

EAST TENNESSEE STATE UNIVERSITY  
BOARD OF TRUSTEES  
FEBRUARY 2020 MEETING

1:00 - 3:30pm ET  
Friday  
February 21, 2020

The Millennium Center  
2001 Millennium Pl  
Johnson City, TN

ORDER OF BUSINESS

- I. Call to Order
- II. Roll Call
- III. Public Comments
- IV. [Approval of Minutes from November 15, 2019](#).....Tab 1
- V. Report from the Audit Committee (10 minutes).....Tab 2
  - A. [Policy Development and Administrative Rulemaking](#)
  - B. [Public Records Rule](#) (Roll Call Vote)
- VI. Report from the Academic, Research & Student Success Committee (10 minutes) ..Tab 3
  - A. [Student Immunization Requirements Rule](#) (Roll Call Vote)
- VII. Report from the Finance and Administration Committee (10 minutes).....Tab 4
  - A. [Approval of the College of Medicine and College of Pharmacy FY20 Tuition](#)
  - B. [Approval of Housing and Food Service Non-Mandatory Charges](#)
- VIII. [Consent Agenda](#) (5 minutes).....Tab 5
  - A. [Approval of Audit Committee Minutes from November 15, 2019](#)
  - B. [Approval of ARSS Committee Minutes from November 15, 2019](#)
  - C. [Approval of Finance and Administration Committee Minutes from November 15, 2019](#)
  - D. [Revisions to the FY 2019-2020 Audit Plan](#)
- IX. [2021 Board Meeting Dates](#).....Tab 6
- X. [Strategic Plan Progress Update and KPI Review](#) .....Tab 7
- XI. [ETSU Promise Plus](#).....Tab 8
- XII. [E-Sports Update](#) .....Tab 9
- XIII. President’s Report
- XIV. Other Business

XV. Executive Session  
A. Discuss pending legal action (if necessary)

XVI. Adjournment

EAST TENNESSEE STATE UNIVERSITY  
BOARD OF TRUSTEES

ACTION ITEM

DATE: February 21, 2020

ITEM: Approval of Minutes from November 15, 2019

RECOMMENDED ACTION: Approve

PRESENTED BY: Adam Green  
Secretary

The minutes of the November 15, 2019 meeting of the Board of Trustees are included in the meeting materials.

**MOTION: I move that the Board of Trustees adopt the resolution, approving the minutes as outlined in the meeting materials.**

**RESOLVED: The reading of the minutes of the November 15, 2019 meeting of the Board of Trustees is omitted, and the minutes are approved as presented in the meeting materials, provided that the Secretary is authorized to make any necessary edits to correct spelling errors, grammatical errors, format errors, or other technical errors subsequently identified.**

EAST TENNESSEE STATE UNIVERSITY  
BOARD OF TRUSTEES

MINUTES

November 15, 2019  
Johnson City, Tennessee

The quarterly meeting of the East Tennessee State University Board of Trustees was held at 1:15 p.m. on Friday, November 15 in the Millennium Center on ETSU's main campus in Johnson City, Tennessee. The meeting was also livestreamed for those who could not be in attendance.

**I. Call to Order**

Chair Scott Niswonger called the meeting to order.

In his opening remarks, Chair Niswonger reflected on how far the board has come since its first meeting on March 24, 2017. ETSU has awarded 9,367 degrees since the board was established, marking the highest degree production period in ETSU history. Last spring, more than 50% of students who started in fall 2013 graduated – the highest graduation rate in the institution's history. Just two years prior, the graduation rate was at 41%.

He listed the following milestones:

- ETSU's University school is ranked the ninth best high school in Tennessee.
- \$11 million average in externally sponsored research funding each of the past two years for a total of \$22 million dollars.
- For the fourth straight year and the fifth time in program history, the ETSU men's athletics program claimed the Southern Conference Commissioner's Cup, an all-sport trophy presented to the league's best all-around men's athletic programs.
- ETSU instituted quality enhancement processes and, as a result, was able to maintain regional accreditation and Quillen College of Medicine successfully completed a LCME accreditation visit last month.
- ETSU has the highest Foundation Fund balance in history, surpassing \$100 million for the first time.
- ETSU will see the largest increase in state support (4.2%) among public universities for 2020-21.

Chair Niswonger added that during its first meeting, the Board of Trustees, approved ETSU's Vision, Mission, and Values. Those attending the meeting each received a copy of ETSU's Vision, Mission, and Values. Chair Niswonger said ETSU continues to be an institution committed to its core values where people come first, are treated with dignity and respect, and are encouraged to achieve their full potential and relationships are built on honesty, integrity, and trust. On behalf of the Trustees, he congratulated staff for their

dedication to this vision. As measured by the data in the State's higher education outcomes formula, ETSU has once again outperformed other state institutions, and ETSU has been recognized by THEC as the top performing institution in the state. He encouraged everyone to reflect on the work of the university and the importance of its mission and said the university is positioned to continue to enhance student success and improve the quality of life in the region and beyond.

## **II. Roll Call**

Secretary Adam Green called the roll, and the following trustees were in attendance:

Trustee Janet Ayers  
Trustee Steven DeCarlo  
Trustee Virginia Foley  
Vice Chairman David Golden  
Trustee Dorothy Grisham  
Trustee Linda Latimer  
Chairman Scott Niswonger  
Trustee Ron Ramsey  
Trustee Cristopher Santana  
Trustee Kelly Wolfe

## **III. Public Comments**

No public comments were brought before the Board of Trustees.

## **IV. Approval of the Minutes from September 20, 2019**

Trustee Grisham made a motion to accept the minutes of the September 20, 2019, Board of Trustees meeting which was seconded by Trustee Golden. The minutes were unanimously approved.

## **V. Report from the Finance and Administration Committee**

Committee Chair DeCarlo outlined the following discussion items:

- Report on unaudited statements – the audit is nearing completion and final reports will be mailed directly to trustees.
- Review of university's composite financial index (CFI) which has increased by 50% in a four-year period.
- Received a report of federal fund receipts and scenarios of reduction in funding prepared for the Tennessee Department of Finance and Administration.
- Conducted a quarterly review of agreements over \$250,000
- Agenda item XI (Policy Development and Administrative Rule Making) was referred to the Audit Committee
- October 2019 budget revisions - Dr. B.J. King, chief financial officer, said three budgets are prepared each year – one in fall, and two in spring (end of the year

budget and beginning of following year). October revisions allow carry forward funds to transfer into the budget for expenditure.

Main campus, the largest budget, was adjusted in the tuition and fee category because enrollment was down. This was offset in a large part, she said, by revenue generated through course fees. An additional state appropriation of \$1.5 million was received after the budget was prepared in July for the Center for Rural Health Research (\$750,000 recurring). Grants and contracts revenue was adjusted down slightly, and sales and services increased by almost \$500,000 due to good performance in investment income. The auxiliaries category decreased due to a decline in housing. Total adjustments are up nearly \$2 million.

Dr. King explained that the October budget is different because money left from July can carry forward to October, therefore, the July revenue is balanced to expenditures and in October revenue is up because of carry forward funds (almost \$8 million in course fees carried forward). She said the College of Nursing is making an additional investment in its Public Service area so they elected to move funds from the Instruction category to Public Service. The new budget model allows units to carry forward up to 50% of their unspent budgets at year-end, which incentivizes them to be good stewards, Dr. King said. As a result, almost \$3 million was carried forward in the Academic Support category to invest in new programs, faculty and facilities. The Student Services category has a slight decline due to the reclassification of some scholarships. The Institutional Support category also benefits from the new budget model, she noted, with administrative units also able to carry forward funds. The Operation of Plant category increased due to carry forward fees and changes in prorate charges to units. Athletic and other scholarships were moved/added to the Scholarships/Fellowships category, resulting in a \$1.1 million increase. Overall, revenue is increasing by \$2 million and expenditure and transfers is increasing by almost \$18 million (due to carry forward funds).

The College of Medicine budget has a slight increase in revenue, but also has some slight negatives in the expenditure lines due to some expenses being reclassified for the OPEB (other post-employment benefit) program for retirees. The university had to implement this program financially last year, Dr. King said. The total adjustment for the College of Medicine is a little over \$300,000 in revenue and an increase of almost \$3 million in expenditures.

Family Medicine had some minor shifts including a slight increase in revenue, Dr. King noted. There was also an increase in the Academic Support category for additional faculty positions.

The College of Pharmacy was impacted by salary and benefit increases and carry forward funds from fees. They had no adjustment to revenue and a \$1.7 million adjustment to expenditures.

Dr. King said the university must also report its personnel changes. Main campus faculty positions increased by 12 (Four positions for Center for Rural Health Research, four positions for College of Nursing, four positions for Clemmer College). Professional Support positions increased by six (Center for Rural Health Research and Martin Center for the Arts). Faculty positions in the non-formula units increased by two (College of Medicine) and decreased by one in the maintenance/tech support category.

The October Budget revisions were unanimously approved.

## **VI. Report from the Academic, Research and Student Success Committee**

In her report, Committee Chair Latimer outlined the following discussion items:

- Title XI athletics presentation led by Mr. Scott Carter – establishment of an acrobatics and tumbling program was suggested and Chair Latimer said more information about the program was requested by the committee.
- School of Graduate Studies update led by Dr. Sharon McGee – the committee explored ways to do a better job marketing graduate programs.
- Update on LCME site visit – accreditation body for the College of Medicine will provide official letter in the coming months, but the results greatly improved. Chair Latimer commended Drs. Block, Olive and others involved.
- College of Medicine research update by Drs. Block and Hoff – scorecard opportunities were discussed.
- Ballad Memorandum of Understanding between ETSU and Ballad Health update by Dr. David Linville – the committee decided to make this a standing agenda item.
- Tenure appointments – Dr. Bishop, Senior Vice President for Academics, recommended two faculty members for tenure upon appointment: Dr. Deborah Dumphy (College of Nursing) and Dr. Trena M. Paulus (Department of Family Medicine).

The recommendations for tenure upon appointment unanimously approved.

## **VII. Report from the Audit Committee**

In his report, Committee Chair Golden outlined the following discussion items:

- Revisions to the audit plan – slight changes to accommodate investigations.
- Review of five completed audits since September – Golf, Executive Level Audit, President's Expenses, Volleyball and Completed Audit Heat Map. All audits were clean.
- Review of recommendation log status – all in good standing
- Convened in Executive Session to review yearly enterprise risk management exercise and risks identified will be brought before various committees

## **VIII. Consent Agenda**

Trustee DeCarlo requested that item D of the consent agenda be referred to the Audit Committee. With no additional requests for items to be removed from the consent agenda, Trustee Wolfe made a motion to approve the consent agenda without item D. Trustee Golden seconded the motion and the consent agenda approved unanimously. Items included on the consent agenda were:

- A. Approval of Audit Committee Minutes from September 20, 2019
- B. Approval of ARSS Committee Minutes from September 20, 2019
- C. Approval of Finance and Administration Committee Minutes from September 20, 2019
- D. Approval of Policy Development and Administrative Rulemaking (omitted)
- E. Revisions to the FY 2019-2020 Audit Plan

## **IX. Nursing Stacked Credential Pathway Update**

Dr. Wendy Nehring, Dean of the College of Nursing, explained that the idea to establish a LPN-BSN Program came about after a statewide tour of all the Community Colleges and Tennessee Colleges of Applied Technology (TCAT) to promote the RN-BSN Program. Students said they wanted a LPN-BSN Program that is accessible and that they get through as quickly as possible. ETSU worked with THEC to develop a hybrid program with 23 hours of articulation credits that takes four semesters to complete. ETSU is currently the only public university in Tennessee to offer a LPN-BSN Program, Dr. Nehring said.

