

Article 4.5 of the Board bylaws notes that the appointment of student representatives will be for a term of one-year. Provost Byrnes, on behalf of President McPhee, gave a summary of the selection process for Student Trustee. The process is managed by the Office of the Vice President for Student Affairs and the Student Government Association. Applications are submitted to the Student Government Association (SGA) Office. The SGA Executive Board reviews the applications and selects applicants to be interviewed. After interviews are conducted of the selected candidates, the three finalists' applications are sent to the Office of the President. President McPhee then personally interviews the top three applicants and makes a recommendation for the Board.

Provost Byrnes recommended Mr. Andrew "Drew" Carpenter as the next Student Trustee. Drew completed his undergraduate degree in May 2021 with a major in Community and Public Health and a minor in Music. He is currently pursuing his graduate degree in Business Administration with a concentration in Healthcare Administration with an anticipated graduation date of August 2023. Academically, Drew is a high achieving student, excelling in the classroom. He has also been highly active with his fraternity and in leadership roles including President of the Greek Honor Society, President of MTSU Red Cross Club, President of the MTSU Ambassador Program, and he served as a Blue Elite tour guide. He will be a terrific representative of our student body in his work with the Trustees.

Chairman Smith recognized Mr. Andrew Carpenter. He also invited him to join any committee he is interested in joining.

Trustee Freeman made the motion to accept the recommendation of Mr. Andrew "Drew" Carpenter as the student representative for the MTSU Board of Trustees and Trustee Jacobs

seconded the motion. A roll call vote was taken and the motion to approve the action item carried unanimously.

Report of the President

Provost Mark Byrnes, on behalf of Dr. McPhee, thanked the Board for the opportunity to give updates on matters at the University relative to Fall 2022.

Provost Byrnes expressed that our goal for total new freshmen enrollment is ambitious. In order to return to the freshmen enrollment of Fall 2020, we would need to enroll 3,075 freshmen. To achieve that goal this fall will require an increase in the freshman class of 12.3%. While that is extraordinarily ambitious, getting to that number is driving our efforts this summer. So far this summer we have completed our first six freshman CUSTOMS sessions, and the numbers are very strong. Last year we averaged 172 freshmen students per CUSTOMS session. So far this summer, we are averaging 190 students per session. If this trend continues, we would be on track for a freshman class of about 3,000 students.

With regards to transfer students, Provost Byrnes shared that our numbers continue to reflect the reduction in enrollments experienced by the Community Colleges since 2019. However, we are pleased that our transfer CUSTOMS numbers are somewhat stronger than we had anticipated at this time. Our current CUSTOMS numbers show a decrease of just -2.2%, which is much better than projected.

Finally, Retention is up across most categories of students who will be returning in the fall. This is another incredibly positive sign. Dual enrollments are currently holding even to last year, but we are expecting those numbers to increase substantially as we get closer to the opening of high schools in August. A major focus area as we continue our summer work will be in the graduate college, where we are seeing declines in both new graduate students and returning graduate students. In addition, we have a number of new initiatives underway in every enrollment area to drive numbers for August. Our Admissions Office will be working with

Marketing and Communications to roll out communication to students admitted for fall who have not registered for CUSTOMS yet who have sufficient federal aid, scholarship aid, and HOPE scholarships to essentially cover all or most of their tuition and fees. There are currently 137 freshmen who fall into this category. We are going to heavily work with them to encourage them to enroll now while they can essentially attend for free. Also, there are currently 147 additional students who have one of our guaranteed scholarships and HOPE scholarships which brings them within \$600 of completely paying for tuition and fees. We are also considering a similar program to target incoming transfer students who receive both the HOPE and our MTSU Transfer scholarship. In closing, Provost Byrnes observed that Vice President Sells and her staff, along with the deans, department chairs, and advisors, are working every day to recruit and enroll students.

Closing

In closing, Chairman Smith thanked staff and faculty for their efforts.

Adjournment

Chairman Smith adjourned the meeting at 1:37 p.m.

Respectfully submitted,

James C. Floyd, Board Secretary



**Middle Tennessee State University
Board of Trustees**

MEETING: Fall Quarterly Board Meeting

SUBJECT: **Rule 0240-07-03 Traffic, Parking, and Safety
Enforcement Amendment**

DATE: September 13, 2022

PRESENTER: James Floyd
University Counsel and Secretary to the Board

Background Information

Rule 0240-07-03 Traffic, Parking, and Safety Enforcement – Amendment is presented as an amendment that captures the revised version of Policy 775 Traffic, Parking, and Safety Enforcement. The policy was revised to update reserved parking area times and locations to correspond with the information contained in the MTSU Parking Handbook. This Rule Amendment reflects those updates.

**Department of State
Division of Publications**

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Nashville, TN 37243
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Email: publications.information@tn.gov

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Sequence Number: _____
Notice ID(s): _____
File Date: _____

Notice of Rulemaking Hearing

Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, T.C.A. § 4-5-204. For questions and copies of the notice, contact the person listed below.

Agency/Board/Commission:	Middle Tennessee State University
Division:	
Contact Person:	James C. Floyd
Address:	1301 E. Main Street, CAB 209, Murfreesboro, TN 37132
Phone:	615-898-2025
Email:	James.floyd@mtsu.edu

Any Individuals with disabilities who wish to participate in these proceedings (to review these filings) and may require aid to facilitate such participation should contact the following at least 10 days prior to the hearing:

ADA Contact:	Lance Alexis, Director of ADA Compliance
Address:	1301 E. Main Street, CAB 116, Murfreesboro, TN 37132
Phone:	615-898-2125
Email:	Lance.alexis@mtsu.edu

Hearing Location(s) (for additional locations, copy and paste table)

Address 1:	Miller Education Center, MEC Meeting Room		
Address 2:	503 E. Bell Street		
City:	Murfreesboro		
Zip:	37130		
Hearing Date:	9/13/2022		
Hearing Time:	1:00 p.m.	<input checked="" type="checkbox"/> CST/CDT	<input type="checkbox"/> EST/EDT

Additional Hearing Information:

Information required to access and participate in this meeting electronically will be available at <https://mtsu.edu/boardoftrustees/index.php> in advance of the meeting. Interested parties may also submit written comments and questions for consideration at the hearing by emailing same to james.floyd@mtsu.edu.

Revision Type (check all that apply):

- Amendment
- New
- Repeal

Rule(s) (ALL chapters and rules contained in filing must be listed. If needed, copy and paste additional tables to accommodate more than one chapter. Please enter only **ONE** Rule Number/Rule Title per row.)

Chapter Number	Chapter Title
0240-07-03	Traffic, Parking, and Safety Enforcement
Rule Number	Rule Title
0240-07-03-.04	Registration of Vehicles and Parking Permits

Rules of
Middle Tennessee State University

Chapter 0240-07-03
Traffic, Parking, and Safety Enforcement

Amendment

0240-07-03-.04 Registration of Vehicles and Parking Permits is amended at subparts (13) and (15), and as amended shall read in its entirety as follows:

0240-07-03-.04 Registration of Vehicles and Parking Permits

- (1) All students and employees must register vehicles they park on campus with the MTSU Parking and Transportation Services Office by purchasing a parking permit. Any vehicle parked on campus must display a current and valid parking permit. Failure to do so may result in the issuance of a parking citation.
- (2) The acceptance by any person of a parking permit, whether temporary or permanent, shall constitute the acceptance of the rules, policies, ordinances, and/or laws governing the safe and responsible operation and parking of a vehicle on campus.
- (3) The cost of parking permits, together with appropriate information sufficient to justify the amount, shall be submitted for review and approval to the MTSU Board of Trustees (Board). Once adopted or amended, parking permit costs, along with requirements, limitations and procedures for securing parking permits, shall be affirmatively communicated to the MTSU faculty, staff, and students through the Parking Services website and the Traffic and Parking Regulations handbook.
- (4) Parking permits may be denied for any student or employee who has outstanding fines from prior semester(s) until they are paid in full. The first citation issued to an employee for an expired parking permit may result in towing of the vehicle.
- (5) Parking permits are issued to students only after all registration fees are paid.
- (6) The MTSU parking permit must be properly attached to the front windshield in the extreme lower corner on the driver's side or hung from the rearview mirror of the vehicle with the decal number facing the outside of the vehicle and clearly readable. In those cases where compliance with the above is not feasible, the parking permit must be clearly visible when viewing the vehicle or the parking permit holder must consult with Parking and Transportation Services for proper placement of the parking permit.
- (7) The parking permit holder will be responsible for parking violations received by any vehicle bearing his/her parking permit.
- (8) It is considered fraudulent for a registered parking permit holder to give his/her parking permit to another person. Parking permits are transferable from vehicle to vehicle provided that the vehicles are registered under the same account. Parking permits are not transferable from person to person. When a parking permit is reported as lost or stolen, but is found in another vehicle on campus, an inquiry will be made into the parking permit. If it is found that an individual reported a parking permit lost or stolen, but in fact gave the parking permit to another individual for use, both parties may be cited with a fine for their actions.
- (9) Temporary Parking Permits may be issued to employees, students, and visitors as identified on the Parking Services website.
- (10) Visitors, including family members of employees or students, must park at meters or register their vehicles with Parking and Transportation Services by obtaining a temporary parking permit. Failure to comply may result in the vehicle being issued a "No Campus Permit" citation, and the fine may not be waived.

- (11) Disabled Parking Permits. Any person, whether student or employee, may apply for disabled parking privileges.
- (a) To obtain an MTSU Disabled Parking Permit, persons must have a state-issued disabled license plate or placard and must provide proof of its ownership.
 - (b) Temporary disabled permits will be issued for injuries or disabilities for a period not to exceed one (1) semester or four (4) consecutive months (whichever is of the greatest benefit to the individual requesting the permit), provided that the request is accompanied by a physician's statement certifying the impairment.
 - 1. Those with MTSU-issued temporary parking permits must park in white or green spaces only. The blue disabled parking spaces are reserved for those holding permanent disabled parking permits.
 - 2. Those holding temporary state-issued disabled placards may also park in the blue disabled parking spaces.
 - (c) The individual to whom the disabled license plate or placard has been issued must be using the vehicle in order for the vehicle to be parked in the disabled space. The owner of the parking permit or owner of the vehicle may be charged the maximum fine allowed by law for improper use of a disabled placard or license plate.
 - (d) Pursuant to T.C.A. § 55-21-108, fines for violating the disabled parking law cannot be suspended or waived.
- (12) Parking permit colors. The area authorized for parking is denoted by the color of the parking permit.
- (a) White - Available to faculty/administrators/staff (including resident directors and graduate assistants).
 - (b) Green - Available to commuter students.
 - (c) Blue - Available to students and employees with qualified disabilities.
 - (d) Red - Available to on-campus residents.
- (13) The following parking spaces are reserved as noted:
- (a) Disabled Parking, ~~Health Services, Library staff,~~ Housing staff, ~~all Residential parking areas,~~ Maintenance spaces, President, Vice Presidents, University Deans – reserved twenty-four (24) hours a day.
 - (b) Speech Clinic spaces, CDC Parent spaces in Fairview parking lot – reserved Monday through Thursday, from 8:00 a.m. to 4:00 p.m.
 - (c) ~~Health Services reserved 7:00 a.m. to 5:00 p.m.~~
 - (d) ~~Library Staff reserved 6:30 p.m. to 11:00 p.m.~~
 - (e) ~~Recording Industry reserved 6:00 p.m. to 10:00 p.m.~~
- (14) Parking is allowed only in clearly designated parking spaces. Only one (1) vehicle is permitted to park per space. In gravel lots, legal parking spaces are designated by concrete bumper blocks, except for those painted yellow.
- (15) All students and employees are to park in their assigned areas, Monday through Friday, 7:00 a.m. to ~~4:30 5:30 p.m., except for the following streets and parking lots which will open for all permitted parking at 6:30 p.m.:~~
- ~~(a) Old Main Circle and Faulkenberry Drive (on-street parking)-~~
 - ~~(b) Davis Science Lot-~~

~~(c) Honors Lot.~~

~~(d) Founders Lot.~~

- (16) If a parking permit is lost or stolen, a "Parking Permit Loss Report" must be provided to Parking and Transportation Services along with a replacement fee to obtain a new parking permit.
- (17) Damaged parking permits must be replaced within three (3) business days.
- (18) The operator of any disabled vehicle parked in violation of University policies must report the vehicle immediately to Parking and Transportation Services. Failure to report may result in traffic citations and/or towing. The vehicle must be called in each day it is disabled and parked in violation of MTSU policies.
- (19) No personal recreational or work travel trailers should be parked or stored on campus property, except as authorized.
- (20) Advertising vehicles "For Sale" in MTSU parking lots is prohibited. Any vehicle identified for such wrongful display for a period of forty-eight (48) hours or more will be identified as a disabled vehicle and may result in traffic citations and/or towing.

Authority: T.C.A. §§ 49-8-101(a)(2)(A), 49-8-203(a)(1)(D), and 55-21-108.

I certify that the information included in this filing is an accurate and complete representation of the intent and scope of rulemaking proposed by the agency.

Date: _____

Signature: _____

Name of Officer: James C. Floyd

Title of Officer: University Counsel

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Filed with the Department of State on: _____

Tre Hargett
Secretary of State



**Middle Tennessee State University
Board of Trustees**

MEETING: Fall Quarterly Board Meeting

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

DATE: September 13, 2022

PRESENTER: Pam Wright
Committee Chair

-
- Approval of Expedited Tenure



**Middle Tennessee State University
Board of Trustees**

Action Item

MEETING: Fall Quarterly Board Meeting
DATE: September 13, 2022
SUBJECT: **Approval of Expedited Tenure**

BACKGROUND INFORMATION:

The 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.

The following faculty member has been reviewed for tenure by their department and college committees, and college dean according to MTSU Policy 204 Tenure and the respective college and department policies. The President and Provost recommend that tenure be granted effective September 14, 2022.

Name	Department	Rank
Stone, Nancy	Psychology	Professor



**Middle Tennessee State University
Board of Trustees**

MEETING: Fall Quarterly Board Meeting

SUBJECT: **Audit and Compliance Committee**

DATE: September 13, 2022

PRESENTER: Pete DeLay
Committee Chair

- Annual Report for Audit and Consulting Services
- Risk Assessment Reporting



**Middle Tennessee State University
Board of Trustees**

Action Item

MEETING: Fall Quarterly Board Meeting

DATE: September 13, 2022

SUBJECT: **Annual Report for Audit and Consulting Services**

BACKGROUND INFORMATION:

TCA 49-14-102 along with the MTSU Board of Trustees Bylaws and Policy on Board Committees requires an annual comprehensive report on the internal audit function be submitted for the Board's review. The report is submitted for the Board's review.

MTSU Policy 70, Internal Audit, Section VII.C. requires approval of the audit plan by the Audit and Compliance Committee. The Internal Audit Plan for Fiscal Year 2023 is included on page 6 of the annual report and is presented to the Board for approval.