The LPN-BSN Program started at three sites in fall 2018 and has quickly expanded to seven sites, with five additional sites planned across the state. Last summer, the program received 1,000 inquiries per week. In fall 2019, 94 students enrolled, which is close to the enrollment in the BSN Program on ETSU's main campus. Spring 2020 enrollment is estimated to be just over 100 students. At this time, Dr. Nehring said the highest interest is coming from Crossville and Nashville, and students at the Memphis TCAT petitioned their President to offer the LPN-BSN Program. The state is experiencing a nursing shortage, especially in rural areas, so this program is one way ETSU is working to meet workforce needs.

Chair Niswonger applauded Dr. Nehring and her staff's efforts to respond to workforce needs. President Noland said THEC came to campus to learn and see how the College of Nursing has been able to build and implement the LPN-BSN Program in a short amount of time and became the preferred provider in the state through the hybrid program offered on site. Trustee Ayers also commended the College of Nursing for making a program work of the community.

## **X. Strategic Plan Progress and Update and KPI Review**

Dr. Michael Hoff, Associate Vice President of Planning and Decision Support and Chief Planning Officer, provided an update on how ETSU performed in the outcomes based formula in comparison to other schools across the state. For the last two years, ETSU has surpassed the bar in comparison to other institutions, particularly in terms of meeting goals outlined by the Drive to 55 initiative, Dr. Hoff said. He also stated that the number of students accumulating 30 and 60 hours is down, while growth of Research, Service and Sponsored programs has exceeded all other universities.

Dr. Hoff then referred to the Strategic Plan Tracking Dashboard provided in the meeting materials. He said freshmen applications are significantly ahead for fall 2020, which provides opportunities to convert these applications to enrollment. First year ACT score is also on track to hit the target, while the number of first-time freshmen and transfers are both down and overall enrollment is flat. Dr. Hoff said these trends are happening across the state and the university will continue to focus on recruiting to students to start and finish at ETSU by focusing on the value of a four-year education from ETSU. Dr. Hoff also noted that out-of-state enrollment is on track, while international enrollment is down and graduate enrollment was down slightly – likely impacted by international enrollment. In the Student Success category, retention rate has plateaued, but new initiatives in advising will raise this number, he said. Graduation rates have improved for both male and non-white students.

Transitioning to extramural funding, Dr. Hoff said the university sought an additional \$100 million, a leading indicator that things are moving in the right direction. ETSU is also on track to reach its goal of \$60 million in extramural funding by 2026. Dr. Hoff is currently examining data that looks at faculty publications as well as the share of the money split between research at the federal level and will share the findings at the next meeting. He said federal research funding is very competitive and applying for it takes a lot of effort – 76% of the money requested by ETSU was federal research dollars and accounted for only 16% of what the university received.

Next, Dr. Hoff presented several selective strategic initiatives:

- Student success – The people who work at ETSU, alumni - especially teachers, are the best marketing team. Ongoing work within the Division of Student Life and Enrollment is important because the student experience can yield better outcomes.
- Advising – Recommendations will be implemented following consultant visit
- Tuition Price and Discount – Dr. Hoff is working to finish the RFP to identify who can help ensure ETSU offers the best price regionally, in-state and out-of-state.
- Equity and Inclusion – Staffing changes has allowed it to move from compliance to people (Office of Equity and Inclusion)
- Operational Alignment – Changes will have an impact on the Strategic Plan Tracking Dashboard

President Noland asked Dr. Hoff to provide a bit more context around sponsored research. Dr. Hoff explained that proposals are not the same as what is awarded in any given year, so research dollars must be tracked as they come in. The research

expenditures represent the amount being paid for faculty/staff to implement and develop research proposals. Additional staff and experts are likely needed to create more competitive proposals.

Trustee DeCarlo asked if data going back to 2010 is available. Dr. Hoff confirmed that the data is available, but that he often looks for intervention and result; none have been as dramatic as those put into place in 2016. Rather than looking a carryover data for ETSU, Dr. Hoff said he looked at HERD (Higher Education Research and Development) data for the prior 10 years at other institutions and found one that had set and reached a similar goal to increase extramural research funding.

## **XI. Update on Access and Success TRIO Programs**

Dr. Joe Sherlin, Vice President for Student Life and Enrollment, introduced Dr. Ronnie Gross, Executive Director for TRIO Programs, a first generation student from the region whose life was changed when he connected with a TRIO Program and has spent a significant portion of his career leading those programs at ETSU.

Dr. Gross outlined the TRIO Programs at ETSU, which are federally funded and at least two thirds of the participants must be low income and first generation:

- **Upward Bound** – college prep program that serves 208 students in 14 high schools from Carter, Johnson, Sullivan, Unicoi and Washington counties. Students receive mentoring and live on campus during the summer.
- **Upward Bound Math Science** – works with students who are interested in pursuing careers in math and science
- **Student Support Services** – works with students on campus by providing tutoring, mentoring, career coaching.
- **Veterans Upward Bound** – Provides college prep courses and other support
- **Educational Talent Search** – educational program that serves 600 middle and high school students in Hawkins, Johnson and Sullivan counties.
- **Educational Opportunity Center** – serves over 1,000 adults in Carter, Green, Hawkins, Johnson, Sullivan, Unicoi and Washington counties to help them with college and financial aid applications.
- **McNair Program** – graduate school prep program serving 29 ETSU students annually.

Dr. Gross said TRIO Programs at ETSU have almost \$1 million impact on the ETSU community and have resulted in over \$46 million in federal funding since 1989. He then introduced Noah Lyons, who spoke about his experience at ETSU as a first generation student and how he has been impacted by TRIO Programs.

## **XII. President's Report**

In his report, Dr. Noland indicated that Board of Trustees members would see an enhanced marketing presence from the university and colleges in 2020 and provided an example of new billboards displaying the messages “come home to East Tennessee” and “the region’s university.” Each individual makes an impact on the university, he continued, so we all have a responsibility to live the mission set forth by founding President Sidney Gilbreath, which is to improve the lives of the people of this region.

Next, President Noland presented a series of University updates:

- **Tennessee Budget Landscape** – In the last decade the state has moved from an enrollment-based funding formula to one that is outcomes based, and has also changed the capital funding process. President Noland said ETSU is very fortunate to be in a state that is investing in higher education. Since 2012-13, state appropriations for ETSU have risen from \$45 million to \$70 million in 2019-20. This year, ETSU was the top performing institution in the state in the outcomes-based formula. However, Dr. Noland said if freshmen enrollment does not grow, the outcomes-based formula will likely decrease in years to come. He encouraged Trustees to thank legislators and decision makers and ask for their continued support of outcomes formula funding.
  - THEC Funding Recommendations:
    - Appropriation request to fund additional pediatric surgeons and pediatric specialists (top priority)
    - 8% increase in funding for Quillen College of Medicine
    - 2% increase in funding for Family Medicine operations
  - THEC moved the proposed humanities building from 5th to 8th on its recommendation list for 2020-21. President Noland urged THEC to afford greater predictability for capital project funding to allow for planning and fundraising.
    - THEC has also approved a 2% cap on tuition increase for 2020-21, which is an increase of \$190. President Noland explained that the state typically recommends and partially funds a 2% salary increase, therefore 1.2% of the tuition increase would go toward the salary increase, leaving 0.8% to cover inflation and any student-driven initiatives (example – additional counseling and mental health support).
- **ETSU Budget Landscape** – \$1.8 million of carry forward funds were returned to colleges in October, \$1 million was placed in reserves, salary enhancements were provided for the seventh time in eight years and the minimum hourly wage for new employees was increased to \$9.20 per hour. President Noland also spoke about pricing challenges and said recommendations for tuition, fees and scholarships (repackaging financial aid) for fall of 2021 will be brought before the Board of Trustees in the spring.

- **Demographics and Demand for Higher Education** – In 2030, the demand for higher education will likely shift due to declining birthrates. Higher education may experience a significant drop in enrollment is projected. He said it is important ETSU to restructure financial aid and scholarships, enrollment and advising now because this is on the horizon for every institution in the country.
- **Enrollment** – Numbers continue to be flat across the state, with the exception of the UT system. Enrollment is very competitive statewide as seen by the changes over the last decade. At ETSU, dual enrollment is up 57% this fall and enrollment increased for the Clemmer College, College of Nursing and College of Public Health.
- **Student Success** – ETSU had its highest graduation rate (50%) in 2019 and this was due to interventions implemented in 2013.
- **Legislative Initiatives for 2020 Session** – President Noland outlined the following initiatives for the upcoming legislative session:
  - Support for the Tennessee Higher Education Commission (THEC) outcomes formula. For the 2020-21 year, ETSU is poised to receive the largest appropriation increase based on our successful efforts in the THEC outcomes formula model.
  - Support for two additional Pediatric Surgeons (\$495,500 recurring) and other Pediatric Subspecialists (\$600,000 recurring) to meet the instructional and clinical needs of the Quillen College of Medicine. Pediatric specialty care in the region is largely supplied by Quillen and the additional funding will support Pediatric Subspecialists in Neurology, Endocrinology, Pulmonary Medicine and Adolescent Medicine.
  - Support for the construction of a new Humanities Building on the ETSU campus that will enhance the undergraduate experience of our students.
  - Creation of a scholarship program to support students at the Gatton College of Pharmacy.
  - Continuation and expansion of the THEC campus safety initiative.
  - Support for deferred maintenance and other affiliated capital initiatives/projects.
  - Continued examination of the roles and responsibilities of the university system in the post-FOCUS Act environment.
- **Strategic Initiatives for 2020**
  - President Noland said the university will start an internal marketing campaign in 2020 to improve the way we tell our story and ensure others within the ETSU community know those stories, as well as the mission, vision and values of the institution.

- Review of tuition, pricing and discount rates, as well as a repackaging of financial aid to remain competitive.
  - Focusing on KPIs at the college level.
  - Develop and enhance concept of “One ETSU” – emphasizing our diverse, broad multi-faceted institution that embraces its values.
  - In 2020, Dr. Noland said the Board of Trustees will see a new Master Plan for Housing with recommendations.
  - ETSU Elevates is a “grand challenge” initiative to take the mission of the institution into the region by awarding \$90,000 in grants to fund service projects.
- **Reflecting on Our Mission** – In his final remarks, President. Noland focused on the stewardship of place mission for ETSU and said the institution and region must begin to dream bigger dreams and not to set limits in order to reach their full potential in the next decade. In the coming year, President Noland said the university will reflect on the prior decade while also developing a vision for 2020.

Trustee DeCarlo asked what students want to see happen at the university and how that success is measured. President Noland said several years ago students wanted better dining options, which is being addressed through the renovation of the Culp Center currently underway. Student welfare is another area because students struggle with everything from food and housing insecurity to financial needs and stress. They also really want to see improvements to Brown Hall and safety, he added. Trustee Santana explained that needs on campus have changed over the last five years as he progressed through undergraduate and now graduate coursework. Most importantly, he said, students are looking for an environment that will accept them as they are. Other important areas he has observed are workforce development, student-faculty relationships, research opportunities and career development. Trustee Santana said faculty at ETSU go above and beyond to help students and career services are available to help with the transition after college. He said students have a voice through the Student Government Association, but not all students know about SGA or the legislation senators bring forward to make improvements to university and to make sure students’ voices are heard.

### **XIII. Other Business**

No other business was brought before the Board of Trustees.

### **XIV. Executive Session**

The Board of Trustees did not convene in executive session.

### **XV. Adjournment**

Trustee Ramsey made a motion to adjourn the meeting at 3:10 p.m.

EAST TENNESSEE STATE UNIVERSITY  
BOARD OF TRUSTEES

ACTION ITEM

DATE: February 21, 2020

ITEM: Policy Development and Administrative Rulemaking

COMMITTEE: Audit Committee

RECOMMENDED ACTION: Approve

PRESENTED BY: Mark Fulks  
University Counsel

Dr. Mark Fulks will present the new Policy Development and Administrative Rulemaking policy for East Tennessee State University. The policy formalizes the existing policy process while creating an informal policy office (the office of university compliance) to work with originators and sponsors on shepherding policies through the process. The public comment period for this proposed policy ran from September 30, 2019, through October 9, 2019, and Academic Council and University Council approved the proposed policy in their October meetings.

This new policy complies with the Board of Trustees' delegation of authority to the President and the university's shared governance model. The policy also expressly states compliance with Tennessee's Uniform Administrative Procedures Act when promulgating administrative rules.

**MOTION: I move that the Committee recommend adoption of the following policy by the Board of Trustees:**

**Policy Development and Administrative Rulemaking**

**RESOLVED: Upon the recommendation of the Audit Committee, the Board of Trustees adopts the Policy Development and Administrative Rulemaking policy as outlined in the meeting materials.**



Policy Development and Administrative Rulemaking	
Responsible Official: University Counsel	Responsible Office: Office of University Compliance

Policy Purpose

This policy establishes the university-wide procedure for the development, revision, and review of all university policies and procedures. Additionally, consistent with the Tennessee Uniform Administrative Procedures Act, this policy establishes the process East Tennessee State University will follow when it engages in rulemaking as authorized by the Focus Act.

Policy Statement

All written policies and procedures or administrative rules submitted for review and approval by the East Tennessee State University Board of Trustees or its President must be developed or revised in a transparent, collaborative, and efficient manner. University policies and procedures or administrative rules must be clearly written, accessible to the university community, and periodically reviewed.

Authority: Tenn. Code Ann. §§ 4-5-202, 4-5-206, 4-5-211; 2016 Tennessee Laws Pub. Ch. 869 Sec. 33.

Definitions

Academic Council: An advisory body to the Provost that reviews, recommends, or approves university policies that affect academic issues.

Administrative Rule: Any ETSU regulation, standard, statement, or document of general applicability that is not a policy that describes the procedure or practice requirements of an agency; or implements, prescribes, or interprets an enactment of the general assembly or congress or a regulation adopted by a federal agency. Administrative rule includes the establishment of a fee, the amendment or repeal of a prior rule, and ETSU statements that relate to the discipline or housing of students. Administrative rule does not include general policy statements that are substantially repetitious of existing law or ETSU statements that relate to admission, graduation, or curriculum of ETSU students.

Approval Date: The date the Board of Trustees or President approves a policy.

Comment Period: A 14 calendar day period during which students, employees, and others may comment on a proposed new policy or revised policy or procedure.

Effective date: The date a policy or procedure goes into effect. Unless otherwise stated, the effective date will be when the office of university compliance posts the policy on the university webpage, thereby providing notice to the university community.

Emergency policy: A temporary memorandum policy enacted by the President when extraordinary circumstances require immediate action.

Originator: The person(s) assigned to draft and develop a policy or procedure.

Policy Template: A standardized guidance document with a proper outline and format for policies and procedures.

Procedures: Specific methods and processes for implementing university policies.

Office of University Compliance: For purposes of this policy, the Office of University Compliance is the university department responsible for offering guidance to a policy originator, ensuring a legal review of draft policies occurs and reviewing policies for accuracy, clarity, and consistency as well as ensuring compliance with this policy and procedure. This office is located in the Office of University Counsel.

Sponsor: A member of the Academic Council or University Council responsible for a policy.

Stakeholder: University units or positions that are particularly impacted by a university policy and procedure. Stakeholders may include faculty senate, staff senate, student government association, or other operational stakeholders.

Substantive Revision: Changes that alter the intent, scope, meaning, or application of a university policy or procedure.

Technical Correction: A change that does not alter the intent, scope, meaning, or application of a university policy or procedure. For example, job titles, department names, responsible personnel, grammatical errors, format revisions, hyperlink updates, policy renumbering and changes in statutory or regulatory citations.

Unit Rule: A written directive that applies to a specified academic, administrative, or other unit of the university and governs a process that is unique to that unit. Unit rules may be referred to by various names which include but are not limited to as department rule, department guideline, department policy, by-law, charter, regulation, handbook, standard operating procedure or statement of standards.

University Council: An advisory body to the President.

University Policy: A guiding principle that addresses the governance or internal management inherent in carrying out the mission of the university that does not affect private rights, privileges, or procedures available to the public. Unless a policy explicitly states otherwise, it is binding on all students, faculty, and staff.

## Policy History

Effective Date:

Revision Date:

A. Policy and Procedure Approval Process

1. Policy Requests

- a. Any student or university employee may submit a written or verbal request to develop a new university policy or procedure or revise an existing policy or procedure by submitting the request to a sponsor for the university.
- b. The sponsor may assign an originator to draft or revise the proposed new or revised policy or procedure and notify the Office of University Compliance of the appointment.
- c. The Office of University Compliance begins monitoring the progression of the policy development or revision and works with the originator and sponsor to progress the policy or procedure to completion.

2. Policy Drafting

a. Originator Responsibilities

- (1) The originator is the primary drafter and reviewer of a new or revised policy or procedure.
- (2) The originator contacts the Office of University Compliance for the policy template. The originator periodically consults with the Office of University Compliance throughout the drafting and approval process.
- (3) For policies to be approved by the President, the originator and all reviewers must use the edit and track (“track changes”) feature on draft policy documents so that those reviewing the draft policy can readily identify all changes and comments to the draft.
  - a) The Office of University Compliance, in consultation with the sponsor, may waive this requirement if the policy revision constitutes a substantial rewrite of the policy or procedure.
  - b) If a waiver is authorized, the draft must include comments explaining differences and similarities with the existing policy.
  - c) Waivers should be limited to substantial rewrite and where use of the edit and track feature would create a document lacking clarity.
- (4) Microsoft Word’s “track changes” function must not be used for policies or procedures that go before the Board of Trustees.
  - a) Use lines (“strikethrough” function) through all language to be deleted.
  - b) Underline any added language to indicate the changes being made.
- (5) The originator must include stakeholders impacted by the policy or procedure in the

drafting process.

- (6) Once the originator has completed a draft, the originator sends the policy draft to the Office of University Compliance.

b. Office of University Compliance Responsibilities

- (1) The Office of University Compliance reviews the policy for clarity and ensures consistency with other policies and procedures. The Office of University Compliance also ensures the university's legal counsel conducts a legal review of the policy draft.

- (2) Once the policy review has been completed by the originator and Office of University Compliance, the Office of University Compliance submits the policy and procedures for public comment.

3. 14-day Comment Period

- a. The Office of University Compliance advertises the proposed or revised policy and procedure for a 14-day comment period.
- b. The President or their designee may extend the comment period for extraordinary circumstances.
- c. When a policy or procedure is posted for a 14-day review, all Academic Council and University Council members have a responsibility to encourage their respective colleagues and staff to review and comment on the new or revised policy.
- d. Upon completion of the 14-day comment period, the Office of University Compliance provides all received comments to the originator.
- e. Within 30 calendar days of receiving all comments, and in cooperation with the Office of University Compliance, the originator evaluates all comments and revises the policy or procedure as needed.
- f. The originator and Office of University Compliance submits the draft policy to the sponsor. A short joint memorandum summarizing the comments received, revisions made, and any remaining legal or other issues accompanies the draft.

4. Academic Council or University Council Review and Approval

- a. The sponsor or their designee present the draft policy or procedure to Academic Council or University Council for review.
  - (1) Academic Council reviews all draft policies and procedures that are specifically academic in nature, including but not limited to policies and procedures related to faculty, promotion and tenure, academic freedom, catalogs, curriculum, and research.
  - (2) University Council reviews all other draft policies and procedures.

- b. After reviewing the draft, Academic Council or University Council may make one of the following recommendations:
    - (1) Approve the policy and procedure and forward it to the President or Board of Trustees, as appropriate, for review and approval.
    - (2) Return the policy and procedure to the originator for further work, with instructions on the changes needed.
    - (3) Reject the policy and procedure.
5. Presidential and Board of Trustees Review and Approval
- a. The President or the Board of Trustees approve the new or substantively revised policy and procedure as submitted, request revisions, or reject the policy or procedure.
  - b. Neither the President nor the Board of Trustees need to approve a technical correction of a policy or procedure.
6. Posting of an Approved Policy or Procedure
- a. The President's Office notifies the Office of University Compliance when the President or Board of Trustees approves a policy or procedure.
  - b. The Office of University Compliance posts the approved policy or procedure on the Policy website and notifies the university community.
- B. Time Considerations
- 1. The Originator, Sponsor, President, and Board of Trustees may review and take any action on a proposed new or revised policy or procedure at anytime.
  - 2. The timing of the review and approval process for new or revised policies rests exclusively with the Board of Trustees or President. However, both entities should provide sufficient time for:
    - a. Stakeholders in the university community to provide comments regarding the proposed policy or procedure; and
    - b. Meeting publication deadline dates of university issued handbooks or manuals.
- C. Policy and Procedure Technical Corrections
- 1. The Board of Trustees has delegated to the President the authority to enact technical corrections, as defined in the Definitions.

2. The originator may recommend technical corrections to the sponsor. The originator provides a tracked version of the policy and procedure to the sponsor.
3. The sponsor provides the Office of University Compliance a tracked version of the proposed technical correction. The Office of University Compliance reviews the proposed technical correction to determine if the change is technical or substantively alters the policy or procedure.
  - a. If there is a disagreement between the originator and Office of University Compliance as to whether a revision constitutes a technical correction, the matter is evaluated by the sponsor and President.
  - b. The President has the final authority on whether the revision constitutes a technical correction.
4. If the Office of University Compliance determines that the proposed technical correction does not substantively alter the policy or procedure, the Office of University Compliance posts the corrected policy on the university policy page.
5. The approval of technical corrections to a policy does not constitute the enactment of a new or revised policy, and it does not change the approval or effective dates of such policies.

#### D. Emergency Policy

1. When the President determines that emergency policy action is required, the President may enact new policies, revise existing policies, or suspend existing policies.
2. When the President takes emergency policy action, the President issues a written memorandum outlining:
  - a. the reasons emergency action is required;
  - b. any applicable emergency procedures;
  - c. the anticipated duration of the emergency policy; and
  - d. if applicable, any other policies that will be affected by the enactment of the emergency policy.
3. The President may issue this emergency policy without prior consent or approval of any university unit. However, when an emergency policy has been issued, the President must notify Academic Council and University Council.
4. Emergency policies do not require a 14-day comment period.
5. Once enacted, the Office of University Compliance immediately publishes the emergency policy on the university policy website. The Office of University Compliance also sends an email notice to the university community regarding the emergency policy.

6. Following issuance of the emergency policy, the President presents the policy to the Board of Trustees at the first available opportunity.
7. After consulting with the President, the Board of Trustees has the authority to affirm, modify or rescind the emergency policy.
8. The emergency policy must be in effect only for the duration of the emergency, not to exceed one year.