Audit and Consulting Services

Annual Report Fiscal Year 2022

Audit and Consulting Services
Middle Tennessee State University
Murfreesboro, TN 37132

Audit and Consulting Services
Middle Tennessee State University
1301 East Main Street
Murfreesboro, TN 37132
Office: 615-898-2914 • Fax: 615-904-8046



July 29, 2022

MTSU Board of Trustees
Audit and Compliance Committee

and

Dr. Sidney A. McPhee, President
Middle Tennessee State University
1301 East Main Street
Murfreesboro, TN 37132

Trustees and Dr. McPhee:

Enclosed is the annual report for Audit and Consulting Services for the 2022 fiscal year. An annual report of audit work is required by TCA 49-14-102 and the Bylaws and Policies of the MTSU Board of Trustees. The Board Committee policy requires a comprehensive report on the internal audit function to the Board through the Audit and Compliance Committee at a stated meeting. The report includes the status of the 2022 annual audit plan noting the audits completed, in progress, and scheduled but not completed.

The report also includes an update on the fraud awareness activities and investigations along with a report of the financial resources of Audit and Consulting Services.

This report fulfills the annual reporting requirements and provides information to the Board of Trustees concerning the 2022 audit efforts of Audit and Consulting Services. The report also includes the annual audit plan for the 2023 fiscal year. This report is intended solely for the internal use of Middle Tennessee State University and the MTSU Board of Trustees. It is not intended to be and should not be used for any other purpose.

Respectfully submitted,

A handwritten signature in black ink that reads "Diane B. Snodgrass".

Diane B. Snodgrass, CPA
Interim Chief Audit Executive

**Middle Tennessee State University
Audit and Consulting Services
Annual Report for Fiscal Year 2022**

Introduction:

TCA 49-14-102 and the Bylaws and Policies of the MTSU Board of Trustees require an annual report of audit work. The Board Committee policy requires a comprehensive report on the internal audit function to the Board through the Audit and Compliance Committee (ACC) at a stated meeting.

Audit Effort:

Audit and Consulting Services tracks audit effort by type of project and by university division. The majority of audit effort was in investigations and required audits within the following divisions: Academic Affairs, Governance and Student Affairs. Page two of the report includes details and charts of audit effort. The status of the 2022 audit plan is located on page three.

Fraud Awareness:

When allegations of improper or dishonest acts by an employee, outside contractor or vendor are received, an investigation is required. Seven reviews were opened during the year. Six projects were administratively closed and one audit report was issued. Four projects in progress will be included on the FY 2023 audit plan. Additional information is located on page four.

Resources:

The current budget of \$442,854 is adequate to fulfill the current responsibilities. Details of the current budget and actual expenses for the past two years are located on page five.

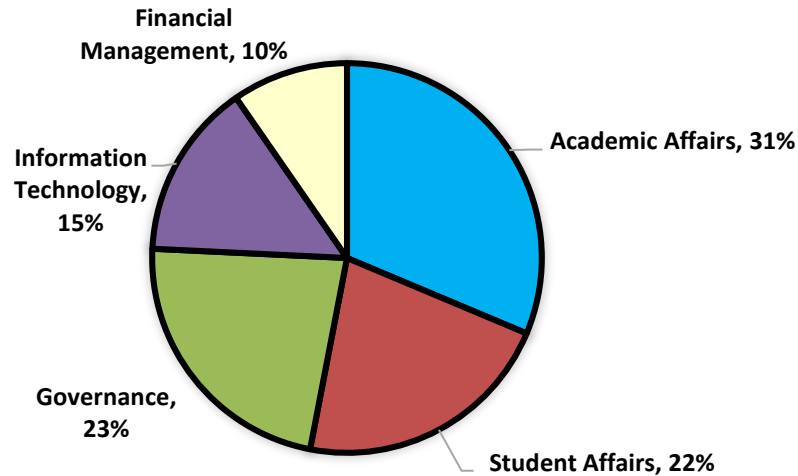
Planned Audit Efforts for 2023:

Along with the audits in progress and required audits, the planned audit effort for 2023 includes a review of the controls mitigating the risk areas of vendor provided services and four departmental/procedural reviews. The audit plan for 2023 is located on page six.

AUDIT EFFORT

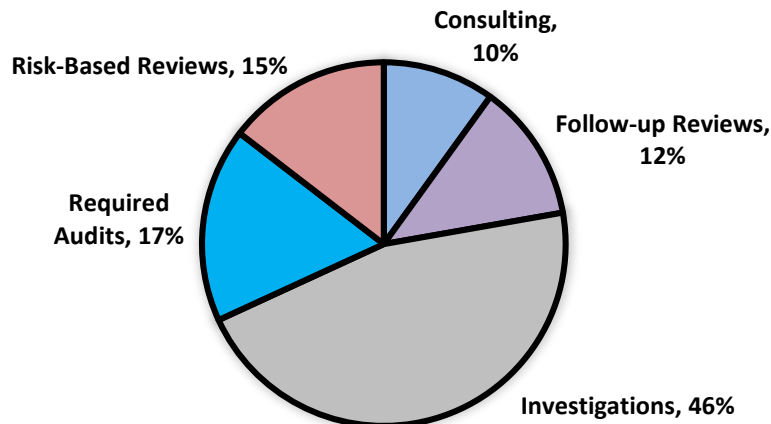
Audit and Consulting Services tracks audit effort by type of project and by university division as shown with the following charts. For the chart Audit Effort by Division, Governance includes the President's Division and general institutional support. The majority of audit effort (76%) focused on projects within Academic Affairs, Governance and Student Affairs.

AUDIT EFFORT BY DIVISION



The type of audit work performed is defined by the source of the request or purpose of the audit work. Required audits (17%) are the result of a third party request or agreement that an audit or review be performed. This audit effort included the annual audit of the President's Office which is required by state law. The year-end reviews of inventory and cash counts are also included in this audit effort. Investigations represented 46% of the audit effort. Investigations are performed at the request of management or with the receipt of a hotline complaint of possible fraud, waste or abuse. Consulting (10%) represented efforts responding to general audit questions, assisting management with an audit concern and the Conflict of Interest Committee work.

AUDIT EFFORT BY TYPE OF AUDIT



**Middle Tennessee State University
Internal Audit Plan
Fiscal Year Ended June 30, 2022
as of June 30, 2022**

Type	Area	Audit Project	Current Status	Audit Results
R	FM	Year-End Inventory FY2021	Completed 8/6/2021	No Reportable Issues
R	FM	Cash Counts FY2021	Completed 8/5/2021	No Reportable Issues
R	GV	Audit of President's Office	Completed 11/11/2021	No Reportable Issues
I	SS	INV1702	In Progress	
I	AA	INV1705	In Progress	
I	AA	INV1801	In Progress	
I	AT	INV1904	Administratively Closed 6/22/2021	No Reportable Issues
I	SS	INV2201	In Progress	
I	FM	INV2202	Administratively Closed 10/12/2021	No Reportable Issues
I	FM	INV2203	Administratively Closed 12/1/2021	No Reportable Issues
I	AA	INV2204-Special Review of Geosciences	Completed 6/7/2022	6 Recommendations
I	SS	INV2205	Administratively Closed 4/15/2022	No Reportable Issues
I	FM	INV2206	Administratively Closed 6/30/22	No Reportable Issues
I	AA	INV2207	Administratively Closed 6/30/22	No Reportable Issues
P	GV	IIA - Self Assessment & QAR	In Progress	
F	GV	State Audit Assistance/Follow-Up	Project Throughout Year	
C	GV	General Consultation/Risk Assessment	Project Throughout Year	
I	GV	Unscheduled Investigations	Scheduled	
R	FM	Cash Counts FY2022	In Progress	
R	FM	Year-End Inventory FY2022	In Progress	
A	IT	Risk/Controls: PII Compliance	Completed 2/24/2022	No Reportable Issues
A	IT	Risk/Controls: Vendor Provided Services	Scheduled	
A	MC	Marketing & Communications	Scheduled	
A	FM	Payroll	Scheduled	
A	AA	Research Services Procedural Review	Scheduled	
A	FM	Property Management Contract Review	Scheduled	

Audit Types:

A - Risk-Based (Assessed)
C - Consulting
F - Follow-up Review
I - Investigation
M - Management's Risk Assessment
P - Project (Ongoing or Recurring)
R - Required
S - Special Request

Area = University Division

AA - Academic Affairs
AD - Advancement
AT - Athletics
FM - Financial Management
GV - Governance/Executive Office
IT - Information Technology
MC - Marketing and Communications
SS - Student Services

FRAUD AWARENESS

The University is committed to the responsible stewardship of resources and is required by state law to provide a means by which employees, students or others may report suspected or known improper or dishonest acts. Audit and Consulting Services manages the reporting process by which students, employees, taxpayers or other citizens may confidentially report suspected illegal, improper, wasteful or fraudulent activity. (TCA 49-14-103)

The "Fraud Awareness" brochure is a communication tool given to new employees that explains the reporting expectations and options for any individual who suspects improper or dishonest acts involving university employees, outside contractors or vendors. The "Fraud Awareness" information is also located on the Audit and Consulting Services webpage and includes an on-line reporting form.

When Audit and Consulting Services receives allegations of improper or dishonest acts by an employee, outside contractor or vendor, it is required to conduct an investigation. The purpose of the investigation or review is to determine if the allegation or concern is substantiated or unsubstantiated and if there are any internal control weaknesses or risks that management should address. If the allegation or concern is substantiated and corrective action is needed, an audit report is issued. A review is administratively closed with a memo to the file if the concern is unsubstantiated or referred to management or there are no recommendations for corrective action.

Below is a summary of the reviews pertaining to concerns of possible improper or dishonest acts.

Reviews brought forward from prior year	4
New reviews opened during year	7
Projects in Progress During the Year	<u>11</u>
Less Report Issued	(1)
Less Administratively Closed	<u>(6)</u>
Reviews in Progress at June 30, 2022	<u><u>4</u></u>

In 2022, seven new reviews of possible improper or dishonest acts were opened which is above the three year average of three reviews per year. New reviews for the past three years were: 3 in 2021, 1 in 2020 and 5 in 2019.

The report issued in June 2022 was for the Special Review of the Geosciences Department which was performed at the request of management. The scope focused on possible conflicts of interest and possible unrecorded revenue. No material financial improprieties were discovered with travel claims reviewed; however, there were observations and recommendations for improvements of the departmental travel process and cash receipting procedures. Corrective action by management has begun and will be completed at the beginning of the academic year.

Six projects were closed because the complaint was not substantiated as fraud, waste or abuse and there were no recommendations to improve the control environment. The projects in progress will be included on the 2023 annual audit plan.

RESOURCES

As defined in the MTSU Audit and Compliance Committee Charter, the Audit and Compliance Committee is responsible for ensuring Audit and Consulting Services has adequate resources in terms of staff and budget to effectively perform its responsibilities. The following is the estimated budget for 2022-2023 compared to the actual expenses of the prior two fiscal years.

	Estimated Budget (1) 2022-2023	Actual Expenses 2021-2022	Actual Expenses 2020-2021
Salaries:			
Chief Audit Executive	\$ 108,496	\$ 108,495	\$ 106,699
Assistant Director	68,982	68,973	67,831
Internal Auditors, 2 Professionals	91,440	47,746	46,991
Support Staff	29,169	28,272	29,008
Longevity for Staff	8,900	8,700	8,500
Benefits	<u>123,484</u>	<u>125,220</u>	<u>121,937</u>
Total Salaries and Benefits	\$ 430,471	\$ 387,406	\$ 380,966
Travel	5,000	80	-
Operating Expenses	<u>7,383</u>	<u>3,147</u>	<u>3,142</u>
Total Budget/Expenses	<u>\$ 442,854</u>	<u>\$ 390,633</u>	<u>\$ 384,108</u>

(1) The Estimated Budget for FY 2022-2023 will be finalized in October 2022.

The 2022-2023 budget for Audit and Consulting Services is adequate and includes funding for two unfilled audit positions.

**Middle Tennessee State University
Internal Audit Plan
Fiscal Year Ended June 30, 2023
as of July 29, 2022**

Type	Area	Audit Project	Current Status	Audit Results
R	FM	Year-End Inventory FY2022	Completed 7/28/2022	No Reportable Issues
R	FM	Cash Counts FY2022	Completed 7/28/2022	No Reportable Issues
R	GV	Audit of President's Office	In Progress	
R	AT	Football Attendance 2022	Scheduled	
I	SS	INV1702	In Progress	
I	AA	INV1705	In Progress	
I	AA	INV1801	In Progress	
I	SS	INV2201	In Progress	
P	GV	IIA - Self Assessment & QAR	In Progress	
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I	GV	Unscheduled Investigations	Scheduled	
R	FM	Cash Counts FY2023	Scheduled	
R	FM	Year-End Inventory FY2023	Scheduled	
A	IT	Risk/Controls: Vendor Provided Services	Scheduled	
A	MC	Marketing & Communications	Scheduled	
A	FM	Payroll	Scheduled	
A	AA	Research Services Procedural Review	Scheduled	
A	FM	Property Management Contract Review	Scheduled	

Audit Types:

A - Risk-Based (Assessed)
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 P - Project (Ongoing or Recurring)
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Area = University Division

AA - Academic Affairs
 AD - Advancement
 AT - Athletics
 FM - Financial Management
 GV - Governance/Executive Office
 IT - Information Technology
 MC - Marketing and Communications
 SS - Student Services



**Middle Tennessee State University
Board of Trustees**

Action Item

MEETING: Fall Quarterly Board Meeting

DATE: September 13, 2022

SUBJECT: **Risk Assessment Reporting**

BACKGROUND INFORMATION:

Section 9-18-104 of the Financial Integrity Act requires institutions of higher education to prepare and provide a management assessment of risk to the State of Tennessee's Commissioner of Finance and Administration and to the Comptroller of the Treasury by December 31 annually.

For 2022, the university-wide risk and control activities were updated for the Divisions of Student Affairs, University Advancement and Marketing and Communications.

Similar to MTSU's risk assessment reporting of 2021, the risk assessment documents are designated as confidential and are discussed in the non-public executive session of the Committee. The university-wide risk assessment reports for 2022 are presented to the Board for approval prior to the reports' submission to the State.



**Middle Tennessee State University
Board of Trustees**

MEETING: Fall Quarterly Board Meeting

SUBJECT: **Finance and Personnel Committee**

DATE: September 13, 2022

PRESENTER: Joey Jacobs
Committee Chair

- Revisions to Policies
 - a) 160 - Naming of Facilities and Building Plaques
 - b) 100 - Use of Campus Property and Facilities Scheduling
 - c) 775 - Traffic, Parking, and Safety Enforcement (Policy and Rule)
- Capital Outlay Project Request



**Middle Tennessee State University
Board of Trustees**

Action Item

MEETING: Fall Quarterly Board Meeting

DATE: September 13, 2022

SUBJECT: **Revision to Policy 160:
Naming of Facilities and Building Plaques**

BACKGROUND INFORMATION:

Outlined below are proposed revisions to policies requiring Board approval: **Policy 160 Naming of Facilities and Building Plaques**

- Changed the title of the policy from “Naming Buildings and Facilities” to “Naming of Facilities and Building Plaques”.
- Revised gifting levels and simplified the minimum commitment required for existing and new facilities.
- Removed outdated language and made minor clarifications.



160 Naming ~~Buildings and of~~ Facilities and Building Plaques

Approved by Board of Trustees

Effective Date: ~~June 5, 2017~~ _____, 2022

Responsible Division: Business and Finance

Responsible Office: Campus Planning

Responsible Officer: Assistant Vice President, Campus Planning

I. Purpose

This policy establishes the criteria and process for naming of buildings and facilities governed by the Middle Tennessee State University Board of Trustees (Board).

II. General Statement

The naming of buildings, grounds, organizational units, and other identifiable physical features of institutions (facility/facilities), for individuals or groups who have made significant contributions to society, is an honored tradition of higher education.

The prerogative and privilege of naming facilities are vested in the Board. Authority to name identifiable sub-units or components of facilities, however, is delegated to the President, subject to this policy and the criteria and process set forth therein.

Middle Tennessee State University (MTSU or University) will utilize the following guidelines for determining recommendations for naming all University facilities. The guidelines also apply to organizational units which the University wishes to dedicate in the name of an individual or group.

Facilities designated by their general purpose or functions are not subject to this policy.

III. Process

The Building Naming Advisory Committee (Committee) shall consider and make recommendations to the President for naming purposes. The Committee shall consider all suggested naming which satisfies the criteria set forth herein. Any individual or group associated with the University may suggest a name for consideration by the Committee.

The Committee shall submit a report to the President, which includes a recommendation for the naming, documentation of all suggestions considered, and justification of its recommendation.

For namings that require Board approval, the President shall submit a recommendation, along with the Committee's report and any additional supporting information deemed appropriate, to the Board.

No publicity shall be given to the recommendation for naming until the Board considers the recommendation.

For namings not subject to Board approval, the President shall determine, and make known, the naming in the manner deemed most appropriate.

IV. Criteria

- A. General. Individuals and groups for whom facilities are named must have made a significant contribution to the field of education, government, science, or human betterment. To preserve the integrity of all facilities, this honor must be reserved for individuals of recognized accomplishment and character; no facility may bear the name of an individual convicted of a felony.

With respect to the naming of facilities, special consideration shall be given to:

- 1. The historical significance of the contribution of the individual or group to the University.
- 2. The association of the individual or group with the facility to be named.
- 3. Any financial contribution of the individual or group to the University.
- 4. State, regional, national, or international recognition of the contributions and achievements of the individual(s) or group(s).

- B. Naming in honor of an individual (no gift involved)

- 1. A proposed honoree shall have achieved distinction while serving the University in an academic, administrative, or support capacity, or have contributed in exceptional ways to the betterment of the University, State of Tennessee, or education in general.
- 2. No current employee of the University, and no individual who has been an employee of the University within the previous three (3) years, shall be proposed for a naming in his/her honor.

~~3. An external individual (non-employee) usually shall not be considered for naming recognition before one (1) year after the person's death.~~

C. Naming for a benefactor (gift involved)

1. A facility may be named for an individual or organization benefactor who makes a significant contribution toward the costs of initial construction or renovation of a facility, component of a facility, or other physical facility on campus.

~~2. It is intended that gifts to name facilities shall fund either the total construction cost of the facility or provide substantial funding for that portion of the total construction cost which would not be available from other sources, as determined on an individual basis. As general guidelines for projects included in the University's facilities master plan, the following commitments are expected for construction or renovation of a facility or component of a facility:~~

~~2.3. For projects included in the University's facilities master plan, whether they are new facilities, existing facilities, or components of a facility, a sliding scale is used to determine the actual funds required; however, a commitment of no less than twenty-five percent (25%) of the cost of construction or renovation is expected.~~

~~a. New facilities. An amount no less than twenty-five percent (25%) of the cost of construction.~~

~~b. Components of new facilities. An amount between fifty percent (50%) and one hundred percent (100%) of the construction cost per square footage.~~

~~c. Existing facility. An amount no less than twenty five percent (25%) percent of current construction costs.~~

~~d. Components of existing facilities. An amount between fifty percent (50%) and one hundred percent (100%) of current costs of construction per square footage.~~

~~3.4. For new facilities not included in the University's academic and/or facilities master plans, and proposed by an external individual or organization, one hundred percent (100%) of the cost of construction would be required.~~

~~D. It is intended that gifts to name facilities shall fund either the total construction cost of the facility or provide substantial funding for that portion of the total construction cost which would not be available from other sources, as determined on an individual basis.~~

~~E.D.~~ An individual or organization donor making a substantial gift to the University, or a specific college or unit, but a gift which is not designated for a new or existing facility, may be recognized by the naming of a facility, component of a facility, or other campus facility. In this instance, the magnitude of the gift should be consistent with the general gift levels for naming facilities.

~~F.E.~~ An individual can only have one (1) facility named for him/her/them; however, they can have more than one (1) component of a facility naming.

~~G.F.~~ In all cases, naming rights are considered to be in effect for the duration of the effective and typical useful life of the physical facility, space, or object, and not in perpetuity. If necessary, the University reserves the right to remove a name associated with any physical facility, space, object, or project at any time if the naming gift pledge remains unfulfilled, ~~if it is in the best interests of the University or of the donor to do so,~~ or to protect the reputation of the University and/or the donor.

V. Endowment Funding Levels

An endowment fund may be contributed and named for an individual or organization benefactor, or a specified honoree, to provide a permanent source of funding, for restricted or unrestricted purposes, as specified by the donor.

A. The following paragraphs provide general guidelines for named endowment categories and minimum funding requirements.

1. Endowed Faculty Support

	<i>Minimum Gift Required</i>
Chair of Excellence	\$2,500,000-\$10,000,000*
Chair	\$1,000,000-\$ 2,500,000*
Distinguished Professorship	\$ 500,000
Professorship	\$ 250,000
Visiting Scholar	\$ 250,000
Faculty Award	\$ 100,000
Lectureship	\$ 100,000

**~~Suggested~~ Minimums reflect a baseline for the University. Individual programs may vary due to unique market costs and the associated research and professional costs.*

2. Endowed Student Support

<i>a. Undergraduate</i>	
Centennial Scholar	\$100,000
Athletic Position Scholarship	\$100,000
Academic and Leadership Performance Scholarship	\$ 50,000
Scholarship	\$ 25,000
<i>b. Graduate</i>	
Assistantship	\$100,000
Fellowship	\$250,000

3. Named Colleges And Academic Units

Endowment gift requirements to name an entire college, school, or other prominent institutional program or unit will be determined on an individual basis, but the following will serve as guidelines:

<i>a. Colleges</i>	<i>Minimum Gift Required</i>
Basic & Applied Science	\$20,000,000*
Behavioral & Health Sciences	\$15,000,000*
Business	n/a
Education	\$10,000,000*
Graduate Studies	\$10,000,000*
Liberal Arts	\$20,000,000*
Honors	\$10,000,000*
Media and Entertainment	\$15,000,000*
University College	\$10,000,000*
<i>b. Schools and Departments</i>	<i>Minimum Gift Required</i>
	\$5,000,000-\$10,000,000*

**It is suggested that at least fifty percent (50%) of the total gift should be used to establish an unrestricted endowment for the ongoing support of the academic unit being named.*

4. Facilities

<i>a. Offices</i>	<i>Gift Level Required</i>
Faculty Office	\$10,000

Dean's Office	\$50,000
Dean's Suite	\$250,000

<i>b. Classrooms</i>	<i>Gift Level Required</i>
Classroom	\$25,000-\$50,000
Conference Room	\$50,000-\$100,000
Lecture Hall	\$100,000-\$250,000
Theatre or Performance Hall	\$500,000-\$1,000,000

- B. Series, artist performance series, libraries, teacher/scholar awards, equipment, and building funds may be established by gifts at a recommended minimum level of one hundred thousand dollars (\$100,000.00).
- C. The MTSU Foundation, Inc., generally receives and manages endowed funds for the benefit of the University and the specified purpose of the fund.
- D. The minimum recommended endowment level is twenty-five thousand dollars (\$25,000.00). An endowment fund may be established within a reasonable period (usually two [2] to five [5] years) agreed upon by the donor and the MTSU Foundation, Inc. A gift or pledge to establish an endowed fund shall be accompanied by a formal, signed document detailing the endowment agreement.
- E. Academic or program units, in consultation with University Development, may offer special endowment naming opportunities at appropriate levels of funding, provided the opportunities are consistent with the general guidelines herein.
- F. Minimum funding requirements for named endowments will be reviewed periodically to ensure that the endowment amount provides an annual distribution consistent with university program requirements and economic conditions.

VI. Dedication Ceremony and Building Plaques

Upon approval of the naming by the Board or the President, an appropriate dedication ceremony may be planned and conducted by the University.

The University also may erect a dedication plaque or comparable marking upon approval of the naming by the Board or President. The plaque may be separate from the building plaque provided by State regulations. In addition to the individual or group for whom the facility is named, the dedication plaque should identify the President and the Chairman of the Board at the time the naming was approved.

The University may choose to erect a building plaque in lieu of, or in addition to, dedication plaques authorized under this policy.

The University may affix a building plaque, which shall include the name of the Governor(s), all State Building Commission members, names of the members of the Board, President, architect, contractor, and state architect from the date of Building Commission approval of a specific project to the completion of the project.

All plaques must comply with this policy and State Building Commission policy on building plaques. This section shall apply to any new or newly renovated facility.

Forms: none.

Revisions: June 5, 2017 (original); _____, 2022~~none~~.

Last Reviewed: December 2020~~_____~~ 2022.

References: none.



160 Naming of Facilities and Building Plaques

Approved by Board of Trustees

Effective Date: _____, 2022

Responsible Division: Business and Finance

Responsible Office: Campus Planning

Responsible Officer: Assistant Vice President, Campus Planning

I. Purpose

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II. General Statement

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Middle Tennessee State University (MTSU or University) will utilize the following guidelines for determining recommendations for naming all University facilities. The guidelines also apply to organizational units which the University wishes to dedicate in the name of an individual or group.

Facilities designated by their general purpose or functions are not subject to this policy.

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The Committee shall submit a report to the President, which includes a recommendation for the naming, documentation of all suggestions considered, and justification of its recommendation.

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No publicity shall be given to the recommendation for naming until the Board considers the recommendation.

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C. Naming for a benefactor (gift involved)

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 2. It is intended that gifts to name facilities shall fund either the total construction cost of the facility or provide substantial funding for that portion of the total construction cost which would not be available from other sources, as determined on an individual basis.
 3. For projects included in the University's facilities master plan, whether they are new facilities, existing facilities, or components of a facility, a sliding scale is used to determine the actual funds required; however, a commitment of no less than twenty-five percent (25%) of the cost of construction or renovation is expected.
 4. For new facilities not included in the University's academic and/or facilities master plans, and proposed by an external individual or organization, one hundred percent (100%) of the cost of construction would be required.
- D. An individual or organization donor making a substantial gift to the University, or a specific college or unit, but a gift which is not designated for a new or existing facility, may be recognized by the naming of a facility, component of a facility, or other campus facility. In this instance, the magnitude of the gift should be consistent with the general gift levels for naming facilities.
- E. An individual can only have one (1) facility named for them; however, they can have more than one (1) component of a facility naming.
- F. In all cases, naming rights are considered to be in effect for the duration of the effective and typical useful life of the physical facility, space, or object, and not in perpetuity. If necessary, the University reserves the right to remove a name associated with any physical facility, space, object, or project at any time if the naming gift pledge remains unfulfilled or to protect the reputation of the University and/or the donor.

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- A. The following paragraphs provide general guidelines for named endowment categories and minimum funding requirements.

1. Endowed Faculty Support

	<i>Minimum Gift Required</i>
Chair of Excellence	\$2,500,000-\$10,000,000*
Chair	\$1,000,000-\$ 2,500,000*
Distinguished Professorship	\$ 500,000
Professorship	\$ 250,000
Visiting Scholar	\$ 250,000
Faculty Award	\$ 100,000
Lectureship	\$ 100,000

**Minimums reflect a baseline for the University. Individual programs may vary due to unique market costs and the associated research and professional costs.*

2. Endowed Student Support

a. *Undergraduate*

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

b. *Graduate*

Assistantship	\$100,000
Fellowship	\$250,000

3. Named Colleges And Academic Units

Endowment gift requirements to name an entire college, school, or other prominent institutional program or unit will be determined on an individual basis, but the following will serve as guidelines:

a. *Colleges*

	<i>Minimum Gift Required</i>
Basic & Applied Science	\$20,000,000*
Behavioral & Health Sciences	\$15,000,000*
Business	n/a
Education	\$10,000,000*

Graduate Studies	\$10,000,000*
Liberal Arts	\$20,000,000*
Honors	\$10,000,000*
Media and Entertainment	\$15,000,000*
University College	\$10,000,000*

b. Schools and Departments *Minimum Gift Required*
\$5,000,000-\$10,000,000*

**It is suggested that at least fifty percent (50%) of the total gift should be used to establish an unrestricted endowment for the ongoing support of the academic unit being named.*

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<i>a. Offices</i>	<i>Gift Level Required</i>
Faculty Office	\$10,000
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 <i>b. Classrooms</i>	 <i>Gift Level Required</i>
Classroom	\$25,000-\$50,000
Conference Room	\$50,000-\$100,000
Lecture Hall	\$100,000-\$250,000
Theatre or Performance Hall	\$500,000-\$1,000,000

- B. Series, artist performance series, libraries, teacher/scholar awards, equipment, and building funds may be established by gifts at a recommended minimum level of one hundred thousand dollars (\$100,000.00).
- C. The MTSU Foundation, Inc., generally receives and manages endowed funds for the benefit of the University and the specified purpose of the fund.
- D. The minimum recommended endowment level is twenty-five thousand dollars (\$25,000.00). An endowment fund may be established within a reasonable period (usually two [2] to five [5] years) agreed upon by the donor and the MTSU Foundation, Inc. A gift or pledge to establish an endowed fund shall be accompanied by a formal, signed document detailing the endowment agreement.
- E. Academic or program units, in consultation with University Development, may offer special endowment naming opportunities at appropriate levels of funding, provided the opportunities are consistent with the general guidelines herein.

- F. Minimum funding requirements for named endowments will be reviewed periodically to ensure that the endowment amount provides an annual distribution consistent with university program requirements and economic conditions.

VI. Dedication Ceremony and Building Plaques

Upon approval of the naming by the Board or the President, an appropriate dedication ceremony may be planned and conducted by the University.

The University also may erect a dedication plaque or comparable marking upon approval of the naming by the Board or President. The plaque may be separate from the building plaque provided by State regulations. In addition to the individual or group for whom the facility is named, the dedication plaque should identify the President and the Chairman of the Board at the time the naming was approved.

The University may choose to erect a building plaque in lieu of, or in addition to, dedication plaques authorized under this policy.

The University may affix a building plaque, which shall include the name of the Governor(s), all State Building Commission members, names of the members of the Board, President, architect, contractor, and state architect from the date of Building Commission approval of a specific project to the completion of the project.

All plaques must comply with this policy and State Building Commission policy on building plaques. This section shall apply to any new or newly renovated facility.

Forms: none.

Revisions: June 5, 2017 (original); _____, 2022.

Last Reviewed: _____ 2022.

References: none.