#### E. Unit Rules

1. Given the size, complexity, and numerous academic, administrative, and other units of the university, it is necessary for units to develop unit-specific rules, as defined in the Definitions. Unit rules and procedures provide additional detail to employees to efficiently and effectively operate within respective university units.
2. Unit rules must be consistent with the intent and purpose of university policy and relevant law.
3. Recommendations for new or revised unit rules go through the unit's established procedures for addressing new rules.
4. Senior administrators are responsible for ensuring the distribution of new unit rules and procedures to all employees in the department.
5. A new unit rule that is properly adopted based on individual units' adoption processes is binding on all employees and students within the relevant unit for which it is developed.

#### F. Policy Review and Maintenance

1. Sponsors are responsible for reviewing and addressing the policy needs of their respective departments.
2. The Office of University Compliance maintains the policy website or manual as well as a policy archive.
3. The Office of University Compliance coordinates the regular review of university policies. Whenever possible, a policy is reviewed every five years after it becomes effective and every five years after that. The sponsor reviews policies to assess whether policies remain:
  - a. in compliance with applicable laws, regulations, etc.;
  - b. consistent with other university policies;
  - c. current with policy format, personnel, positions, and entity information; and
  - d. relevant to the needs of the university and its mission.

#### G. Obsolete Policy or Procedure

1. A student, staff member, or faculty member who believes a university policy is no longer needed may recommend to the Office of University Compliance that the policy is removed.
2. The Office of University Compliance informs the sponsor of the recommendation.
3. A sponsor reviews the recommended deletion with the university's legal counsel.
4. Following a legal review, the sponsor presents a written recommendation to Academic Council or University Council that a policy or procedure should be deemed obsolete. The written recommendation includes the reasons the sponsor believes the policy is obsolete.
5. Academic Council or University Council approves or denies the recommendation and notifies the Office of the President. If the deletion is approved, the Office of the President notifies the Office of University Compliance.
6. When notified of a policy deletion, the Office of University Compliance removes the policy from the university policy website and sends an email to all university community members notifying of the deletion.

H. Administrative Rulemaking Requirement

1. When required, the University enacts an administrative rule consistent with Chapter 1360-01-02, Filing of Rules pursuant to Title 4, Chapter 5, of the Tennessee Uniform Administrative Procedures Act.
2. On July 1 of every year, the University submits a list of all adopted policies to the chair of the Tennessee senate and house government operations committees, including a summary of the policy and the university's justification for adopting a policy instead of promulgating a rule.

Policy History

Effective Date:  
Revision Date:

Related Form(s)

Scope and Applicability

Primary: Governance, Academic, Students, Employment

Secondary: Information Technology, Health and Safety, Business and Finance, Operations and Facilities, Communications & Marketing, Advancement

EAST TENNESSEE STATE UNIVERSITY  
BOARD OF TRUSTEES

ACTION ITEM

DATE: February 21, 2020

ITEM: Public Records Rule

COMMITTEE: Audit Committee

RECOMMENDED ACTION: Approve (Roll Call)

PRESENTED BY: Mark Fulks  
University Counsel

Pursuant to the Tennessee Public Records Act, government entities must promulgate rules regarding public records. Tenn. Code Ann. § 10-7-503(g)(2). If approved by the Board of Trustees, this proposed rule will be examined by the Tennessee Attorney General's Office prior to a public rulemaking hearing for public comment on the rule. Afterwards, the Public Records Rule should become effective. The proposed Public Records Rule complies with the Tennessee Public Records Act and the federal Family Educational Rights and Privacy Act (FERPA) regarding student records. Dr. Fulks will present the proposed Public Records Rule for approval to be further presented at a public rulemaking hearing.

**MOTION: I move that the Board of Trustees adopt the resolution, approving the rule as outlined in the meeting materials.**

**RESOLVED: The Board of Trustees adopts the Public Records Rule advancing the rule in the rulemaking process, provided that the University is authorized to make any necessary edits resulting from the public hearing.**

Rules  
of  
East Tennessee State University, Johnson City  
Chapter 0240-06-05  
Public Records

New

Table of Contents is added to Chapter 0240-06-05 Public Records and shall read as follows:

Table of Contents	
0240-06-05-.01	Purpose and Scope of Authority
0240-06-05-.02	Definitions
0240-06-05-.03	General Accessibility of Public Records
0240-06-05-.04	Requesting Access to Public Records
0240-06-05-.05	Responding to Public Records Requests
0240-06-05-.06	Fees and Charges for Public Records; Procedures for Billing and Payment
0240-06-05.07	Confidentiality Exceptions

0240-06-05-.01 Purpose and Scope of Authority is added to Chapter 0240-06-05 Public Records and shall read as follows:

0240-06-05-.01 Purpose and Scope of Authority.

- (1) This rule is promulgated to provide economical and efficient access to public records as provided under the Tennessee Public Records Act.

Authority: T.C.A. §§ 10-7-503, et seq.; and 49-8-101.

0240-06-05-.02 Definitions is added to Chapter 0240-06-05 Public Records and shall read as follows:

0240-06-05-.02 Definitions.

- (1) East Tennessee State University or ETSU or University – The campuses, centers, units, and institutes of East Tennessee State University and their constituent parts governed by the East Tennessee State University Board of Trustees and administration. Neither East Tennessee State University, ETSU, or University means the East Tennessee State University Foundation, Inc.; the East Tennessee State University Research Foundation; or the Medical Education Assistance Corporation.
- (2) FERPA – The Family Educational Rights and Privacy Act, codified in 20 U.S.C. § 1232(g).
- (3) Public Record – All documents, papers, letters, maps, books, photographs, microfilms, electronic data processing files and output, films, sound recordings, or other material, regardless of physical form or characteristics, made or received pursuant to law or ordinance or in connection with the transaction of official business by any governmental agency.
- (4) Records Custodian – The office, official or employee lawfully responsible for the direct custody and care of a public record. The records custodian is not necessarily the original preparer or receiver of the record.
- (5) Requestor – A person seeking access to a public record whether it is for inspection or duplication.
- (6) Tennessee Public Records Act or TPRA – The state law codified in T.C.A. §§ 10-7-501 et seq.

Authority: T.C.A. §§ 10-7-503, et seq.; 49-8-101.; and 20 U.S.C. § 1232(g).

0240-06-05-.03 General Accessibility of Public Records is added to Chapter 0240-06-05 Public Records and shall read as follows:

0240-06-05-.03 General Accessibility of Public Records.

- (1) All ETSU records shall, at all times during business hours, be open for personal inspection by any citizen of Tennessee, and those in charge of the records shall not refuse such right of inspection to any citizen, unless otherwise provided by state law. Accordingly, the public records of ETSU are presumed open for inspection during the regular hours of ETSU unless otherwise provided by law.

Authority: T.C.A. § 10-7-503.

0240-06-05-.04 Requesting Access to Public Records is added to Chapter 0240-06-05 Public Records and shall read as follows:

0240-06-05-.04 Requesting Access to Public Records.

- (1) Public records requests must be made to the appropriate Records Custodian to ensure that public records requests are routed and fulfilled in a timely manner.
- (2) ETSU's Records Custodian is the University Relations Office, Attn: Executive Assistant to the President for University Relations, 300 Burgin Dossett Hall, Johnson City, Tennessee 37614. (P): 423-439-4317. (F): 423-439-5710. Requests specific to student records should be submitted to ETSU's Registrar's Office, Attn: University Registrar, 102-A Burgin Dossett Hall, PO Box 70561, Johnson City, TN 37614. (P): 423-439-6744. (F): 423-439-6604.
- (3) Requests for inspection or copies may be made orally or in writing using the Public Records Request Form, located on ETSU's Policies website. Requests for inspection may be made in person or by mail, phone, fax, or email to the Records Custodian.
- (4) Proof of Tennessee citizenship by presentation of a valid Tennessee driver's license or alternative acceptable form of ID is required as a condition to inspect or receive copies of public records.

Authority: T.C.A. §§ 10-7-503, et seq.; 10-7-506(a).

0240-06-05-.05 Responding to Public Records Requests is added to Chapter 0240-06-05 Public Records and shall read as follows:

0240-06-05-.05 Responding to Public Records Requests.

- (1) The Records Custodian must review public records requests and make an initial determination of whether:
  - (a) The requestor has presented proof of Tennessee citizenship;
  - (b) The requestor described the records requested with sufficient specificity to identify the records requested; and
  - (c) The University is the custodian of the requested records.
- (2) The Records Custodian must acknowledge receipt of the request and take any of the following action(s) within seven business days from the University's receipt of the request:
  - (a) Make the records available to the requestor;

- (b) Deny the request in writing, providing the appropriate grounds for denial; or
  - (c) Send the requestor a completed Public Records Request Response Form stating the time reasonably necessary to produce the records.
- (3) The TPRA does not require the University to sort through files to compile information or to create or recreate a record that does not exist.
- (4) If a record contains confidential information or information that is not open for public inspection, the Records Custodian must prepare a redacted copy prior to providing access.
- (a) The Records Custodian should consult with the Office of University Counsel if questions arise concerning redaction.
  - (b) The Records Custodian should provide the requestor with the basis for redaction whenever a redacted record is provided. The basis given for redaction must be general in nature and not disclose confidential information.
- (5) Records that are not delivered electronically or in-person will be delivered via USPS First Class Mail. The requestor is responsible for any postage costs associated with fulfilling the request.

Authority: T.C.A. §§ 10-7-503, et seq.; 10-7-504; 10-7-506(a).

0240-06-05-.06 Fees and Charges for Public Records; Procedures for Billing and Payment is added to Chapter 0240-06-05 Public Records and shall read as follows:

0240-06-05-.06 Fees and Charges for Public Records; Procedures for Billing and Payment

- (1) There is no charge for inspection of public records.
- (2) No charges will be assessed for copies and duplicates unless the production costs exceed five dollars (\$5).
- (3) ETSU's Records Custodian must provide requestors with an itemized estimate of charges exceeding fifty dollars (\$50) prior to producing copies of records and may require pre-payment of such charges before producing requested records.
- (4) Fees and charges for copies are:
  - (a) \$0.15 per page for 8 ½" x 11" and 8 ½" x 14" black and white copies. ETSU will waive fees associated with requests for records that are fewer than 30 pages of black and white copies.
  - (b) \$0.50 per page for 8 ½" x 11" and 8 ½" x 14" color copies. The fee for color copies will not be waived.
  - (c) The charge for a double-sided (duplex) copy is the same as the charge for two one-sided copies.
  - (d) If a copy of a public record is produced on a medium other than for 8 ½" x 11" and 8 ½" x 14" paper, the Records Custodian may assess a copy charge equal to the actual cost of producing a copy of the public record, considering the amount of materials, equipment costs, and the cost of the alternative medium.

- (e) ETSU is not obligated to provide electronic copies of the requested records when the requested records are not maintained electronically.
  - (f) ETSU may charge the actual costs for flash drives or similar storage devices on which electronic copies are provided.
- (5) ETSU may charge the requestor the hourly wage of the employee(s) reasonably necessary to produce the requested records above the labor threshold.
- (a) The “labor threshold” is the labor of the employee(s) reasonably necessary to produce requested records for the first hour incurred by ETSU in producing the records. “Labor” means the employee time reasonably necessary to produce the requested records and includes the time spent locating, retrieving, reviewing, redacting, and reproducing the records.
  - (b) In calculating the labor costs to be charged to the requestor:
    1. First, determine the number of hours each employee spent producing the requested public records.
    2. Second, subtract the one-hour labor threshold from the number of hours the highest paid employee spent producing the request.
    3. Third, multiply the total number of hours to be charged for the labor of each employee by that employee’s hourly wage.
    4. Fourth, add together the totals for all the employees involved in the request to determine the total amount of the labor costs to be charged to the requestor.
  - (c) Labor costs should be tracked based on tenths of an hour, rounded down.
  - (d) Combined labor charges may be assessed for multiple requests from the same requestor that are submitted within a 30-day period.
- (6) ETSU has discretion to determine how payment for fees and costs should be made and whether advanced payment is required.