**Middle Tennessee State University
Board of Trustees**

Action Item

MEETING: Fall Quarterly Board Meeting

DATE: September 13, 2022

SUBJECT: **Revision to Policy 100:
Use of Campus Property and Facilities Scheduling**

BACKGROUND INFORMATION:

Outlined below are proposed revisions to policies requiring Board approval:

Policy 100 Use of Campus Property and Facilities Scheduling

- Revised to add a requirement that sponsored and co-sponsored events that are open to the campus community and/or general public be made available to all attendees on an equal basis and to increase the participation threshold for spontaneous outdoor events to fifty (50) individuals.
- The policy was extensively reorganized and revised to be more concise and consistent in terminology usage; however, the basic processes and limitations for reserving and using campus facilities largely remain unchanged.
- Given the extent of reorganization and revision, a redline version of the policy is of limited value and is not provided.



100 Use of Campus Property and Facilities Scheduling

Approved by Board of Trustees

Effective Date: _____, 2022

Responsible Division: President

Responsible Office: Office of the University Counsel

Responsible Officer: University Counsel

I. Purpose

This policy provides a uniform basis upon which Middle Tennessee State University (MTSU or University) can regulate and facilitate the access to and use of campus property and/or facilities. This policy is intended to operate consistent with MTSU's purpose and mission through the implementation of reasonable content and viewpoint neutral regulations. This policy shall be implemented and construed so as to ensure no undue disruption of that mission; preserve and promote the fundamental right to free speech of MTSU students; promote an educational atmosphere on campus; prevent commercial exploitation of students; preserve residential tranquility; and prevent use of campus property and/or facilities contrary to federal, state, or local law or the rules and policies of MTSU.

In establishing this policy, MTSU recognizes the importance to the educational process and environment for persons affiliated with MTSU, including officially recognized student organizations and other groups, to have reasonable access to and use of MTSU's educational facilities to hear various views. Simultaneously, MTSU also makes clear that its campus property and facilities are not open public forums but are instead intended solely for use consistent with the advancement and orderly administration of its educational mission for the benefit of its students, staff, and institutional clients. As such, MTSU makes its buildings or other facilities available to external users only in limited circumstances specified in this policy.

II. Scope

This policy applies to proposed uses of property and/or facilities owned by and/or leased to MTSU. The request procedures required by this policy do not apply to:

- A. Spontaneous use of outdoor campus spaces by students or student organizations for speech or distribution of literature, subject to the limitations set forth in Sections IV.B.1. and V.I. and [Policy 103 Free Speech on Campus](#).

- B. Use of perimeter sidewalks adjoining public streets. A map depicting the perimeter sidewalks adjoining public streets is provided on the [Event Coordination website](#). All persons may use these facilities for lawful activities if the flow of vehicular or pedestrian traffic is not impeded.
- C. Property that is not owned by or leased to MTSU.
- D. Events that are mandated by MTSU pursuant to contract.
- E. Course scheduling and private departmental offices and conference rooms as defined by the [Registrar's Office](#) and [Event Coordination](#).

III. Definitions

- A. Course Related Events. Academic activities related directly to the instructional mission of MTSU. Examples include MTSU academic credit bearing classes and events resulting from academic course work.
- B. Sponsored Events. Activities related directly to the life of the campus community beyond the classroom. Examples include, but are not limited to, athletics, recreation, student programming activities, and academic camps/conferences/workshops. There are two (2) sub-categories of such events.
 - 1. University Events. Programs, activities, and meetings that are sponsored by a MTSU office or department or official MTSU organization approved by the office of the President that are planned primarily for members of the MTSU community and/or the general public.
 - 2. Student Events. Programs, activities, and meetings that are sponsored by student organizations that are officially recognized by MTSU and planned primarily for members of the MTSU community and/or the general public.
- C. Co-Sponsored Events. Programs, activities, and meetings involving two (2) groups: a MTSU office, department, or student organization and/or an outside organization or person. For example, a professional association in which MTSU holds membership or maintains a relationship that directly benefits the MTSU community. There are three (3) sub-categories of such events and sponsor's responsibilities are set forth in Section IV.B.1.d.
 - 1. University Co-Sponsored Events. A MTSU department or office and an external organization or person.
 - 2. Student Co-Sponsored Events. A MTSU officially recognized student organization and an external organization or person.

3. University/Student Co-Sponsored Events. A MTSU department or office and an officially recognized MTSU student organization. When a university department and student organization co-sponsor an event, the university department will be the default sponsor.
- D. External Events. Any program or activity hosted by a person or organization that is not sponsored by an officially recognized MTSU student organization or MTSU department.
- E. Student. A person who is currently registered for a credit course, non-credit course, or program at MTSU, including any such person during any period which follows the end of an academic period which the student has completed until the last day of registration for the next succeeding academic period.
- F. Student Organization. Any organization of students that is registered with the University under [Policy 560 Student Organization Registration and Recognition](#).

IV. Access to Campus

In carrying out its mission, MTSU desires to ensure that space is readily available for University activities and events as well as the functions and activities of its students and student organizations. In certain, more limited, circumstances, MTSU also desires to allow external events to use certain portions of its property and/or facilities. MTSU reserves the right to institute content-neutral time, place, and manner restrictions if deemed necessary for the safety and well-being of the campus community. MTSU campus property and facilities are not open public forums but are instead intended solely for use consistent with the advancement and orderly administration of its educational mission for the benefit of its students, staff, and clients.

- A. Identification of Property/Facilities Available for Use. A listing of all available MTSU properties and/or facilities, including a designation of eligible requesters to request use of those properties and/or facilities, is provided on the [Event Coordination website](#). After consultation with the appropriate responsible office, the MTSU Event Coordination Department is authorized to make changes to this listing. This list also includes the type of events that are suitable for the property (i.e., concerts, athletic events, theatrical presentations, etc.) and any conditions required to obtain permission to use the property and/or facilities. Any property/facility not specifically identified as available for use on the [Event Coordination website](#) is specifically unavailable for use other than for normal administrative or educational purposes.

All property and/or facilities are designated as standard or restricted. Property and/or facilities may be designated as restricted when certain restrictions are necessary to protect the health, safety, and welfare of the campus community and to protect University property. For instance, a science lab may be made available for an event by a

MTSU science department but, due to the nature of the lab and its contents, may be inappropriate for use without the necessary scientific training.

- B. Use of MTSU Property and/or Facilities. The use of MTSU property and/or facilities is limited by the type and location of the property and the status of the proposed user. Access is generally reserved for course related and sponsored events. The campus, property, and facilities of MTSU are limited to use by MTSU and invited guests of MTSU, except as specifically provided by this policy or when part or all of MTSU campus, buildings, or facilities are open to the general public for a designated time and purpose.

1. Use of Property for Sponsored or Co-Sponsored Events:

- a. Indoor Space. Available indoor space may be reserved pursuant to the procedures set forth herein.
- b. Regular Membership Meetings. Sponsored groups may submit a request to use MTSU property and/or facilities for its regular membership or departmental meetings.
- c. Repeated or Intermittent Events. Sponsored groups may request permission for the repeated or intermittent use of a particular campus property or facility or space to conduct regular meetings using campus property and/or facilities without requiring repeated requests and approval for each occurrence of the event only if the meetings are limited to members of the organization. Approval for repeated or intermittent use of any property or facility pursuant to this policy may not exceed one (1) semester in length and may only be renewed or repeated after review to determine that such use does not conflict with a University need or another request for access/use of the facility/space by another eligible person/entity. For purposes of this paragraph, the Summer term shall count as one (1) semester beginning on the first day of the May Summer term and ending on the last day of the June/July Summer term.
- d. Sponsor's Responsibilities. The MTSU sponsoring department or student organization representative will be held responsible for ensuring that:
 - (1) the event is consistent with the mission of the organization;
 - (2) the external person or organization complies with the terms of this policy, other MTSU policies, and all local, state, and federal laws;
 - (3) any and all costs or fees associated with the event are paid by the MTSU sponsoring department or organization;

- (4) the sponsoring department or student organization representative is responsible for all communication including reservation and event arrangements with the venue scheduling staff and must be present at and actively participate in the event; and
 - (5) advertising and event promotion plans comply with University policy (see Section IX. below).
- e. Equal Access. Sponsored and co-sponsored events that are made available by sponsors for the MTSU community and/or the general public shall be made available to all attendees on an equal basis. If the event is registered as being open to the MTSU community and/or general public, sponsors may not provide priority access to any attendees, including members of the sponsoring organization.
 - f. Outdoor Space. Notwithstanding the above, students and student organizations gather and use the generally accessible, open, outdoor areas of campus as traditional public forums for free speech and distribution of literature consistent with the requirements of [Policy 103 Free Speech on Campus](#). Standard outdoor spaces are generally accessible or open for spontaneous student use and are listed on the [Event Coordination website](#). Such use of space is on a space available basis and no request is required pursuant to this policy. Even though not required, MTSU departments and student organizations who wish to reserve outdoor standard or restricted spaces may do so pursuant to the procedures set forth herein. Approved events have precedence over spontaneous usage.
 - g. Hours of Operation. The hours in which facilities are generally available are listed on the [Event Coordination website](#). These hours may vary during holidays, breaks, and periods of University closure. In addition, some property and/or facilities are not permitted to be reserved for use during University holidays, final exam weeks, and hours that directly conflict with Connection Point event attendance.
2. Use of Property for External Events. MTSU property may be used by external clients only for events pursuant to the terms set forth below:
- a. Must be held within facilities within designated hours as listed as allowable for rent or lease by external events or individuals on the [Event Coordination website](#).
 - b. Use of property for external events shall be subject to rental fees as well as contract terms outlined on the [Contract Office Policies and Procedures website](#).

Exception: Notwithstanding the above, the Student Union Commons is available during regular university business hours (except during the first two [2] weeks of each semester and final exam weeks) for use by an external client without payment of a rental or lease fee. To facilitate adequate availability for other external users and spontaneous student use required by T.C.A. § 49-7-2401 *et seq.*, external clients can reserve the Student Union Commons for no more than four (4) hours in any calendar week without payment of a rental or lease fee. Reservations may not be confirmed until fourteen (14) calendar days prior to the event date or as specified by contractual terms.

- c. External clients must be in good financial standing with the University.
 - d. External clients are allowed to reserve space up to four (4) times per semester or as specified by contractual terms.
 - e. External clients must comply with the terms of this policy, other MTSU policies, and all local, state, and federal laws including the Outdoor Amplified Sound procedures.
3. Priority. In the event that the University receives multiple requests for use of a particular facility at the same time, the competing requests shall be resolved based on the following priority:
- a. For events in the Student Union, Keathley University Center, James Union Building, and Campus Recreation Center:
 - (1) Returning/recurring events are offered the same calendar day or day of week for the following year in the following priority order:
 - (a) student events;
 - (b) University events;
 - (c) co-sponsored events; and
 - (d) external events.
 - (2) New events or non-recurring events will be reserved on a first come, first served basis.
 - b. The following priority order shall be utilized for events in all other University facilities:
 - (1) University events receive priority over all other events;

(2) Returning/recurring events are offered the same calendar day or day of the week for the following year; and

(3) All other events are offered to all categories of clients on a first come, first served basis.

V. Request and Reservation Process

Request for access to or use of MTSU property and/or facilities, where required, shall be through the request process set forth below.

- A. Where to Make Request. Anyone wanting to access or use MTSU property and/or facilities shall complete a request form. Request forms may be obtained from, and all completed requests shall be submitted to:

MTSU Event Coordination Department
1403 East Main Street
Box 130
Murfreesboro, TN 37132
Website: <http://www.mtsu.edu/eventcoordination/index.php>
Email: evtcoord@mtsu.edu
Phone: 615-898-5002

The [Event Coordination Department](#) will route the request to the appropriate responsible office for the requested venue. A list of the responsible offices for all available MTSU property and/or facilities is provided on the [Event Coordination website](#).

In the event that a request to use space is made to the responsible office instead of the Event Coordination Department, the responsible office shall immediately inform the Event Coordination Department of the request. The responsible office may proceed to process the request per the terms of this policy.

- B. Timeframe for Scheduling Requests. A list of facility scheduling timelines can be found on the [Event Coordination website](#). Generally, requests for use of space must be submitted in writing at least five (5) business days in advance of the proposed use. Longer reasonable timeframes may be required for large events, events that require staffing by the University, and events that require auxiliary services. All timeframes shall be reviewed and approved annually (July) by the appropriate MTSU vice president.

If the requester also wishes to obtain auxiliary services from the University (e.g., equipment, tables, food services, etc.), use amplified sound, or serve alcohol, appropriate requests for auxiliary services should be included with the facility use request. Any deadlines set forth in policies relating to the above must also be met.

A responsible office may establish a scheduling calendar prohibiting reservations for a particular facility or group of facilities until a certain date (e.g., a responsible office may decline to accept reservations more than ninety [90] days in advance of the event). Occasional special events of significant positive impact to the University may require consideration of an exception to the normal scheduling calendar. If a specific event of special importance to the University (e.g., keynote speaker, conference host proposal, etc.) requires approval in advance of the standard calendar for accepting normal reservations, the event sponsor must seek preliminary approval from their own vice president/provost. If their own vice president/provost grants preliminary approval, then the approving vice president/provost will bring the request forward to the entire vice president/provost council for final approval, assuming space is available.

- C. Disposition of Request. Within three (3) business days after receiving any request for use of MTSU property and/or facilities, the responsible office shall notify the requester that the request has been either:
1. approved;
 2. disapproved and the reasons for the disapproval; or
 3. conditionally approved provided that the requester fulfills specified conditions. Once the conditions have been fulfilled, a notice of final approval will be provided.

Notices of approval/disapproval will be made available at the responsible office and/or Event Coordination Department. It shall be the responsibility of the requester to obtain notice of the approval/disapproval of any request submitted pursuant to this policy. As a courtesy, however, once a decision to approve/disapprove a request has been made, the responsible office will attempt to notify the requester of the decision through the means indicated on the request.

A notice of approval shall state the time and location in which the activity is allowed. A notice of disapproval of the proposed use shall state the reasons for disapproval.

- D. Written Agreement Required. In all cases where a request for access to or use of MTSU property and/or facilities is approved, such use will be subject to the execution of an appropriate written agreement regarding the conditions applicable to the approved access/use which shall include, but not be limited to, the terms and conditions set forth in this policy.
- E. Access Pursuant to T.C.A. § 8-50-1001 (State Employees). Access to and use of facilities consistent with the requirements of T.C.A. § 8-50-1001 are permitted. Meetings or gatherings conducted pursuant to this section are subject to the request procedure set

forth in this policy for the sole purpose of ensuring administrative, educational, and/or workplace functions are not interrupted.

- F. Identification. All persons on the campus of MTSU shall provide adequate identification to appropriate officials and security personnel of MTSU upon request. Personnel and students of MTSU who refuse to provide such identification may be subject to disciplinary action. Other persons who refuse to provide such identification shall be requested to leave the campus, and if they refuse, may be subject to lawful removal and prosecution.
- G. Considerations. Any denial of a request to access/use MTSU property and/or facilities shall be based solely on factors related to reasonable regulations in light of MTSU's mission and the nature of the property and/or facilities requested. Decisions to approve/disapprove any request shall be rendered in a content/viewpoint neutral manner. The responsible office shall consider, and may deny, a request based on the following criteria:
1. The request was untimely;
 2. The property and/or facilities have been previously reserved by another event with equal or higher priority (see Section IV.B.3.);
 3. The proposed use is in excess of the frequency of use limitations set forth herein;
 4. The requester or sponsor of the activity has not provided accurate or complete information required on the request for registration;
 5. The requester or sponsor of the activity has been found responsible for violation of MTSU policy during a previously registered use of campus property and/or facilities;
 6. The requester has previously violated any conditions or assurances specified in a previous request to use University facilities;
 7. The property and/or facility requested has not been designated as available for use for the time/date;
 8. The anticipated size or attendance for the event will exceed building/fire codes, established safety standards, and/or the attendance or other limitations for the property and/or facilities requested;
 9. The activity conflicts with existing contractual obligations of MTSU;
 10. The activity presents a clear and present danger for physical harm, coercion, intimidation, or other invasion of lawful rights of MTSU's officials, faculty members,

or students; the damage, destruction, or seizure and subversion of MTSU's buildings or other property; or for other campus disorder of a violent or destructive nature. In determining the existence of a clear and present danger, the responsible office shall consider all relevant factors;

11. A determination that the requested use would be contrary to local, state, or federal law, regulation, or the policies or regulations of MTSU.

H. Appeal of Denial of Request. If a requester is dissatisfied with the decision of the responsible office to deny their request for use of space, the requester may appeal that decision to the president of the University or designee.

1. The appeal shall be in writing and shall be submitted to the [Office of the University Counsel](#) within twenty-four (24) hours after the issuance of the denial. If the written appeal is not received within twenty-four (24) hours, the responsible office's denial decision is final.

2. The appealing requester must explain why they feel that the denial was inappropriate under the standards set forth in this policy. The President or designee shall determine whether the request for use of space should have been granted pursuant to the criteria set forth in this policy.

3. The requester will be informed in writing of the outcome of the appeal within twenty-four (24) hours after receipt. If additional time is needed to resolve the appeal, the president or designee shall inform the requester of the need for the extension. The decision by the president or designee will be MTSU's final decision on the request.

I. Spontaneous Outdoor Usage. Any use of generally accessible, open, outdoor areas of campus without an approved request may be terminated if:

1. The space has been reserved for use by another activity.

2. The event violates any of the applicable general conditions for use of property as set forth in Section VI.

3. The use causes a material and substantial disruption to the learning environment.

4. The use impedes pedestrian or vehicular traffic.

5. The event involves fifty (50) or more individuals including the participants and audience.

6. The event has food served, provided, or distributed by the user.

7. The event involves the use of particular equipment (e.g., tables, stages, etc.) or utilities (e.g., water, electricity, etc.).
8. The event involves amplified sound.

VI. General Conditions for Use of Property or Facilities

The following conditions, which seek to preserve MTSU's mission and consider the nature of its facilities and/or property, shall govern activities conducted pursuant to approved requests for access to or use of campus property and/or facilities. These conditions shall be enforced uniformly to all uses of campus property and/or facilities in a content and viewpoint neutral manner. MTSU shall have the right to terminate the use of campus property and/or facilities for any activity that violates any provision of this policy, other MTSU policy, local, state, or federal law or regulation.

- A. At the conclusion of any use of property and/or facilities, the property and/or facilities must be returned or relinquished to the University in the same condition as when they were provided. Any user of University property and/or facilities that fails to do so will be responsible for all expenses incurred by the University to remedy the condition of the University property and/or facilities.
- B. Events involving minors shall comply with [Policy 101 Minors Participating in University-Sponsored Programs or Programs Using University Facilities](#).
- C. Users of MTSU properties and/or facilities shall comply with the limitations as to the number of persons that may attend in accordance with appropriate building and fire codes and safety standards applicable to particular property and/or facilities at issue. These limitations are specified for each property on the [Event Coordination website](#).
- D. Possession or use of the following items is prohibited:
 1. Weapons (see [Policy 705 Weapons on Campus](#)), simulated weapons, or improvised weapons as determined by law enforcement officers in their professional judgment;
 2. Open flames, torches, fireworks, explosive devices, incendiary devices;
 3. Artificial noise making devices (unless consistent with the sound amplification policy); and
 4. Masks with the intent to intimidate others from exercising civil rights (T.C.A. § 39-17-309).

- E. Notwithstanding the prohibition stated in Section VI.D., users wishing to use such items for educational, artistic, or ceremonial purposes shall submit a written request to the responsible office at least forty-eight (48) hours in advance of the proposed use. The requested items may not be used absent approval.
- F. Users of MTSU property and/or facilities shall comply with state and federal law and all MTSU regulations, policies, or rules for the conduct of assemblies, meetings, and demonstrations.
- G. MTSU student events, as defined above, must comply with all guidelines set forth by [Policy 540 Student Conduct](#) and [Policy 560 Student Organization Registration and Recognition](#).
- H. Use of the requested property and/or facilities shall be limited to the declared purpose in the request for use of or access to campus property and/or facilities.
- I. MTSU may deny the use of its property and/or facilities to any requester who has an outstanding debt to MTSU.
- J. Users of property and/or facilities and/or their sponsor(s) are responsible for all activities associated with the event.
- K. Users of property and/or facilities and/or their sponsor(s) are responsible for all fees and costs assessed by MTSU for the event as set forth in Section VII.
- L. Fronting is prohibited. Fronting is defined as permitting an external event to use University property, facilities, and/or services under the guise that the activity is a University/student or University/student co-sponsored event in order to avoid fees. Fronting is prohibited by University policy. Anyone requesting to schedule MTSU property and/or facilities must follow the instructions and guidelines to request usage, follow the solicitation and fundraising guidelines, and pay all fees.
- M. All requesters, by applying for registration of an activity and by subsequent use after approval by MTSU, agree to indemnify MTSU and hold it harmless from any and all liabilities arising out of such use of the property and/or facilities of MTSU, including, but not limited to, personal injury, property damage, court costs, and attorney's fees. In addition, in certain situations as set forth in Section VIII., certain users may be required to provide additional bonds and insurance.
- N. All persons operating motor vehicles in conjunction with an approved use/access of campus property and/or facilities shall be subject to MTSU rules, regulations, policies, and procedures regarding traffic and parking. The MTSU rules, regulations, policies, and procedures may be obtained from the [Parking Services](#) website and [Policy 775 Traffic, Parking, and Safety Enforcement](#).

- O. Camping, access to, or use of campus property and/or facilities shall not be permitted overnight. Except in the circumstances provided below, anyone engaging in activities covered under this policy are prohibited from constructing or erecting any permanent or semi-permanent structure on MTSU property and from erecting, maintaining, or occupying any temporary sleeping equipment, including, but not limited to, tents, sleeping bags, hammocks, and other non-permanent structures, sleeping quarters, or apparatus.

The above prohibitions shall not apply in the following circumstances:

1. Erecting, maintaining, and occupying temporary sleeping equipment between the hours of 7:00 a.m. and 11:00 p.m.;
2. Maintaining or occupying a motor vehicle or trailer equipped with living space and amenities found in a home, such as a recreational vehicle, camper van, motor home, or the like, provided that:
 - a. the vehicle or trailer is licensed for use and operation and a license plate demonstrating this fact is affixed to the vehicle;
 - b. the use of the vehicle or trailer has been approved in advance by either the Blue Raider Athletic Association, Tennessee Livestock Center, or the Tennessee Miller Coliseum (collectively the "approving entity") in a manner consistent with the existing policies of the approving entity and all required fees have been paid; and
 - c. the vehicle or trailer is parked in a space for such vehicles or trailers as designated by the approving entity.
3. Maintaining or occupying motor vehicles or trailers equipped with office space or living space and amenities found in a home, such as a recreational vehicle, camper van, motor home, or the like, on MTSU property that has been leased by MTSU to another entity or on property assigned to, and under the control of, a contractor of MTSU. Activities under this paragraph must specifically be permitted by contract and/or lease and be conducted in accordance with the terms of the contract or lease;
4. Participants in events being held in unsecured or open buildings or structures, including specifically the animal barns at the Tennessee Livestock Center and the Tennessee Miller Coliseum, may erect, maintain, or occupy overnight sleeping equipment to stay overnight with belongings, including livestock, for purposes of protecting or securing said belongings. Participants shall notify the organizer of the event of their intent to remain on the premises overnight.

- P. All persons shall be subject to all MTSU, Tennessee Department of Environment and Conservation, and Environmental Protection Agency rules and regulations related to environmental protection, including illicit spills covered by MTSU's MS4 storm water permit. Questions related to these rules and regulations can be directed to MTSU's environmental engineer in [Environmental Health and Safety Services](#).
- Q. All persons are subject to the rules and regulations set forth in the [Campus Safety Handbook](#) following TOSHA and OSHA standards. This includes all aspects of production, setup, and equipment safety. The manager of each facility will be responsible for enforcing these policies and ensuring a safe working environment for the duration of the event. Activities found to be in violation of these guidelines will be stopped until the unsafe environment has been rectified.
- R. Events must comply with the Americans with Disabilities Act (ADA) and the manager of each facility will work directly with the MTSU Director for ADA compliance. Users of property and/or facilities and/or their sponsors are responsible for planning and implementing measures that provide accessibility for people with disabilities in the physical layout of the event and in the information shared by event coordinators and presenters.
- S. Enforcement. Any violation of this Policy could result in the cancelling of any scheduled use and the right of anyone to schedule future use. In such cases, the manager of each facility will be responsible for enforcing all facilities use policies and referring any alleged violations to the appropriate University official as designated below:
 - 1. Vice President for Student Affairs for alleged violations by students and/or student organizations;
 - 2. Appropriate division head for alleged violations by departments and external users.

VII. Fees and Costs

MTSU will assess certain fees or charges for specific costs and/or services provided to campus users (i.e., maintenance, janitorial, utilities, and/or security). These fees will be assessed as set forth below. All fees and costs shall be assessed to all similar uses on a content/viewpoint neutral basis.

In addition, for properties that are available for rent/lease, the facility manager, in association with the appropriate department chairperson, dean, or director, will establish facility use fees. Facility use fees are based on the type of space, the length of usage, and the competitive market rates for comparable square footage. An estimate of fees/costs will be provided to all requesters prior to the event.

All fees and rates shall be presented for approval to the MTSU Vice President Council and will be reviewed and adjusted annually prior to the start of the fiscal year.

- A. Fee Definitions and Amounts. The following fees, defined below, may be assessed to users of MTSU property and/or facilities.
 - 1. Direct Cost. Any cost that is incurred as a direct result of the event occupying the facility including additional services set forth below in Section VII.B. The amounts of these fees (flat rates and/or hourly rates) are listed on the [Event Coordination website](#). All Event Types are subject to these costs.
 - 2. Rental. A room user fee (i.e., occupancy or lease rate). The amount of these fees is set forth on the [Event Coordination website](#). Only external events are subject to these costs.
- B. Additional Services. Users who require additional services shall use services provided by MTSU, unless written permission is granted in advance. Absent such written permission, outside services are absolutely prohibited. These services include, but are not limited to, production services, custodial services, grounds services, University Police, and parking services. The user may be required to execute a separate agreement applying to this use and shall pay the fees and costs associated with such services. A schedule of fees for certain commonly used services is provided on the [Event Coordination website](#).
- C. Food Service. Food and catering shall be permitted for all event type definitions and is subject to the provisions of [Policy 661 Food and Beverages](#).
- D. Security. Event security will be provided in a manner consistent with the security staffing requirements of the University Police Department provided that MTSU will not charge security fees based on the content of speech or the anticipated reaction or opposition of listeners to the content of the speech. If client requests additional security beyond that dictated by the staffing requirements of University Police, additional security may be provided as available and charged to the client as a direct cost.
- E. Payment of Fees. Unless stated otherwise on the [Event Coordination website](#), the following shall apply to all fee payments under this policy:
 - 1. Sponsored and co-sponsored events. The MTSU department/organization sponsoring the event/activity will accept responsibility for all applicable fees. A security deposit to ensure fiscal responsibility will be required by the facility manager utilizing these general guidelines.
 - a. Estimated direct cost charges under fifty dollars (\$50.00) are due at receipt of confirmation to hold reservation and are non-refundable.

- b. Estimated direct cost charges under five hundred dollars (\$500.00) require a non-refundable reservation deposit of fifty dollars (\$50.00) due at receipt of confirmation to hold reservation.
 - c. Estimated direct cost charges more than five hundred dollars (\$500.00) require a non-refundable reservation deposit of ten percent (10%) of charges due at receipt of confirmation to hold reservation.
2. External Events. A non-refundable ten percent (10%) deposit is required at receipt of confirmation to hold the reservation. All user fees, estimated direct costs, and administrative fees must be paid prior to the beginning of the event.

VIII. Insurance and Bonds

Insurance may be waived for any external event using campus property and/or facilities if the use is for a meeting such as a conference, dinner, presentation, speaker, etc., lasting no longer than one (1) day. MTSU reserves the right in its sole discretion to require insurance and/or a performance bond if it determines there may be a concern for personal or public health or safety. Factors used to determine the requirement of insurance and/or a performance bond include, but are not limited to, the nature and use of particular facilities, the age of event participants, and the anticipated event size or attendance for any use of campus property and/or facilities. If insurance and/or a performance bond will be required, appropriate levels of coverage and minimum limits shall be enumerated pursuant to contract. Proof of compliance with this provision may be required in advance of an event. This provision shall be applied and enforced in a content/viewpoint neutral manner.

IX. Distribution of Literature or Advertising Material, Solicitation, Advertising, Bulletin Boards and Signage

A. Distribution of Literature or Advertising Material

1. Any digital asset or literature that is distributed or sold and any advertisement shall comply with all applicable local, state, and federal laws and regulations as well as the rules and policies of MTSU. Advertising placements must be approved or created by the Division of Marketing and Communications before the ad is submitted for placement.
2. No obscene literature or material, as defined by law, shall be distributed on any property owned or leased by MTSU.
3. Campus property and/or facilities may not be used for the conduct of commercial activities (including distribution of commercial advertising material) except when engaged in a business relationship, pursuant to a contract, with MTSU and/or when a rental or lease agreement is in place specifically for such temporary purpose.

4. Non-MTSU-related literature, advertising material, or other printed matter shall not be distributed in the following locations:
 - a. Classrooms, library, or other academic buildings or facilities.
 - b. Administrative and employee offices and work areas.
 - c. Student residence halls, dormitories, or apartment buildings.
 - d. Placing flyers on vehicles parked on the MTSU campus.
 - e. Utility poles, trees, walls, buildings, sidewalks, streets, or other objects on campus, unless as part of an officially sanctioned University event or activity.

This shall not restrict a faculty or staff member from distributing within the classroom non-commercial material related to the particular course or subject matter or to MTSU generally.