Authority: T.C.A. §§ 10-7-503, et seq.; 10-7-506(a).

0240-06-05-.07 Confidentiality Exceptions is added to Chapter 0240-06-05 Public Records and shall read as follows:

0240-06-05-.07 Confidentiality Exceptions

- (1) Exceptions to the right to inspect or copy public records include, without limitation:
  - (a) Records made confidential by the TPRA or by other state law; and
  - (b) Records ETSU is required to keep confidential by federal statute or regulation as a condition for receipt of federal funds or for participation in a federally funded program.

Authority: T.C.A. §§ 10-7-503, et seq.; 10-7-506(a).

EAST TENNESSEE STATE UNIVERSITY  
BOARD OF TRUSTEES

ACTION ITEM

DATE: February 21, 2020

ITEM: Rule for ETSU Student Immunization Requirements

COMMITTEE: Academic, Research, and Student Success Committee

RECOMMENDED ACTION: Approve (Roll Call)

PRESENTED BY: Jeff Howard  
Associate Vice President for Student Life and Enrollment

The Rules for ETSU Student Immunization Requirements outline the immunizations needed for attendance at the University. The requirements meet the Tennessee Department of Health guidelines and distinguish what is required of part time, full time, online, residential, international, and clinical health science students.

**MOTION: I move that the Board of Trustees adopt the resolution, approving the rule as outlined in the meeting materials.**

**RESOLVED: The Board of Trustees adopts the ETSU Student Immunization Requirements Rule advancing the rule in the rulemaking process, provided that the University is authorized to make any necessary edits resulting from the public hearing.**

Rules  
of  
East Tennessee State University, Johnson City  
Chapter 240-06-04  
Student Immunization Requirements

New

Table of Contents is added to Chapter 0240-06-04 Student Immunization Requirements and shall read as follows:

Table of Contents

0240-06-04-.01	Immunization Requirements	0240-06-04-.04	Other Requirements
0240-06-04-.02	Documentation Related to Specific Illnesses	0240-06-04-.05	Information Provided to Students
0240-06-04-.03	Exemptions		

0240-06-04-.01 Immunization Requirements is added to Chapter 0240-06-04 Student Immunization Requirements and shall read as follows:

**0240-06-04-.01 Immunization Requirements**

- (1) Unless otherwise exempted by this rule or by other law, all full-time students admitted to East Tennessee State University (ETSU) must provide health information to ETSU that establishes the student's compliance with the recommended immunization schedule for measles, mumps, rubella, and varicella for adults, issued by the Centers for Disease Control and Prevention.
- (2) Unless otherwise exempted by this rule or by other law, all students under the age of Twenty-Two (22) who reside in ETSU residential facilities must provide proof of adequate immunization against meningococcal disease as recommended for adults by the Centers for Disease Control and Prevention.
- (3) Unless otherwise exempted by this rule or by other law, no new incoming student will be allowed to move into campus housing without providing proof of adequate immunization as required by statute.
- (4) Acceptable forms or proof of immunization
  - (a) General proof of immunization
    1. Proof of prior or current military service shall be considered proof of the recommended immunizations.
    2. If allowed by law or Department of Health rule or guideline, students with proof of graduation from a Tennessee high school after a certain date shall not be required to submit evidence of the recommended immunizations, except as required by law.
    3. Any proof deemed acceptable by regulation or statute.

Authority: T.C.A. § 49-7-124(g).

0240-06-04-.02 Documentation Related to Specific Illnesses is added to Chapter 0240-06-04 Student Immunization Requirements and shall read as follows:

**0240-06-04-.02 Documentation Related to Specific Illnesses.**

(1) Varicella

- (a) Documentation of two (2) doses of varicella-containing vaccine administered at least twenty-eight (28) days apart; or
- (b) Laboratory evidence of immunity; or
- (c) A history verified by a physician, advanced practice nurse, physician's assistant, or health department of varicella disease; or
- (d) Any other regulatory or statutory requirement.

(2) Measles, Mumps, and Rubella

- (a) Documentation of two (2) doses of vaccine against measles, mumps, and rubella administered at least twenty-eight (28) days apart and no earlier than four (4) days before the first birthday; or
- (b) Laboratory evidence of immunity; or
- (c) Any other regulatory or statutory requirement.

Authority: T.C.A. § 49-7-124(g).

0240-06-04-.03 Exemptions is added to Chapter 0240-06-04 Student Immunization Requirements and shall read as follows:

**0240-06-04-.03 Exemptions.**

- (2) Students enrolling in a course of study that is exclusively online and does not involve any experiential component shall not be asked to provide immunization information.
- (3) Varicella – Students born before January 1, 1980 are not required to present proof of adequate immunization against varicella.
- (4) MMR – Students born before January 1, 1957 are not required to present proof of adequate immunization against measles, mumps, and rubella.
- (5) Students may be exempted
  - (a) Where a physician licensed by the board of medical examiners, the board of osteopathic examiners, or a health department certifies in writing that a particular vaccine is contraindicated for one of the following reasons:
    - 1. The student meets the criteria for contraindication set forth in the manufacturer's vaccine package insert; or
    - 2. The student meets the criteria for contraindication published by the Centers for Disease Control and Prevention; or

3. In the best professional judgement of the physician, based upon the student's medical condition and history, the risk of harm from the vaccine outweighs the potential benefit.

(b) Where a parent or guardian, or, in the case of an adult student, the student, provides the school with a written statement, affirmed under the penalties of perjury, that the vaccination conflicts with the religious tenets and practices of the parent or guardian or, in the case of an adult student, the student.

(6) Any other regulatory, statutory, or legal exemption.

Authority: T.C.A. § 49-7-124(g).

0240-06-04-.04 Other Requirements is added to Chapter 0240-06-04 Student Immunization Requirements and shall read as follows:

**0240-06-04-.04 Other Requirements.**

- (1) Notwithstanding the foregoing, any applicant enrolling in a health sciences clinical program must present proof of compliance with the immunization schedule for healthcare personnel issued by the Centers for Disease Control and Prevention.
- (2) Notwithstanding the foregoing, international students are required to comply with the immunization schedule issued by the Centers for Disease Control and Prevention.

Authority: T.C.A. § 49-7-124(g).

0240-06-04-.05 Information Provided to Students is added to Chapter 0240-06-04 Student Immunization Requirements and shall read as follows:

**0240-06-04-.05 Information Provided to Students.**

- (1) ETSU will provide each new incoming student with detailed information concerning the risk factors for hepatitis B infection and meningococcal meningitis and the availability and effectiveness of vaccine for persons who are at risk of the disease.
- (2) Each new incoming student under the age of 18 years must return a completed waiver form indicating that ETSU has provided the information required in this section.
- (3) Each new incoming student 18 years and older must complete the electronic waiver indicating that ETSU has provided the information required in this section.

Authority: T.C.A. § 49-7-124(g).

EAST TENNESSEE STATE UNIVERSITY  
BOARD OF TRUSTEES

ACTION ITEM

DATE: February 21, 2020

ITEM: Approval of the College of Medicine and College of Pharmacy FY21 Tuition

COMMITTEE: Finance and Administration Committee

RECOMMENDED ACTION: Approve

PRESENTED BY: B.J. King  
Chief Financial Officer

The College of Medicine and the College of Pharmacy are proposing tuition increases for the next academic year. The academic calendars for these units require we assess fees at an earlier date than for the main campus students.

	2019-20	2020-21			Revenue Generated	Justification
		Proposed	\$ Increase	% Increase		
	Per term					
College of Medicine M1, M2, M4	\$16,417	\$16,745	\$328	2.0%	\$135,000	Cost study conducted
College of Medicine M3	\$21,835	\$22,271	\$436	2.0%	\$65,000	Cost study conducted
College of Pharmacy	\$18,958	\$19,243	\$285	1.5%	\$176,000	Cost study conducted

The Board approved out of state tuition for the College of Medicine to be calculated at 30% of the in-state rate. Out of state tuition for M1, M2, and M4 will be \$5,024, and \$6,682 for M3 in addition to the proposed in-state fees above.

**MOTION: I move that the Finance and Administration Committee recommend adoption of the following resolution by the Board of Trustees:**

**RESOLVED: The proposed tuition for the College of Medicine and College of Pharmacy for 2020-21 is approved as presented in the meeting materials contingent on the approval of the Governor’s budget.**

EAST TENNESSEE STATE UNIVERSITY  
BOARD OF TRUSTEES

ACTION ITEM

DATE: February 21, 2020

ITEM: Approval of Housing and Food Service Non-Mandatory Charges for FY21

COMMITTEE: Finance and Administration Committee

RECOMMENDED ACTION: Approve

PRESENTED BY: B.J. King  
Chief Financial Officer

<b>East Tennessee State University</b>						
<b>FY20-21 Auxiliary Unit Non-Mandatory Fee Request</b>						
<b>Description</b>	<b>Current</b>	<b>Proposed</b>	<b>Increase</b>	<b>Prior Increase</b>	<b>Revenue Generated</b>	<b>Justification</b>
Residence Halls	\$1,995 - \$5,240	\$2,030 - \$5,340	\$35-\$100/term	\$80 - \$100/term	\$145,000	Housing is a 100% auxiliary enterprise operation.
Apartments	\$2,930 - \$3,995	\$2,990 - \$4,070	\$60-\$75/term	\$55 - \$355/term	\$94,000	Housing is a 100% auxiliary enterprise operation
Silver 7 day Any Time Meal Plan	\$1,804	\$1,804	\$0/term	\$46/term	Revenue passed through to Sodexo	The Sodexo contract increase is 3.1% and is based on the consumer price index for Meals Away From Home. For FY21, the increase will not be passed on to students as a dining survey is conducted.

**MOTION: I move that the Finance and Administration Committee recommend adoption of the following resolution by the Board of Trustees:**

**RESOLVED: The proposed rates for Housing and Food Service for 2020-21 is approved as presented in the meeting.**

EAST TENNESSEE STATE UNIVERSITY  
BOARD OF TRUSTEES

CONSENT AGENDA ITEMS

DATE: February 21, 2020

ITEM: Consent Agenda

RECOMMENDED ACTION: Approve

PRESENTED BY: Adam Green  
Secretary

The Consent Agenda items presented to the Board of Trustees are routine in nature, noncontroversial, or have been approved by a board committee unanimously. The Board votes on all items by a single motion.

Full information about each item on the consent agenda is provided in the meeting materials.

As stipulated in the Bylaws, any Trustee may remove an item from the consent agenda by notifying the Secretary prior to the meeting. Before calling for a motion to approve the consent agenda, the Chair or Vice Chair (or the applicable senior Trustee in their absence) shall announce any items that have been removed from the consent agenda and ask if there are other items to be removed.

Requests for clarification or other questions about an item on the consent agenda must be presented to the Secretary before the meeting. An item will not be removed from the consent agenda solely for clarification or other questions.