5. MTSU will permit the sale or distribution of literature, non-commercial solicitations, or advertising in designated locations within the lobbies or other campus facilities designated for placement of literature for distribution or sale for the duration of a contractual agreement.
 6. MTSU shall have the right to terminate the distribution or sale of literature by anyone that violates the provisions of this policy.
 7. Nothing in this section should be construed to limit the rights of access to State employees set forth in T.C.A. § 8-50-1001.
 8. Any literature distributed by commercial or external client may not incorporate the official marks of MTSU unless expressly approved and permitted by the Division of Marketing and Communications.
 9. Social Network and Media guidelines and processes outlined in [Policy 150 Social Networking and Media](#) must be followed.
- B. Solicitations. Unless otherwise provided, solicitation for the purpose of entering or consummating a commercial transaction on any property owned or used by MTSU is prohibited. Solicitation for other than a commercial purpose is prohibited unless expressly provided for by MTSU policy or approved by the president or designee.
1. General Requirements:

- a. MTSU may require anyone to stipulate and verify the use, application, or disposition of funds solicited on campus property.
 - b. Solicitations shall be permitted only in those areas designated for such activity by MTSU. A list of facility contacts can be found on the [Event Coordination website](#).
2. Permitted Activities. The following solicitations are permitted on MTSU's property and/or facilities.
- a. Fundraising. Activities or events engaged in by departments, offices, or officially recognized student organizations for the purpose of raising funds to meet expenses of the department or organization are permitted, provided that funds raised by such activities or events shall be used for the benefit of the University or organization, and no funds shall be distributed to the officers, members, or any individual for personal profit or use. Fundraising by student organizations shall also be subject to [Policy 540 Student Conduct](#) and [Policy 560 Student Organization Registration and Recognition](#) and [Student Organization Handbook](#).
 - b. Solicitation of Membership. Solicitation of dues and/or membership in a MTSU official organization approved by the president or officially recognized student organizations. Solicitation by student organizations shall also be subject to [Policy 560 Student Organization Registration and Recognition](#).
 - c. Sales and Solicitation. MTSU property and/or facilities may not be used for the conduct of commercial solicitation, on-site sales, or other profit-making activities except when a license or lease agreement exists; the activity is conducted in accordance with any other valid contract or agreement with MTSU; the commercial solicitation, on-site sales, or other profit-making activity takes place pursuant to an agreement; and/or is sponsored by an officially recognized student organization for the purpose of raising funds to support the organization's activities.

No sales or solicitation will be approved under this policy if the activity conflicts with any contractual obligations of MTSU. Agreements between external vendors sponsored by MTSU and an officially recognized student organization to engage in commercial solicitations, on-site sales, or other profit-making activities are subject to the following conditions:

- (1) No student organization will be permitted to sponsor the same external vendor more than two (2) days per month.
- (2) Requests from student organizations to sponsor an external vendor must be approved by the Assistant Vice President for Student Affairs or designee.

- (3) Permission to sponsor an external vendor may be denied if the presence of such vendor would be disruptive, would interfere with any aspect of MTSU's operations, or would detract from the orderly and aesthetic appearance of the campus.
 - (4) External vendors sponsored by MTSU or a student organization are strictly prohibited from engaging in conduct that is unduly intrusive in their interactions with students, staff, or faculty, or otherwise harasses, disturbs, or interferes with the rights of students, staff, and faculty to the use and enjoyment of university property and/or facilities.
 - (5) External vendors sponsored by student organizations may be required to show proof of compliance with all state and local laws and ordinances governing their activities.
- d. Charitable Funds. Solicitation of charitable funds shall be governed by the provisions of [Policy 170 Charitable Solicitations](#).

C. Advertising

1. No advertising signs, posters, or other materials may be placed on any campus property and/or facility by any external individual or event, except that MTSU may permit advertising on specifically designated bulletin boards, digital signage, and other designated locations on campus with prior permission. University departments and officially recognized organizations may place advertising materials on campus property but only in such places as are designated by MTSU. A list of facility contacts can be found on the [Event Coordination website](#).
2. MTSU may authorize the inclusion of advertisements in appropriate campus publications or on other campus property (e.g., scoreboards, buses, etc.) for a reasonable fee. These materials should be produced by MTSU's on-campus printing facilities whenever possible.
3. MTSU may permit limited advertising by groups, organizations, or individuals when incidental to a donation of property or services to MTSU or pursuant to a contract with MTSU. Any advertising by external individuals or events may not incorporate the official marks of MTSU unless expressly approved and permitted by the Division of Marketing and Communications.
4. The name and/or mark of MTSU may be used by external events only upon provision of the mark by the Division of Marketing and Communications, prior review, and approval from the Division of Marketing and Communications and should be done only when there is a contractual relationship between MTSU and the external group.

Registered MTSU marks cannot be used by vendors unless they are licensed to do so. All MTSU and external users must abide by MTSU's branding style guide found on the [Creative Marketing Solutions website](#).

- D. Bulletin Boards/Digital Signage. Most bulletin boards are reserved for official MTSU business and are not available for postings. Facility contacts will assist with directing anyone to the appropriate approving office and a list can be found on the [Event Coordination website](#). Designated digital signs in certain campus multiple-use locations may be available to post event announcements by submitting appropriate files to the Information Technology Division. Further details can be found under [Digital Signage Content Guidelines](#). Nothing in the guidelines should be construed to limit the rights for access to State employees set forth in T.C.A. § 8-50-1001.
- E. Temporary Signage. Temporary signage includes any sign or display placed on any campus property that is not permanently installed by Facilities Services or contracted by the University. This includes, but is not limited to, directional signs, yard signs, sandwich boards, A-frames, feather flags, sidewalk stickers, posters, and banners. Only University Departments and/or officially recognized student organizations are authorized to display temporary signs on University property under the Temporary Signage Guidelines.
- F. Videoing. Anyone seeking to video or film on the campus of MTSU must contact the office of News and Media Relations for permission. Requestors should factor in ten (10) – fourteen (14) days for obtaining approval, and approval is never guaranteed. Details on such requests, including contractual requirements, can be found in the Video and Filming Guidelines.

X. Exceptions.

Exceptions to this Policy may be made by the President of the University or their designee. Exceptions may be made only if the proposed use is consistent with this policy and MTSU's mission.

XI. Notice of Policy

The MTSU Event Coordination Department and all responsible offices set forth in this policy shall maintain a copy of this policy for inspection by anyone interested in the use of campus property and/or facilities and shall provide a copy of such policy upon request.

Forms:

Properties/Facilities Available for Use

User Fees

[Sidewalks and Right of Ways](#)

Revisions: June 5, 2017 (original); June 12, 2018; _____, 2022.

Last Reviewed: _____ 2022.

References: MTSU Policies 101 Minors Participating in University-Sponsored Programs or Programs Using University Facilities; 103 Free Speech on Campus; 150 Social Networking and Media; 170 Charitable Solicitations; 540 Student Conduct; 560 Student Organization Registration and Recognition; 661 Food and Beverages; 705 Weapons on Campus; 775 Traffic, Parking, and Safety Enforcement; T.C.A. § 8-50-1001, 39-17-309, 49-7-2401 *et seq.*



**Middle Tennessee State University
Board of Trustees**

Action Item

MEETING: Fall Quarterly Board Meeting
DATE: September 13, 2022
SUBJECT: **Rule Promulgation and Related Policy Revision**

BACKGROUND INFORMATION:

- a. Policy 775 Traffic, Parking, and Safety Enforcement
- b. Rule 0240-07-03 Traffic, Parking, and Safety Enforcement – Amendment

Policy 775 Traffic, Parking, and Safety Enforcement is being revised to update reserved parking area times and locations to correspond with the information contained in the MTSU Parking Handbook.

Rule 0240-07-03 Traffic, Parking, and Safety Enforcement – Amendment is presented as an amendment that captures the revised version of Policy 775 Traffic, Parking, and Safety Enforcement.



775 Traffic, Parking, and Safety Enforcement

Approved by Board of Trustees

Effective Date: ~~August 15, 2019~~ _____, 2022

Responsible Division: Business and Finance

Responsible Office: Administration

Responsible Officer: Assistant Vice President, Administration

I. Purpose

This policy will define Middle Tennessee State University (MTSU or University) traffic, parking, and safety enforcement. It will facilitate the orderly and efficient flow of traffic on the MTSU campus and property owned by MTSU, endeavor to provide a safe atmosphere for both pedestrians and vehicle operators and provide order with regard to parking within limited space.

II. Scope

MTSU reserves the right to regulate the use and/or parking of all vehicles on its campus or on property owned by MTSU in accordance with this policy and to forbid the use of a vehicle by any person whose operation of the vehicle fails to comply with University policies, City of Murfreesboro ordinances, and/or Tennessee state laws pertaining to vehicles.

III. Definitions

- A. Campus. The main MTSU campus and any additional property owned by the University.
- B. Vehicle. Any self-propelled vehicle, including, but not limited to, automobiles, motorcycles, scooters, mopeds, and golf carts capable of exceeding twenty-five (25) miles per hour over level, paved surfaces.
- C. Visitor. Any person on the campus who is not a current student, member of the faculty, staff, or administration.

IV. Registration of Vehicles and Parking Permits

- A. All students and employees must register vehicles they park on campus with the MTSU Parking and Transportation Services Office by purchasing a parking permit. Any vehicle

parked on campus must display a current and valid parking permit. Failure to do so may result in the issuance of a parking citation.

- B. The acceptance by any person of a parking permit, whether temporary or permanent, shall constitute the acceptance of the rules, policies, ordinances, and/or laws governing the safe and responsible operation and parking of a vehicle on campus.
- C. The cost of parking permits, together with appropriate information sufficient to justify the amount, shall be submitted for review and approval to the MTSU Board of Trustees (Board). Once adopted or amended, parking permit costs, along with requirements, limitations and procedures for securing parking permits, shall be affirmatively communicated to the MTSU faculty, staff, and students through the [Parking Services website](#), and the Traffic and Parking Regulations handbook.
- D. Parking permits may be denied for any student or employee who has outstanding fines from prior semester(s) until they are paid in full. The first citation issued to an employee for an expired parking permit may result in towing of the vehicle.
- E. Parking permits are issued to students only after all registration fees are paid.
- F. The MTSU parking permit must be properly attached to the front windshield in the extreme lower corner on the driver's side or hung from the rearview mirror of the vehicle with the decal number facing the outside of the vehicle and clearly readable. In those cases where compliance with the above is not feasible, the parking permit must be clearly visible when viewing the vehicle or the parking permit holder must consult with Parking and Transportation Services for proper placement of the parking permit.
- G. The parking permit holder will be responsible for parking violations received by any vehicle bearing his/her parking permit.
- H. It is considered fraudulent for a registered parking permit holder to give his/her parking permit to another person. Parking permits are transferable from vehicle to vehicle provided that the vehicles are registered under the same account. Parking permits are not transferable from person to person. When a parking permit is reported as lost or stolen, but is found in another vehicle on campus, an inquiry will be made into the parking permit. If it is found that an individual reported a parking permit lost or stolen, but in fact gave the parking permit to another individual for use, both parties may be cited with a fine for their actions.
- I. Temporary Parking Permits may be issued to employees, students, and visitors as identified on the [Parking Services](#) website.
- J. Visitors, including family members of employees or students, must park at meters or register their vehicles with Parking and Transportation Services by obtaining a

temporary parking permit. Failure to comply may result in the vehicle being issued a "No Campus Permit" citation, and the fine may not be waived.

- K. Disabled Parking Permits. Any person, whether student or employee, may apply for disabled parking privileges.
 - 1. To obtain an MTSU Disabled Parking Permit, persons must have a state-issued disabled license plate or placard and must provide proof of its ownership.
 - 2. Temporary disabled permits will be issued for injuries or disabilities for a period not to exceed one (1) semester or four (4) consecutive months (whichever is of the greatest benefit to the individual requesting the permit), provided that the request is accompanied by a physician's statement certifying the impairment.
 - a. Those with MTSU-issued temporary parking permits must park in white or green spaces only. The blue disabled parking spaces are reserved for those holding permanent disabled parking permits.
 - b. Those holding temporary state-issued disabled placards may also park in the blue disabled parking spaces.
 - 3. The individual to whom the disabled license plate or placard has been issued must be using the vehicle in order for the vehicle to be parked in the disabled space. The owner of the parking permit or owner of the vehicle may be charged the maximum fine allowed by law for improper use of a disabled placard or license plate.
 - 4. Pursuant to T.C.A. § 55-21-108, fines for violating the disabled parking law cannot be suspended or waived.
- L. Parking permit colors. The area authorized for parking is denoted by the color of the parking permit.
 - 1. White - Available to faculty/administrators/staff (including resident directors and graduate assistants).
 - 2. Green - Available to commuter students.
 - 3. Blue - Available to students and employees with qualified disabilities.
 - 4. Red - Available to on-campus residents.
- M. The following parking spaces are reserved as noted:

1. Disabled Parking, ~~Health Services, Library staff,~~ Housing staff, ~~All Residential P~~parking areas, Maintenance spaces, President, Vice Presidents, University Deans – reserved twenty-four (24) hours a day.
 2. Speech Clinic spaces, CDC Parent spaces in Fairview parking lot – reserved Monday through Thursday, from 8:00 a.m. to 4:00 p.m.
 3. [Health Services reserved 7:00 a.m. to 5:00 p.m.](#)
 4. [Library Staff reserved 6:30 p.m. to 11:00 p.m.](#)
 5. [Recording Industry reserved 6:00 p.m. to 10:00 p.m.](#)
- N. Parking is allowed only in clearly designated parking spaces. Only one (1) vehicle is permitted to park per space. In gravel lots, legal parking spaces are designated by concrete bumper blocks, except for those painted yellow.
- O. All students and employees are to park in their assigned areas, Monday through Friday, 7:00 a.m. to ~~4~~5:30 p.m., ~~except for the following streets and parking lots which will open for all permitted parking at 6:30 p.m.:~~
- ~~1. Old Main Circle and Faulkenberry Drive (on-street parking)~~
 - ~~2. Davis Science Lot~~
 - ~~3. Honors Lot~~
 - ~~4. Founders Lot~~
- P. If a parking permit is lost or stolen, a "Parking Permit Loss Report" must be provided to Parking and Transportation Services along with a replacement fee to obtain a new parking permit.
- Q. Damaged parking permits must be replaced within three (3) business days.
- R. The operator of any disabled vehicle parked in violation of University policies must report the vehicle immediately to Parking and Transportation Services. Failure to report may result in traffic citations and/or towing. The vehicle must be called in each day it is disabled and parked in violation of University policies.
- S. No personal recreational or work travel trailers should be parked or stored on campus property, except as authorized.

- T. Advertising vehicles "For Sale" in University parking lots is prohibited. Any vehicle identified for such wrongful display for a period of forty-eight (48) hours or more will be identified as a disabled vehicle and may result in traffic citations and/or towing.