**MOTION: I move for the adoption of the Consent Agenda.**

**RESOLVED: The Board of Trustees adopts the Consent Agenda as outlined in the meeting materials.**

EAST TENNESSEE STATE UNIVERSITY  
BOARD OF TRUSTEES

ACTION ITEM

DATE: February 21, 2020

ITEM: Approval of Committee Minutes from November 15, 2019

COMMITTEE: Audit Committee

RECOMMENDED ACTION: Approve

PRESENTED BY: Rebecca A. Lewis, CPA  
Chief Audit Executive

The minutes of the November 15, 2019 meeting of the Audit Committee are included in the meeting materials.

**MOTION: I move that the Board of Trustees adopt the resolution, approving the minutes as outlined in the meeting materials.**

**RESOLVED: The reading of the minutes of the November 15, 2019 meeting of the Audit Committee of the Board of Trustees is omitted, and the minutes are approved as presented in the meeting materials, provided that the Secretary is authorized to make any necessary edits to correct spelling errors, grammatical errors, format errors, or other technical errors subsequently identified.**

EAST TENNESSEE STATE UNIVERSITY  
BOARD OF TRUSTEES  
AUDIT COMMITTEE

MINUTES

November 15, 2019  
Johnson City, Tennessee

The East Tennessee State University Board of Trustees Audit Committee met at 8:30 a.m. on Friday, November 15, 2019 at the Millennium Center.

**I. Call to Order**

David Golden, Vice-Chairman of the ETSU Board of Trustees and Chairman of the Audit Committee, called the meeting to order at 8:30 a.m.

**II. Roll Call**

Board of Trustees Secretary Adam Green led the roll call. Committee members in attendance were:

Chairman David Golden  
Trustee Dorothy Grisham  
Trustee Ron Ramsey

Other Board of Trustee members present were:

Board Chairman Scott Niswonger, Trustee Virginia Foley and Trustee Cristopher Santana

**III. Approval of Minutes of the Audit Committee on September 20, 2019**

The minutes of the September 20, 2019 Audit Committee meeting were reviewed. Trustee Ramsey made a motion for approval and Trustee Grisham seconded the motion. The minutes were unanimously approved.

**IV. Revisions to FY 2019-2020 Audit Plan**

Ms. Rebecca Lewis reported that two investigations have been added since the September 2019 audit committee meeting and would be discussed in executive session. Trustee Grisham made a motion to approve the revisions and Trustee Ramsey seconded the motion. The motion was unanimously approved.

**V. Audit Work Performed September through October 2019**

Ms. Lewis discussed four audit reports that were issued after August 31. These include:

Men's Golf and Volleyball expenditures

Both were conducted due to the retirement of the head coach. There was one issue with the men's golf audit involving a hotel deposit not posted properly that resulted in an overpayment of approximately \$200. No issues were found with the volleyball review.

Executive Level Audit

An executive level employee is randomly chosen for an audit, and the executive selected this year was the Vice President for University Advancement. No issues were noted during the audit.

President's Expenditures Annual Audit

An annual audit of presidential expenditures is required by state law. For this recent audit, no issues were noted. An executive summary was included in the audit materials.

No investigations have been issued since the September 2019 meeting.

Ms. Lewis also referenced the audit heat map included in the committee meeting materials. The committee had no questions or comments about the heat map.

**VI. Recommendation Log Status as of October 31, 2019**

Ms. Lewis discussed the recommendation log that showed one follow-up action that had been completed to correct deficiencies noted in a previous audit. No recommendations on the log presently reflect an overdue status.

**VII. Other Business**

Trustee Grisham commended Ms. Lewis on the excellent report and the work performed by her and her staff.

There were no other business items to discuss. The committee adjourned and moved into executive session.

EAST TENNESSEE STATE UNIVERSITY  
BOARD OF TRUSTEES

ACTION ITEM

DATE: February 21, 2020

ITEM: Approval of Committee Minutes from November 15, 2019

COMMITTEE: Academic, Research, and Student Success Committee

RECOMMENDED ACTION: Approve

PRESENTED BY: Adam Green  
Secretary

The minutes of the November 15, 2019 meeting of the Academic, Research, and Student Success Committee are included in the meeting materials.

**MOTION: I move that the Academic, Research, and Student Success Committee adopt the resolution, approving the minutes as outlined in the meeting materials.**

**RESOLVED: The reading of the minutes of the November 15, 2019 meeting of the Academic, Research, and Student Success Committee is omitted, and the minutes are approved as presented in the meeting materials, provided that the Secretary is authorized to make any necessary edits to correct spelling errors, grammatical errors, format errors, or other technical errors subsequently identified.**

EAST TENNESSEE STATE UNIVERSITY  
BOARD OF TRUSTEES  
ACADEMIC, RESEARCH AND STUDENT SUCCESS COMMITTEE

MINUTES

November 15, 2019  
Johnson City, Tennessee

The East Tennessee State University Board of Trustees' Academic, Research and Student Success Committee met at 9:45 a.m. on Friday, November 15, in the Millennium Center

**I. Call to Order**

Dr. Linda Latimer, chair of the Academic, Research and Student Success Committee, called the meeting to order at 9:45 a.m.

**II. Roll Call**

Board Secretary Dr. Adam Green led the roll call. Committee members present were:

Chairman Linda Latimer  
Trustee Janet Ayers  
Trustee Virginia Foley  
Trustee David Golden

Other Board of Trustees members present were:

Trustee Scott Niswonger, Chair, Board of Trustees

**III. Approval of Minutes of the Academic, Research and Student Success Committee  
September 20, 2019**

The minutes for the September 20 Academic, Research and Student Success Committee meeting were reviewed. Trustee Golden made a motion for approval; the motion was seconded, and the minutes were unanimously approved.

**IV. Out-of-Cycle Tenure Actions**

Dr. Wilsie Bishop, Senior Vice President for Academics, presented recommendations to award tenure with the rank of associate professor to Dr. Deborah Dumphy in the College of Nursing and to award tenure with the rank of professor to Dr. Trena M. Paulus in the Department of Family Medicine in the Quillen College of Medicine. She reviewed the qualifications of both and noted that both are significant recruits for the university.

Trustee Ayers moved to approve the recommendations. The motion was seconded by Trustee Golden and unanimously approved.

## **V. Title IX Athletic Update**

Mr. Scott Carter, Director of Intercollegiate Athletics, delivered a presentation on Title IX Recommendations for ETSU Athletics (*see PowerPoint slides included in meeting materials*). In his presentation, Mr. Carter provided background on Title IX, which addresses issues of gender discrimination in colleges and universities, and discussed ETSU's ongoing efforts to remain in compliance with Title IX by expanding opportunities for women's participation in intercollegiate athletics. Pursuant to these efforts and after seeking the advice of a consultant – Ms. Felecia Mulkey, Head Acrobatics and Tumbling Coach at Baylor University – ETSU is seeking to establish a new Acrobatics and Tumbling program for women. Mr. Carter discussed the advantages of this rapidly growing sport, for which ETSU already has available space for practices and meets. It would appeal to a broad recruiting base and provide more than 40 opportunities for female student-athletes. Twelve equivalency scholarships would be available. The program could begin in 2021 and have a budget built primarily upon non-scholarship enrollees from both in- and out-of-state.

Discussion ensued in which committee members asked why tumbling was recommended over such sports as stunt, gymnastics, or rugby, which could potentially result in greater revenue. Mr. Carter replied that the enthusiasm for tumbling among prospective students as well as current cheerleaders and dance team members was a factor, as was advice from other athletic directors regarding the greater potential for injury with other sports. Mr. Carter and President Brian Noland indicated that they could provide the due diligence that was completed by ETSU Athletics in preparing to make the recommendation.

## **VI. ETSU School of Graduate Studies Update**

Dr. Sharon James McGee, dean of the School of Graduate Studies, delivered a presentation updating board members on the school (*see PowerPoint slides included in meeting materials*). In her presentation, she discussed the vision and role of the School of Graduate Studies. She noted that there are over 150 ways for students to find areas of interest in graduate school at ETSU, where graduate students have an average age of 30, with many balancing work, school and family responsibilities. The number of total options for degrees and certificates has increased, and the total number of degrees and certificates awarded between the academic years of 2008-09 and 2018-19 has increased by 37.8%. She said a master's degree is becoming an entry-level requirement in many fields. Dr. McGee noted several programs that are experiencing growth in applications, including the Joint Doctor of Nursing Practice Program between ETSU and TTU; the Clinical Alcohol and Drug Abuse Counseling Studies Certificate, which is often added by Master of Social Work students; the Global Sport Leadership doctoral program, which is now in its third year and has experienced full cohorts each year; and the Brand and Media Strategy Program. Dr. McGee pointed out that a decrease in applications and enrollment

by international students is an area of concern, not only at ETSU but nationwide; after seeing significant growth over the past several years, the international student application rate dropped significantly from 2018 to 2019, and the enrollment has dropped from a high of 261 in 2017 to 192 in 2019. Dr. McGee asked committee members to help tell the story of Graduate Studies at ETSU.

Following the presentation, committee members asked how recruitment efforts might be improved. Dr. McGee stated that the School of Graduate Studies will be working with the marketing area with an initial marketing campaign targeting both undergraduate students and working adults in the geographic areas of central Tennessee, the Appalachian Highlands and its border counties, and Greenville/Spartanburg, South Carolina. Discussion ensued regarding the budget for marketing, how best to target the right prospective students for programs offering the skill sets that will be most needed in three to five years, the issue of higher cost of graduate study at ETSU compared to other institutions, and how ETSU tracks alumni employment and salary information. President Noland said that tracking such information is an area of opportunity for the university; some colleges currently do better than others at tracking this information, and improvements in tracking this information will be an important responsibility of the new alumni administrator when that currently vacant position is filled. Dr. Mike Hoff, Associate Vice President/Chief Planning Officer, noted that he and the director of Career Services are currently working with colleges to relaunch Destination Surveys to collect such information; he said that within the next year, ETSU's key performance indicators could include employment in field and ability to pay back.

## **VII. Update on Liaison Committee on Medical Education (LCME) Site Visit**

Dr. William Block, Dean, Quillen College of Medicine reported on the Oct. 27-30 site visit by the LCME, which visits each of 156 allopathic medical schools that are member institutions. He noted that there were 19 areas of concern, 11 of which were judged as non-compliant, at the last site visit in 2011; the College of Medicine was then under an academic warning for a period of time as the issues were corrected. At the end of this year's site visit, the LCME team gave a reading with their areas of concern, which they will present to the LCME Board; Quillen College of Medicine will receive a final letter in February. This year, nine areas of concern were noted out of 93 elements, and Dr. Block said he anticipates that eight of those will be judged as in compliance with monitoring. Among those eight are one related to the College's interactions with Ballard, which the LCME wishes to monitor due to a new Memorandum of Understanding being in place; one related to ongoing monitoring of new diversity initiatives that were put in place 18 months ago; and another related to an earlier curriculum integration effort that had stalled but will be remedied by the curriculum review taking place during the current academic year. The ninth area of concern relates to health insurance for students once they turn 26 years of age; Dr. Block said this is more problematic and is an issue that is being faced by medical schools across the nation. Dr. Block stated this was a positive site visit overall

and much improved over the previous site visit, and he gave credit to Dr. Ken Olive, Associate Dean for Academic Affairs at Quillen, and his team for their work in leading the preparations for the site visit.

*Committee members and President Noland congratulated Dr. Block and the College on the successful site visit and praised Dr. Block for his leadership.*

### **VIII. Update on College of Medicine Research Activities**

Dr. Block stated that much of this agenda item was moved to the full Board meeting with an update on research. Dr. Hoff said that at the Board meeting, members would see a specific breakdown of research expenditures.