V. Operation of Vehicle Enforcement

- A. All Tennessee laws, City of Murfreesboro ordinances, and University policies pertaining to vehicles are applicable twenty-four (24) hours a day, unless otherwise noted.
- B. Operators of vehicles on MTSU property must obey all traffic rules, regulations, posting, or directions, regardless of whether the rule, regulation, posting, or direction is included in this policy.
- C. Moving violations will be charged to the operator of the vehicle at the time of the violation.
- D. Speed limits are posted throughout the campus. All speed limits are radar enforced.
- E. Passing on campus is prohibited.
- F. All vehicles must come to a complete stop at intersections where a stop sign (either mounted on a post or painted on the street surface) is displayed.
- G. Motorists are to yield the right-of-way to all pedestrians in a cross walk.
- H. Upon the immediate approach of an authorized emergency vehicle making use of audible and visual signals, or a police vehicle properly and lawfully making use of an audible signal only, the drivers of all other vehicles shall yield the right-of-way and shall immediately drive to a position parallel to, or as close as possible to, the right hand edge or curb of any intersection and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.
- I. All persons riding on a motorcycle, either as operator or passenger, must wear a helmet of the type approved by the Commissioner of Safety for the State of Tennessee.
- J. All vehicles must come to a complete stop for a school bus loading or unloading children.
- K. Any person who drives in willful and wanton disregard for the safety of persons or property will be considered to have engaged in reckless driving.
- L. The driver of any vehicle shall obey the instructions of any official traffic-control device unless otherwise directed by a traffic or police officer.

- M. U-turns are prohibited on the campus.
- N. Loud mufflers, cut-outs, and any other noise-making devices attached to or located within or on any vehicle are prohibited.
- O. Excessive loud playing of radios and stereos in vehicles is prohibited. The playing shall be deemed excessively loud if it is disturbing the academic environment of the campus.

VI. Towing/Booting of Vehicles

- A. Vehicles may be towed/booted if the vehicle is parked or left in violation of University policies, City of Murfreesboro ordinances, and/or Tennessee laws pertaining to motor vehicles, if said vehicle constitutes a traffic/pedestrian hazard if five (5) or more traffic/parking citations were issued in a semester, or other violations found on the Parking Services website. The owner/parking permit holder of the vehicle will be responsible for any fines assessed against the vehicle and the cost of towing/booting.
- B. Any person whose vehicle is impounded may appeal such action as provided below in Section XI and on the [Parking Services](#) website.
- C. If a boot is removed by the owner/parking permit holder of the vehicle and damaged, the owner/parking permit holder will be responsible for the cost of the boot as well as the fine and boot removal fee. The owner/parking permit holder of the vehicle may be prosecuted if a boot is improperly removed or damaged.

VII. Violations and Penalties

- A. Fines may be assessed for violations found on the [Parking Services website](#). Fines may be set as determined by MTSU but will not exceed the amounts imposed by Tennessee law or local ordinance for the same offenses. Such fines are subject to the prior review and approval of the Board. Proposed fines shall be submitted to the Board together with information sufficient to justify the amount of the fine. Such information shall include consideration of fines for the same offense set by Tennessee law or local ordinance, fines for the same offense at similarly situated institutions, association to enforcement costs at the institution, and/or the unique traffic or parking considerations at each institution. Once adopted or amended, all fines shall be affirmatively communicated to the faculty, staff, and students through the Parking Services website and the Traffic and Parking Regulations handbook.
- B. Citations may be given every four (4) hours. No more than two (2) citations will be issued per day for the same violation at the same location. This does not apply to being parked at parking meters.

- C. Overtime parking citations (meters) may be issued every hour.
- D. All fines are to be paid at the Business Office in the Student Services and Admissions Center, Monday through Friday, 8:00 a.m.-4:00 p.m.
- E. Any student with unpaid parking fines may not receive grades or transcripts or be able to register for the next semester until the fines are paid.
- F. A parking permit may be revoked for repeated or flagrant parking or moving vehicle violations. Additionally, a parking permit may be revoked for:
 - 1. operating a vehicle while impaired;
 - 2. leaving the scene of an accident;
 - 3. failure to yield the right-of-way to an emergency vehicle when displaying its emergency lights; or
 - 4. failure to obey an officer directing traffic.

VIII. Visitors

- A. Visitors are subject to the policies, ordinances, and laws pertaining to vehicles while on the campus. Violation of such may result in a citation and/or towing of the vehicle.
- B. All visitors are requested to use parking meters or obtain a visitor's parking permit at either the Parking and Transportation Services Office or its website. Visitor parking permits may not be issued to vehicles registered to current students or employees. See [Visitor Parking](#) website.
- C. Upon securing a visitor parking permit, visitors may park in the Visitor Lot, or any white, red, green, or blue color-coded space that is not marked as reserved.
- D. Requests for special guest parking permits should be submitted to the Parking and Transportation Services Office as far in advance as possible. Special event parking requests should be submitted at least seven (7) calendar days in advance.

IX. Resident Parking

- A. All on-campus residents seeking to park a vehicle on campus are required to obtain a parking permit according to their residential area. A maximum of two (2) parking permits may be obtained by any family residing at Womack Lane Apartments.

- B. Any on-campus resident who holds a valid MTSU Blue parking permit may park in any clearly marked **b**Blue, **w**White, **r**Red, or **g**Green parking space as well as the parking meters.
- C. Any resident who holds a valid MTSU White parking permit may park in any clearly marked **w**White, **R**red, or **G**green permit parking area.

X. Bicycles on Campus

- A. All bicycles on MTSU property must be operated in accordance with all traffic rules, regulations, postings, or directions, regardless of whether the rule, regulation, posting, or direction is included in this policy.
- B. Employees and students using bicycles on campus must register them with Parking and Transportation Services to ensure proper return if recovered after theft, confiscation due to illegal or improper parking, or abandonment.
- C. Bicycle racks are available throughout campus for bicycle parking. Bicycles may not be parked in any other areas not designated for such parking.
- D. Bicycles that are inappropriately parked, in a state of disrepair (flat tires, bent rims, broken chains, etc.) or abandoned (appearance of non-use, etc.) are subject to impoundment.

XI. Appeal of Citations

- A. Any MTSU student, other than a student holding a faculty/administrative/staff parking permit, who receives a parking/traffic citation may appeal the citation within fifteen (15) calendar days of issuance by going to the [SGA website](#) which provides the specific hearing procedures.
- B. Any MTSU employee or campus visitor holding a faculty/administrative/staff parking permit who receives a citation may appeal the citation within fifteen (15) calendar days of issuance by filing an appeal form or by going to the [Parking Services](#) website. Specific hearing procedures are described at the website.
- C. Any MTSU student or employee who has his/her vehicle towed may appeal such action as indicated above. This can be done only after the vehicle has been secured from impoundment and within seven (7) calendar days of the towing date.
- D. All appeal decisions are available on the Parking Services website. Individuals who have appealed will also be notified of the appeal decision through the email address provided with the appeal. The appeal decision is final.

- E. The payment of citations will in no way restrict the Office of Student Conduct or the University Parking and Traffic Committee from revoking parking privileges.

Forms: none.

Revisions: June 5, 2017 (original); March 27, 2018; August 15, 2019; , 2022.

Last Reviewed: ~~August 2019~~ 2022.

References: T.C.A. § 55-21-108.



775 Traffic, Parking, and Safety Enforcement

Approved by Board of Trustees

Effective Date: _____, 2022

Responsible Division: Business and Finance

Responsible Office: Administration

Responsible Officer: Assistant Vice President, Administration

I. Purpose

This policy will define Middle Tennessee State University (MTSU or University) traffic, parking, and safety enforcement. It will facilitate the orderly and efficient flow of traffic on the MTSU campus and property owned by MTSU, endeavor to provide a safe atmosphere for both pedestrians and vehicle operators and provide order with regard to parking within limited space.

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III. Definitions

- A. Campus. The main MTSU campus and any additional property owned by the University.
- B. Vehicle. Any self-propelled vehicle, including, but not limited to, automobiles, motorcycles, scooters, mopeds, and golf carts capable of exceeding twenty-five (25) miles per hour over level, paved surfaces.
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IV. Registration of Vehicles and Parking Permits

- A. All students and employees must register vehicles they park on campus with the MTSU Parking and Transportation Services Office by purchasing a parking permit. Any vehicle

parked on campus must display a current and valid parking permit. Failure to do so may result in the issuance of a parking citation.

- B. The acceptance by any person of a parking permit, whether temporary or permanent, shall constitute the acceptance of the rules, policies, ordinances, and/or laws governing the safe and responsible operation and parking of a vehicle on campus.
- C. The cost of parking permits, together with appropriate information sufficient to justify the amount, shall be submitted for review and approval to the MTSU Board of Trustees (Board). Once adopted or amended, parking permit costs, along with requirements, limitations and procedures for securing parking permits, shall be affirmatively communicated to the MTSU faculty, staff, and students through the [Parking Services website](#), and the Traffic and Parking Regulations handbook.
- D. Parking permits may be denied for any student or employee who has outstanding fines from prior semester(s) until they are paid in full. The first citation issued to an employee for an expired parking permit may result in towing of the vehicle.
- E. Parking permits are issued to students only after all registration fees are paid.
- F. The MTSU parking permit must be properly attached to the front windshield in the extreme lower corner on the driver's side or hung from the rearview mirror of the vehicle with the decal number facing the outside of the vehicle and clearly readable. In those cases where compliance with the above is not feasible, the parking permit must be clearly visible when viewing the vehicle or the parking permit holder must consult with Parking and Transportation Services for proper placement of the parking permit.
- G. The parking permit holder will be responsible for parking violations received by any vehicle bearing his/her parking permit.
- H. It is considered fraudulent for a registered parking permit holder to give his/her parking permit to another person. Parking permits are transferable from vehicle to vehicle provided that the vehicles are registered under the same account. Parking permits are not transferable from person to person. When a parking permit is reported as lost or stolen, but is found in another vehicle on campus, an inquiry will be made into the parking permit. If it is found that an individual reported a parking permit lost or stolen, but in fact gave the parking permit to another individual for use, both parties may be cited with a fine for their actions.
- I. Temporary Parking Permits may be issued to employees, students, and visitors as identified on the [Parking Services](#) website.
- J. Visitors, including family members of employees or students, must park at meters or register their vehicles with Parking and Transportation Services by obtaining a

temporary parking permit. Failure to comply may result in the vehicle being issued a "No Campus Permit" citation, and the fine may not be waived.

- K. Disabled Parking Permits. Any person, whether student or employee, may apply for disabled parking privileges.
1. To obtain an MTSU Disabled Parking Permit, persons must have a state-issued disabled license plate or placard and must provide proof of its ownership.
 2. Temporary disabled permits will be issued for injuries or disabilities for a period not to exceed one (1) semester or four (4) consecutive months (whichever is of the greatest benefit to the individual requesting the permit), provided that the request is accompanied by a physician's statement certifying the impairment.
 - a. Those with MTSU-issued temporary parking permits must park in white or green spaces only. The blue disabled parking spaces are reserved for those holding permanent disabled parking permits.
 - b. Those holding temporary state-issued disabled placards may also park in the blue disabled parking spaces.
 3. The individual to whom the disabled license plate or placard has been issued must be using the vehicle in order for the vehicle to be parked in the disabled space. The owner of the parking permit or owner of the vehicle may be charged the maximum fine allowed by law for improper use of a disabled placard or license plate.
 4. Pursuant to T.C.A. § 55-21-108, fines for violating the disabled parking law cannot be suspended or waived.
- L. Parking permit colors. The area authorized for parking is denoted by the color of the parking permit.
1. White - Available to faculty/administrators/staff (including resident directors and graduate assistants).
 2. Green - Available to commuter students.
 3. Blue - Available to students and employees with qualified disabilities.
 4. Red - Available to on-campus residents.
- M. The following parking spaces are reserved as noted:
1. Disabled Parking, Housing staff, all Residential parking areas, Maintenance spaces, President, Vice Presidents, University Deans – reserved twenty-four (24) hours a day.

2. Speech Clinic spaces, CDC Parent spaces in Fairview parking lot – reserved Monday through Thursday, from 8:00 a.m. to 4:00 p.m.
 3. Health Services reserved 7:00 a.m. to 5:00 p.m.
 4. Library Staff reserved 6:30 p.m. to 11:00 p.m.
 5. Recording Industry reserved 6:00 p.m. to 10:00 p.m.
- N. Parking is allowed only in clearly designated parking spaces. Only one (1) vehicle is permitted to park per space. In gravel lots, legal parking spaces are designated by concrete bumper blocks, except for those painted yellow.
- O. All students and employees are to park in their assigned areas, Monday through Friday, 7:00 a.m. to 4:30 p.m.
- P. If a parking permit is lost or stolen, a "Parking Permit Loss Report" must be provided to Parking and Transportation Services along with a replacement fee to obtain a new parking permit.
- Q. Damaged parking permits must be replaced within three (3) business days.
- R. The operator of any disabled vehicle parked in violation of University policies must report the vehicle immediately to Parking and Transportation Services. Failure to report may result in traffic citations and/or towing. The vehicle must be called in each day it is disabled and parked in violation of University policies.
- S. No personal recreational or work travel trailers should be parked or stored on campus property, except as authorized.
- T. Advertising vehicles "For Sale" in University parking lots is prohibited. Any vehicle identified for such wrongful display for a period of forty-eight (48) hours or more will be identified as a disabled vehicle and may result in traffic citations and/or towing.

V. Operation of Vehicle Enforcement

- A. All Tennessee laws, City of Murfreesboro ordinances, and University policies pertaining to vehicles are applicable twenty-four (24) hours a day, unless otherwise noted.
- B. Operators of vehicles on MTSU property must obey all traffic rules, regulations, posting, or directions, regardless of whether the rule, regulation, posting, or direction is included in this policy.

- C. Moving violations will be charged to the operator of the vehicle at the time of the violation.
- D. Speed limits are posted throughout the campus. All speed limits are radar enforced.
- E. Passing on campus is prohibited.
- F. All vehicles must come to a complete stop at intersections where a stop sign (either mounted on a post or painted on the street surface) is displayed.
- G. Motorists are to yield the right-of-way to all pedestrians in a cross walk.
- H. Upon the immediate approach of an authorized emergency vehicle making use of audible and visual signals, or a police vehicle properly and lawfully making use of an audible signal only, the drivers of all other vehicles shall yield the right-of-way and shall immediately drive to a position parallel to, or as close as possible to, the right hand edge or curb of any intersection and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.
- I. All persons riding on a motorcycle, either as operator or passenger, must wear a helmet of the type approved by the Commissioner of Safety for the State of Tennessee.
- J. All vehicles must come to a complete stop for a school bus loading or unloading children.
- K. Any person who drives in willful and wanton disregard for the safety of persons or property will be considered to have engaged in reckless driving.
- L. The driver of any vehicle shall obey the instructions of any official traffic-control device unless otherwise directed by a traffic or police officer.
- M. U-turns are prohibited on the campus.
- N. Loud mufflers, cut-outs, and any other noise-making devices attached to or located within or on any vehicle are prohibited.
- O. Excessive loud playing of radios and stereos in vehicles is prohibited. The playing shall be deemed excessively loud if it is disturbing the academic environment of the campus.

VI. Towing/Booting of Vehicles

- A. Vehicles may be towed/booted if the vehicle is parked or left in violation of University policies, City of Murfreesboro ordinances, and/or Tennessee laws pertaining to motor

vehicles, if said vehicle constitutes a traffic/pedestrian hazard if five (5) or more traffic/parking citations were issued in a semester, or other violations found on the Parking Services website. The owner/parking permit holder of the vehicle will be responsible for any fines assessed against the vehicle and the cost of towing/booting.