He told the committee that he would continue working on a research scorecard and is currently working on activity tracking methods to ensure accuracy in reporting. He compared the planned scorecard to the temperature indicators on a car dashboard. The scorecard will include types of research, types of funding, journal publications and more. Chair Latimer expressed curiosity as to whether the scorecard would also include such items as conference presentations by faculty and how much research funding comes from private corporations. Dr. Hoff also mentioned that Board members could look at the Sherrod Library's Digital Commons online to look at real-time downloads of ETSU publications.

Dr. Block provided an update on the College of Medicine's position of Associate Dean for Research, which was called for in the prior strategic plan but had not been filled. He said the Associate Dean for Graduate Education who ran the Ph.D. program stepped down in the summer, giving College administrators the opportunity to "reimagine" the position. The new position of Associate Dean for Research and Graduate Education, which oversees research efforts across departments to create synergy, was filled as of Nov. 1 by Dr. Greg Ordway, who previously chaired Pharmacology and served as interim chair of Biomedical Sciences when it was formed through the merger of five basic sciences departments.

### **IX. Update and Discussion: Ballad MOU and ETSU/Ballad Coordinating Council**

Dr. David Linville, Associate Vice President for Health Affairs, provided an update on the Memorandum of Understanding (MOU) between ETSU and Ballad Health that the Board saw in its last meeting. He pointed out that the MOU provides a structure that will help define how the two entities interact, plan, and solve problems. The MOU calls for a Coordinating Council to serve as a sort of board of directors with equal representation from both ETSU and Ballad; this council will have three sub-councils in the areas of research, clinical service, and education, which will do the "heavy lifting" involved in planning, problem-solving, and more. This council met for the first time on Nov. 14,

2019, and discussed the history of the university's relationship with Ballad and its legacy organizations, Mountain States Health Alliance and Wellmont Health Systems. Dr. Linville said there is currently no guiding proposal, but rather numerous contracts in different areas. The council discussed cataloging and prioritizing those agreements, and looked at ways to plan together and have a method in place to address issues or problems that arise. A charter for the partnership between ETSU and Ballad should be completed in December.

In a Q&A following his update. Dr. Linville said the Coordinating Council is expected to meet every other month, with subcouncils meeting more frequently, although that timeline may be changed as needed. Trustee Golden recommended that a standing agenda item be added to the Academic, Research and Student Success Committee meetings for updates on the activities of this partnership; Chair Latimer concurred. Dr. Linville also said that one theme of the Coordinating Council discussion was redefining and simplifying how the entities work together, and Dr. Block will be the primary point of contact for ETSU Health. President Noland also pointed out that during the Coordinating Council meeting, it was stated that Ballad was "educationally agnostic," meaning that it works with and provides training opportunities for multiple institutions, but he noted that Dr. Block had said that the COPA "doesn't allow (them) to be agnostic" and that ETSU is Ballad's primary educational partner. Dr. Linville added that while Ballad does have training opportunities for students from other institutions, Ballad cannot reach its goals without being an academic health sciences center, and ETSU is the vehicle to make that happen. Chair Latimer also indicated that Ballad's stated support for ETSU was a deciding factor in passage of the COPA. A list of the contracts is being prepared that will indicate the current status of each.

## **X. Committee Discussions**

Chair Latimer discussed the subject of agenda items and asked committee members to contact the Board Secretary with ideas and suggestions of topics, allowing adequate time for the university to prepare for presentation on those topics. She noted that while the committee has been highly focused on the Ballad merger, it has a fiduciary responsibility to cover many other topics, as well, including revisiting topics covered in previous meetings. She stated that ETSU has "one of the strongest boards in the state," and she would like to see the board be more interactive and help the university as much as possible. Committee members agreed, and Trustee Golden suggested that in preparing for presentations, university staff assume that the committee members will have read the presentation materials prior to the meetings, and that instead of going over the exact same material, they could provide in advance a list of their top three questions on the given topic on which they would like for the trustees to provide input. He also suggested the use of consent agendas to take care of the more transactional items, leaving more committee time to address "longer horizon" topics, such as what new academic programs might be needed to address job market needs of the future. Committee members concurred that seeing presentations twice – both in committee and full board – is not

necessary. Another suggestion was a “picture” of topics anticipated to be addressed by the board over the next 12 to 18 months. Chair Latimer noted that sometimes, the agenda she has prepared after reviewing the minutes of previous meetings gets changed before the committee meetings, and she would prefer to have a conversation about the agenda and would welcome suggestions. President Noland said he understood Chair Latimer’s concern and said the agenda changes have been a function of staff figuring out time and sequence. He said preparation for the next board meeting will begin soon, and he said he welcomes topics and themes; he also noted that he has covered a long-range picture of broad themes with Board Chairman Scott Niswonger. Trustee Golden challenged staff to think of and schedule the topics on which they would like the board’s opinion and input.

It was also noted that conversations should begin now on topics where engagement with legislators, fellow members of the six local governed state public institution boards, and other key stakeholders to advocate for the needs of ETSU are critical.

## **XI. Adjournment**

The committee meeting concluded at 11:25 a.m. and was adjourned by Chair Latimer.

EAST TENNESSEE STATE UNIVERSITY  
BOARD OF TRUSTEES

ACTION ITEM

DATE: February 21, 2020

ITEM: Approval of Committee Minutes of November 15, 2019

COMMITTEE: Finance and Administration Committee

RECOMMENDED ACTION: Approve

PRESENTED BY: Nathan Dugger  
Associate Secretary

The minutes of the November 15, 2019 meeting of the Finance and Administration Committee are included in the meeting materials.

**MOTION: I move that the Board of Trustees adopt the resolution, approving the minutes as outlined in the meeting materials.**

**RESOLVED: The reading of the minutes of the November 15, 2019 meetings of the Finance and Administration Committee is omitted, and the minutes are approved as presented in the meeting materials, provided that the Secretary is authorized to make any necessary edits to correct spelling errors, grammatical errors, format errors, or other technical errors subsequently identified.**

EAST TENNESSEE STATE UNIVERSITY  
BOARD OF TRUSTEES  
FINANCE AND ADMINISTRATION COMMITTEE

MINUTES

November 15, 2019  
Johnson City, Tennessee

The East Tennessee State University Board of Trustees' Finance and Administration Committee met at 9:47 a.m. on Friday, November 15, in the Millennium Center on ETSU's main campus in Johnson City, Tennessee.

**I. Call to Order**

Steve DeCarlo, Chairman of the Finance and Administration Committee, called the meeting to order at 9:47 a.m.

**II. Roll Call**

Deputy Board Secretary Nathan Dugger led the roll call. Committee members present were:

Chairman Steve DeCarlo  
Trustee Dorothy Grisham  
Trustee Ron Ramsey  
Trustee Kelly Wolfe  
Trustee Cristopher Santana (non-voting student member)

**III. Approval of Minutes of the Finance and Administration Committee September 20, 2019**

The minutes for the September 20 Finance and Administration Committee meeting were reviewed. Trustee Wolfe made a motion for approval, and Trustee Grisham seconded the motion. The minutes were unanimously approved.

**IV. October 2019 Budget Revisions**

Dr. B.J. King, Chief Financial Officer for Business and Finance, reviewed October 2019 revisions to the 2019-20 budgets for the one formula funded unit, two non-formula funded units and one self-funded unit. During the June 17, 2019 meeting, the Board of Trustees adopted the proposed 2019-20 budgets for the university. The proposed budgets

for the fiscal year are based on the estimates for revenue and expenditures known at the time the budget is prepared. The fall enrollment and adjusted appropriation figures for revenue budgets have been received along with adjustments from fiscal year-end closing that provides for the carryforward of budgets for operational expenses.

Dr. King provided an overview of the revisions, noting that the total adjustment to revenue was \$1.9 million. The expense adjustment was \$17.86 million.

Overall, tuition was down due to enrollment being lower than expected. However, the course fee enhancements approved last spring made up for some of the tuition decline. Another adjustment to the budget was due to the \$1.5 million supplemental state appropriation for the Center for Rural Health Research, which was received after the July budget was prepared.

Highlights of some of the reasons for revisions to the expenditures and transfers in the main campus budget included:

- **Instruction:** Increase in course fees and carryforward of fees for instructional purposes.
- **Research:** Center for Rural Health Research appropriation and carryforward of some research improvement dollars.
- **Public Service:** The College of Nursing's additional investments in community practice.
- **Academic Support:** This increase was primarily due to the new budget model, allowing colleges and divisions to carry forward 50% of their unspent budget that accrues to their unit.
- **Student Services:** Down slightly due to the reclassification of some athletic scholarships to scholarship program expenditure category.
- **Institutional Support:** Vice presidents not part of academic support carryforward division funds in this category.
- **Facilities:** Operation of plant is going up in some of the expenditures because there were some carryforward and changes in pro rata charges through facilities office.
- **Scholarship:** Increase due to shifting of scholarships and additional scholarships.

Also included in the October revisions were the budgets for Quillen College of Medicine, Family Medicine, and Bill Gatton College of Pharmacy. Dr. King noted that these are more specialized and she briefly summarized changes.

During the overall discussion of budgets, Chairman DeCarlo asked Dr. King if she could provide a trending chart from the past 10 years so that the Committee could examine trends. Dr. King said she could provide these numbers at a future meeting.

Trustee Ramsey made a motion that the Committee recommend that the Board of Trustees adopt the October revisions to the 2018-19 university budget. Trustee Wolfe seconded the motion. The motion passed unanimously.

## **V. FY19 Unaudited Financial Statements**

As an information item, Dr. King presented the FY19 Unaudited Financial Statements, which have been forwarded to State Audit for review. She reviewed charts and accompanying notes provided in the Committee members' packets.

Dr. King also reviewed the audit process for the committee, informing them that there would be an exit conference with representatives of State Audit to go over the report of the financials and compliance. The Audit Committee and executive staff are always invited to this meeting. The date has not yet been set.

Dr. King noted that she does not expect any changes and that Board members would receive via U.S. Mail the audited statements from State Audit. The finalized audit report will also be presented to the Board of Trustees at the spring quarterly Board meeting.

## **VI. FY19 Unaudited Composite Financial Index**

Dr. King presented the Composite Financial Index (CFI) for review as an information item. The ratios were published in Ratio Analysis in Higher Education by KPMG and Prager, McCarthy & Sealy LLC. The ratios are intended to provide a measure of financial health of the institution. The CFI consists of four individual ratios, which are outlined in the members' packets.

Dr. King pointed out that the institution has favorable ratios in three of the four categories: Return on Net Assets, Primary Reserve, and Viability. The only ratio that is down is Net Operating Revenues. Dr. King indicated that this ratio had been above or at industry standard in the past. She reported that the University is in the process of working with a consultant who can help examine the funnel of potential students and what mix of tuition and scholarships would best serve ETSU students. Dr. King believes that the consultant will help fine tune these areas and thus improve the Net Operating Ratios.

All the ratios combined make up the CFI, which is at 3.29. This is higher than the industry standard – 3.0.

Finally, Dr. King told the Committee that at the spring quarterly Board meeting, she would be able to present comparative numbers to show how other schools performed.

## **VII. FY19 Federal Funds Report for State of Tennessee**

The 2019 Public Chapter 480 requires state agencies to prepare and submit a financial report to the Department of Finance and Administration comparing the federal receipts and federal budget estimates for the fiscal year with a plan for a 5%, 25% and 100%

reduction in these federal funds. They were provided a template for this mandatory report. ETSU prepared and submitted the report to the state legislature, as required.