- B. Any person whose vehicle is impounded may appeal such action as provided below in Section XI and on the [Parking Services](#) website.
- C. If a boot is removed by the owner/parking permit holder of the vehicle and damaged, the owner/parking permit holder will be responsible for the cost of the boot as well as the fine and boot removal fee. The owner/parking permit holder of the vehicle may be prosecuted if a boot is improperly removed or damaged.

VII. Violations and Penalties

- A. Fines may be assessed for violations found on the [Parking Services website](#). Fines may be set as determined by MTSU but will not exceed the amounts imposed by Tennessee law or local ordinance for the same offenses. Such fines are subject to the prior review and approval of the Board. Proposed fines shall be submitted to the Board together with information sufficient to justify the amount of the fine. Such information shall include consideration of fines for the same offense set by Tennessee law or local ordinance, fines for the same offense at similarly situated institutions, association to enforcement costs at the institution, and/or the unique traffic or parking considerations at each institution. Once adopted or amended, all fines shall be affirmatively communicated to the faculty, staff, and students through the Parking Services website and the Traffic and Parking Regulations handbook.
- B. Citations may be given every four (4) hours. No more than two (2) citations will be issued per day for the same violation at the same location. This does not apply to being parked at parking meters.
- C. Overtime parking citations (meters) may be issued every hour.
- D. All fines are to be paid at the Business Office in the Student Services and Admissions Center, Monday through Friday, 8:00 a.m.-4:00 p.m.
- E. Any student with unpaid parking fines may not receive grades or transcripts or be able to register for the next semester until the fines are paid.
- F. A parking permit may be revoked for repeated or flagrant parking or moving vehicle violations. Additionally, a parking permit may be revoked for:
 - 1. operating a vehicle while impaired;

2. leaving the scene of an accident;
3. failure to yield the right-of-way to an emergency vehicle when displaying its emergency lights; or
4. failure to obey an officer directing traffic.

VIII. Visitors

- A. Visitors are subject to the policies, ordinances, and laws pertaining to vehicles while on the campus. Violation of such may result in a citation and/or towing of the vehicle.
- B. All visitors are requested to use parking meters or obtain a visitor's parking permit at either the Parking and Transportation Services Office or its website. Visitor parking permits may not be issued to vehicles registered to current students or employees. See [Visitor Parking](#) website.
- C. Upon securing a visitor parking permit, visitors may park in the Visitor Lot, or any white, red, green, or blue color-coded space that is not marked as reserved.
- D. Requests for special guest parking permits should be submitted to the Parking and Transportation Services Office as far in advance as possible. Special event parking requests should be submitted at least seven (7) calendar days in advance.

IX. Resident Parking

- A. All on-campus residents seeking to park a vehicle on campus are required to obtain a parking permit according to their residential area. A maximum of two (2) parking permits may be obtained by any family residing at Womack Lane Apartments.
- B. Any on-campus resident who holds a valid MTSU Blue parking permit may park in any clearly marked blue, white, red, or green parking space as well as the parking meters.
- C. Any resident who holds a valid MTSU white parking permit may park in any clearly marked white, red, or green permit parking area.

X. Bicycles on Campus

- A. All bicycles on MTSU property must be operated in accordance with all traffic rules, regulations, postings, or directions, regardless of whether the rule, regulation, posting, or direction is included in this policy.

- B. Employees and students using bicycles on campus must register them with Parking and Transportation Services to ensure proper return if recovered after theft, confiscation due to illegal or improper parking, or abandonment.
- C. Bicycle racks are available throughout campus for bicycle parking. Bicycles may not be parked in any other areas not designated for such parking.
- D. Bicycles that are inappropriately parked, in a state of disrepair (flat tires, bent rims, broken chains, etc.) or abandoned (appearance of non-use, etc.) are subject to impoundment.

XI. Appeal of Citations

- A. Any MTSU student, other than a student holding a faculty/administrative/staff parking permit, who receives a parking/traffic citation may appeal the citation within fifteen (15) calendar days of issuance by going to the [SGA website](#) which provides the specific hearing procedures.
- B. Any MTSU employee or campus visitor holding a faculty/administrative/staff parking permit who receives a citation may appeal the citation within fifteen (15) calendar days of issuance by filing an appeal form or by going to the [Parking Services](#) website. Specific hearing procedures are described at the website.
- C. Any MTSU student or employee who has his/her vehicle towed may appeal such action as indicated above. This can be done only after the vehicle has been secured from impoundment and within seven (7) calendar days of the towing date.
- D. All appeal decisions are available on the Parking Services website. Individuals who have appealed will also be notified of the appeal decision through the email address provided with the appeal. The appeal decision is final.
- E. The payment of citations will in no way restrict the Office of Student Conduct or the University Parking and Traffic Committee from revoking parking privileges.

Forms: none.

Revisions: June 5, 2017 (original); March 27, 2018; August 15, 2019; September 13, 2022.

Last Reviewed: September 2022.

References: T.C.A. § 55-21-108.

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File Date: _____

Notice of Rulemaking Hearing

Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, T.C.A. § 4-5-204. For questions and copies of the notice, contact the person listed below.

Agency/Board/Commission:	Middle Tennessee State University
Division:	
Contact Person:	James C. Floyd
Address:	1301 E. Main Street, CAB 209, Murfreesboro, TN 37132
Phone:	615-898-2025
Email:	James.floyd@mtsu.edu

Any Individuals with disabilities who wish to participate in these proceedings (to review these filings) and may require aid to facilitate such participation should contact the following at least 10 days prior to the hearing:

ADA Contact:	Lance Alexis, Director of ADA Compliance
Address:	1301 E. Main Street, CAB 116, Murfreesboro, TN 37132
Phone:	615-898-2125
Email:	Lance.alexis@mtsu.edu

Hearing Location(s) (for additional locations, copy and paste table)

Address 1:	Miller Education Center, MEC Meeting Room		
Address 2:	503 E. Bell Street		
City:	Murfreesboro		
Zip:	37130		
Hearing Date:	9/13/2022		
Hearing Time:	1:00 p.m.	<input checked="" type="checkbox"/> CST/CDT	<input type="checkbox"/> EST/EDT

Additional Hearing Information:

Information required to access and participate in this meeting electronically will be available at <https://mtsu.edu/boardoftrustees/index.php> in advance of the meeting. Interested parties may also submit written comments and questions for consideration at the hearing by emailing same to james.floyd@mtsu.edu.

Revision Type (check all that apply):

- Amendment
 New
 Repeal

Rule(s) (ALL chapters and rules contained in filing must be listed. If needed, copy and paste additional tables to accommodate more than one chapter. Please enter only **ONE** Rule Number/Rule Title per row.)

Chapter Number	Chapter Title
0240-07-03	Traffic, Parking, and Safety Enforcement
Rule Number	Rule Title
0240-07-03-.04	Registration of Vehicles and Parking Permits

Rules of
Middle Tennessee State University

Chapter 0240-07-03
Traffic, Parking, and Safety Enforcement

Amendment

0240-07-03-.04 Registration of Vehicles and Parking Permits is amended at subparts (13) and (15), and as amended shall read in its entirety as follows:

0240-07-03-.04 Registration of Vehicles and Parking Permits

- (1) All students and employees must register vehicles they park on campus with the MTSU Parking and Transportation Services Office by purchasing a parking permit. Any vehicle parked on campus must display a current and valid parking permit. Failure to do so may result in the issuance of a parking citation.
- (2) The acceptance by any person of a parking permit, whether temporary or permanent, shall constitute the acceptance of the rules, policies, ordinances, and/or laws governing the safe and responsible operation and parking of a vehicle on campus.
- (3) The cost of parking permits, together with appropriate information sufficient to justify the amount, shall be submitted for review and approval to the MTSU Board of Trustees (Board). Once adopted or amended, parking permit costs, along with requirements, limitations and procedures for securing parking permits, shall be affirmatively communicated to the MTSU faculty, staff, and students through the Parking Services website and the Traffic and Parking Regulations handbook.
- (4) Parking permits may be denied for any student or employee who has outstanding fines from prior semester(s) until they are paid in full. The first citation issued to an employee for an expired parking permit may result in towing of the vehicle.
- (5) Parking permits are issued to students only after all registration fees are paid.
- (6) The MTSU parking permit must be properly attached to the front windshield in the extreme lower corner on the driver's side or hung from the rearview mirror of the vehicle with the decal number facing the outside of the vehicle and clearly readable. In those cases where compliance with the above is not feasible, the parking permit must be clearly visible when viewing the vehicle or the parking permit holder must consult with Parking and Transportation Services for proper placement of the parking permit.
- (7) The parking permit holder will be responsible for parking violations received by any vehicle bearing his/her parking permit.
- (8) It is considered fraudulent for a registered parking permit holder to give his/her parking permit to another person. Parking permits are transferable from vehicle to vehicle provided that the vehicles are registered under the same account. Parking permits are not transferable from person to person. When a parking permit is reported as lost or stolen, but is found in another vehicle on campus, an inquiry will be made into the parking permit. If it is found that an individual reported a parking permit lost or stolen, but in fact gave the parking permit to another individual for use, both parties may be cited with a fine for their actions.
- (9) Temporary Parking Permits may be issued to employees, students, and visitors as identified on the Parking Services website.
- (10) Visitors, including family members of employees or students, must park at meters or register their vehicles with Parking and Transportation Services by obtaining a temporary parking permit. Failure to comply may result in the vehicle being issued a "No Campus Permit" citation, and the fine may not be waived.

- (11) Disabled Parking Permits. Any person, whether student or employee, may apply for disabled parking privileges.
- (a) To obtain an MTSU Disabled Parking Permit, persons must have a state-issued disabled license plate or placard and must provide proof of its ownership.
 - (b) Temporary disabled permits will be issued for injuries or disabilities for a period not to exceed one (1) semester or four (4) consecutive months (whichever is of the greatest benefit to the individual requesting the permit), provided that the request is accompanied by a physician's statement certifying the impairment.
 1. Those with MTSU-issued temporary parking permits must park in white or green spaces only. The blue disabled parking spaces are reserved for those holding permanent disabled parking permits.
 2. Those holding temporary state-issued disabled placards may also park in the blue disabled parking spaces.
 - (c) The individual to whom the disabled license plate or placard has been issued must be using the vehicle in order for the vehicle to be parked in the disabled space. The owner of the parking permit or owner of the vehicle may be charged the maximum fine allowed by law for improper use of a disabled placard or license plate.
 - (d) Pursuant to T.C.A. § 55-21-108, fines for violating the disabled parking law cannot be suspended or waived.
- (12) Parking permit colors. The area authorized for parking is denoted by the color of the parking permit.
- (a) White - Available to faculty/administrators/staff (including resident directors and graduate assistants).
 - (b) Green - Available to commuter students.
 - (c) Blue - Available to students and employees with qualified disabilities.
 - (d) Red - Available to on-campus residents.
- (13) The following parking spaces are reserved as noted:
- (a) Disabled Parking, ~~Health Services, Library staff,~~ Housing staff, ~~all Residential parking areas,~~ Maintenance spaces, President, Vice Presidents, University Deans – reserved twenty-four (24) hours a day.
 - (b) Speech Clinic spaces, CDC Parent spaces in Fairview parking lot – reserved Monday through Thursday, from 8:00 a.m. to 4:00 p.m.
 - (c) ~~Health Services reserved 7:00 a.m. to 5:00 p.m.~~
 - (d) ~~Library Staff reserved 6:30 p.m. to 11:00 p.m.~~
 - (e) ~~Recording Industry reserved 6:00 p.m. to 10:00 p.m.~~
- (14) Parking is allowed only in clearly designated parking spaces. Only one (1) vehicle is permitted to park per space. In gravel lots, legal parking spaces are designated by concrete bumper blocks, except for those painted yellow.
- (15) All students and employees are to park in their assigned areas, Monday through Friday, 7:00 a.m. to ~~4:30 5:30 p.m., except for the following streets and parking lots which will open for all permitted parking at 6:30 p.m.:~~
- ~~(a) Old Main Circle and Faulkenberry Drive (on-street parking)-~~
 - ~~(b) Davis Science Lot-~~

~~(c) Honors Lot.~~

~~(d) Founders Lot.~~

- (16) If a parking permit is lost or stolen, a "Parking Permit Loss Report" must be provided to Parking and Transportation Services along with a replacement fee to obtain a new parking permit.
- (17) Damaged parking permits must be replaced within three (3) business days.
- (18) The operator of any disabled vehicle parked in violation of University policies must report the vehicle immediately to Parking and Transportation Services. Failure to report may result in traffic citations and/or towing. The vehicle must be called in each day it is disabled and parked in violation of MTSU policies.
- (19) No personal recreational or work travel trailers should be parked or stored on campus property, except as authorized.
- (20) Advertising vehicles "For Sale" in MTSU parking lots is prohibited. Any vehicle identified for such wrongful display for a period of forty-eight (48) hours or more will be identified as a disabled vehicle and may result in traffic citations and/or towing.

Authority: T.C.A. §§ 49-8-101(a)(2)(A), 49-8-203(a)(1)(D), and 55-21-108.

I certify that the information included in this filing is an accurate and complete representation of the intent and scope of rulemaking proposed by the agency.

Date: _____

Signature: _____

Name of Officer: James C. Floyd

Title of Officer: University Counsel

Department of State Use Only

Filed with the Department of State on: _____

Tre Hargett
Secretary of State



**Middle Tennessee State University
Board of Trustees**

Action Item

MEETING: Fall Quarterly Board Meeting
DATE: September 13, 2022
SUBJECT: **Capital Outlay Request**

BACKGROUND INFORMATION:

At the June 14th MTSU Board meeting, approval was given to submit the "New Academic Building" project for the FY 23/24 MTSU capital outlay request.

After MTSU Board approval, the preliminary contractor pricing received on the Applied Engineering Building project indicated an estimated construction amount of \$13 million over the budgeted construction bid target amount. The cost increase is due to abnormally elevated construction escalation estimated to be approximately 20% in the last year alone.

Cost-cutting measures carried out before and during the initial design phases have reduced costs but fall short of the amount needed to get the project back within budget. An estimated 20,000 square feet of area, including specialized class laboratory space needed for Engineering Technology education, would need to be removed from the scope of work to meet the current bid target amount.

Given the unique circumstances, the Tennessee Higher Education Commission is allowing institutions, the option to request additional funding for current projects as their one FY 23/24 capital outlay request.

The University is recommending changing the FY 23/24 Capital Outlay submission to request an additional \$20 million (estimated) for the Applied Engineering project to retain the academic spaces necessary for the project's success.



**Middle Tennessee State University
Board of Trustees**

MEETING: Fall Quarterly Board Meeting

SUBJECT: **Board Secretary's Report**

DATE: September 13, 2022

PRESENTER: James Floyd, Board Secretary

BACKGROUND INFORMATION:

The Board Secretary was delegated limited authority to make minor technical revisions in policies with the condition that a report be made to the Board of Trustees concerning what revisions were made.

90 Athletics Integrity and Conduct of Athletics Staff	6/20/2022	Removed a reference to Compliance and Risk Manager, since it refers to a single person within the office.
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