Ms. Karen Glover, Comptroller, reviewed ETSU's report, which was in the Committee's packet, emphasizing that it was a hypothetical report and that they were not anticipating any of the potential reductions examined.

**VIII. Quarterly Reports on Agreements \$250,000 or greater**

As an information item, Dr. King provided the committee with a list of contracts and purchase orders that exceed \$250,000, covering the time period of April-June 2019.

**IX. Policy Development and Administrative Rule Making**

Trustee Wolfe made a motion to table this agenda item and move it to the Audit Committee for review at their next meeting. Trustee Ramsey seconded the motion. It passed unanimously.

**X. Other Business**

No other business was brought before the committee.

**XI. Adjournment**

Chairman DeCarlo adjourned the meeting at 11:22 a.m.

EAST TENNESSEE STATE UNIVERSITY  
BOARD OF TRUSTEES

ACTION ITEM

DATE: February 21, 2020  
ITEM: Revisions to the FY 2019-2020 Audit Plan  
COMMITTEE: Audit Committee  
RECOMMENDED ACTION: Approve  
PRESENTED BY: Rebecca A. Lewis  
Chief Audit Executive

Ms. Lewis will provide a listing of additions and deletions to the fiscal year 2019-2020 audit plan since the last meeting.

**Additions**

FWA 20-07 – Investigation concerns received by Internal Audit  
Women’s Soccer Expenditures

**Deletions**

Timekeeping Audits

**MOTION: I move that the Audit Committee recommend adoption of the following resolution by the Board of Trustees:**

**RESOLVED: The revisions to the Audit Plan for 2019-2020 are approved as presented in the meeting materials.**

EAST TENNESSEE STATE UNIVERSITY  
BOARD OF TRUSTEES

ACTION ITEM

DATE: February 21, 2020

ITEM: 2021 Board Meeting Dates

RECOMMENDED ACTION: Approve

PRESENTED BY: Adam Green  
Secretary

The Focus on College and University Success Act (FOCUS Act), requires quarterly meetings of the East Tennessee State University Board of Trustees. In accordance with these requirements, the following calendar is proposed for regularly scheduled meetings for 2021.

Board of Trustees 2021 Meeting Schedule proposed:

Friday, February 19, 2021  
Friday, April 23, 2021  
Friday, September 17, 2021  
Friday, November 19, 2021

The Standing Committees of the Board of Trustees will meet telephonically as necessary and will hold meetings in conjunction with the standing quarterly meetings of the full Board.

**MOTION: I move that the Board of Trustees adopt the resolution for the 2021 Board of Trustee Meeting dates.**

**RESOLVED: The Board of Trustees adopts the meeting 2021 Board of Trustee Meeting dates calendar as outlined in the meeting materials.**

EAST TENNESSEE STATE UNIVERSITY  
BOARD OF TRUSTEES

INFORMATION ITEM

DATE: February 21, 2020

ITEM: Strategic Plan Progress Update and KPI Review

PRESENTED BY: Mike Hoff  
Chief Planning Officer

Dr. Mike Hoff will provide an update on the ETSU Board of Trustee approved Key Performance Indicators (KPIs). Spring enrollment is down slightly more this spring but is primarily driven by the decrease from fall and a continuation of large graduating classes - decreases in international enrollment continue to impact overall enrollment.

Research and other sponsored activities continue to see gains and are a positive driver of the formula funding increases.

Fundraising activities are strong and current projections indicate the university will exceed the \$25,000,000 in annual giving in 2020.

We are changing the way we report Patient Encounters and will have an update on that metric at the next meeting.

Student success metrics indicate strong performance and are a driver of positive formula funding outcomes for ETSU; this is true across demographic characteristics.

Results from the Great Colleges To Work For Survey indicate continued growth in favorability, and the university will continue to focus on employee development and well-being in the coming year.

Overall, despite the challenges with enrollment (a national issue) the university continues to see success in metrics that indicate high quality.

East Tennessee State University Strategic Plan Tracking Dashboard <i>Update February 2020</i>				
Category/Metric	Value 2016	Value 2019	Goal 2026	Status
<b>University Enrollment</b>				
Freshmen Applications	6,672	7,603	12,000	↑
First-year Average ACT Score	23.2	23.5	24	↑
First-time Freshmen	1,886	1,786	3,000	↓
First-time Transfers	1,027	1,104	2,000	↑
Undergraduate Enrollment	11,065	11,151	15,800	↓
Graduate Enrollment	2,354	2,438	2,854	↓
Out-of-State Enrollment	2,180	2,280	2,500	↓
International Enrollment	646	398	1,000	↓
Overall University Enrollment	14,285	14,437	18,000	↓
<b>Research and Service</b>				
Research Expenditures	\$11,395,380	\$12,153,847	TBD	↑
Externally Sponsored Research	\$7,653,066	\$12,927,030	TBD	↑
Extramural Funding Proposals - Submitted	\$94,438,572	\$243,304,388	TBD	↑
Extramural Funding Proposals - Funded	\$38,811,378	\$47,842,718	\$60,000,000	↑
<b>Stewardship of Place</b>				
Number of Service Hours	48,707	133,064	TBD	↑
Patient Encounters	-	-	-	-
Total Funds Raised - Giving	\$7,400,000	\$24,438,434	\$25,000,000	↑
Percent Alumni Giving	3.5%	3.7%	10%	↔

Notes: Indicator measures to 2026 not to prior year.

Spring enrollment is down slightly more this spring but is primarily driven by the decrease from fall and a continuation of large graduating classes - decreases in international enrollment continue to impact overall enrollment

Research and other sponsored activities continue to see gains and are a positive driver of the formula funding increases

Fundraising activities are strong and current projections indicate the university will exceed the \$25,000,000 in annual giving in 2020

We are changing the way we report Patient Encounters and will have an update on that metric at the next meeting

Category/Metric	Value 2016	Value 2019	Goal 2026	Status
<b>Student Success</b>				
Retention Rate	71.3%	72.1%	85%	↔
Graduation Rate	40.1%	49.7%	60%	↑
Graduation Rate - Male	37.2%	42.2%	60%	↑
Graduation Rate - Female	42.3%	55.2%	60%	↑
<b>Equity and Inclusion</b>				
Student Race/Ethnicity % Non-White	18.7%	19.3%	33.0%	↓
Graduation Rate Non-White	31.4%	42.9%	60.0%	↑
Students - Percent Female	58.2%	61.0%	TBD	↓
Students - Percent Male	41.8%	39.0%	TBD	↑
Full-time Staff - Percent Female	57.4%	57.9%	TBD	↑
Full-time Staff - Percent Non-White	15.3%	12.6%	TBD	↓
<b>Teaching Environment</b>				
Total Instructional Faculty - Main Campus	942	1,097	TBD	↔
Percent Full-time Faculty - Main Campus	62.0%	55.7%	TBD	↔
Student-to-Faculty Ratio - Main Campus	15.9	15.6	18	↑
<b>Empowering Employees</b>				
Great Colleges to Work For Rating	61.0%	65.0%	77% Favorability	↓
Voluntary Staff Turnover	9.2%	11.3%	TBD	↓

Notes: Indicator measures to 2026 not to prior year.

Student success metrics indicate strong performance and are a driver of positive formula funding outcomes for ETSU, this is true across demographic characteristics

Results from the Great Colleges To Work For Survey indicate continued growth in favorability and the university will continue to focus on employee development and well-being in the coming year

Overall, despite the challenges with enrollment (a national issues) the university continues to see success in metrics that indicate high quality

EAST TENNESSEE STATE UNIVERSITY  
BOARD OF TRUSTEES

INFORMATION ITEM

DATE: February 21, 2020  
ITEM: ETSU Promise Plus  
PRESENTED BY: Joe Sherlin  
Vice President for Student Life and Enrollment

With the Board of Trustee’s support, East Tennessee State University recently announced a new scholarship and student success program designed to support a direct, affordable path from high school to a university degree and to ensure a successful start to the university experience. The ETSU Promise Plus Program offers a last-dollar tuition scholarship and a range of pre-college, first-year, and four-year benefits designed to support student success to qualifying entering university freshmen with financial need and a record of academic achievement. Students entering the university as first-time, full-time freshmen who are graduates of a Tennessee-eligible high school or home school and receive the maximum Pell Grant and HOPE Scholarship are eligible to participate in the ETSU Promise Plus Program.

Dr. Joe Sherlin will provide an overview of the ETSU Promise Plus program. He will discuss the goals and benefits of the initiative. He will also review marketing and communication efforts and invite discussion about how to maximize the program’s impact.

## ETSU Promise Plus Program FAQ's

QUESTION	ANSWER
What is the ETSU Promise Plus Program?	The ETSU Promise Plus Program offers eligible first-time freshmen last-dollar tuition assistance and a range of pre-college and four-year benefits designed to support student success. This program provides pre-college transition support, mentoring, career development, and a variety of other opportunities.
How long can a student participate in this program?	Eligible students can be in this program for a maximum of four years.
Who is eligible for the ETSU Promise Plus Program?	First-time, full-time freshmen who receive the Tennessee Education Lottery (HOPE) Scholarship and the maximum Pell Grant are eligible.
Am I eligible for other scholarships if I am part of this program?	Yes. Students in the ETSU Promise Plus Program may receive other scholarship awards.
How do I apply for the ETSU Promise Plus Program?	Students who have applied for admission, been admitted to ETSU, and have completed the Free Application for Federal Student Aid (FAFSA) and the verification process (if applicable) are automatically considered.
When does this program begin?	The ETSU Promise Plus Program begins Fall 2020.
If I enter ETSU as a first-time freshman for the Spring semester, can I participate in the ETSU Promise Plus Program?	Yes, if you are eligible for the program (beginning Fall 2020).
Are transfer and/or returning students eligible?	No, only first-time freshmen are eligible to participate.
Am I eligible for the ETSU Promise Plus Program if I live out-of-state?	Only students who are classified as in-state, qualify for the Tennessee Education Lottery (HOPE) Scholarship, and the maximum Pell Grant are eligible.
Am I eligible for the ETSU Promise Plus Program if I live in a border county?	Only students who are classified as in-state, qualify for the Tennessee Education Lottery (HOPE) Scholarship, and the maximum Pell Grant are eligible.
Can I take a leave of absence from ETSU and be eligible for the ETSU Promise Plus Program when I return?	Students must stay continuously enrolled at a full-time level each Fall and Spring term to retain eligibility for the Tennessee Education Lottery (HOPE) Scholarship and the ETSU Promise Plus Program. Exceptions may be granted with extenuating circumstances. Students should file a <a href="#">Tennessee Education Lottery (HOPE) Scholarship appeal</a> .

<p>Where can I learn more about the Tennessee Education Lottery (Hope) Scholarship program?</p>	<p>Please visit the <a href="#">Tennessee Education Lottery (Hope) Scholarship program website</a>.</p>
<p>How do I get started?</p>	<p>Complete the following to find out if you are eligible:</p> <ul style="list-style-type: none"> <li>○ Submit an application for admissions at ETSU <a href="#">etsu.edu/apply</a>.</li> <li>○ Submit the Free Application for Federal Student Aid (FAFSA) for 2020-2021 <a href="#">FAFSA.gov</a>.</li> </ul> <p>Once you have completed these steps, ETSU will contact students who are eligible for the program.</p>
<p>Who should I contact if I have questions?</p>	<p>Please email <a href="mailto:PromisePlus@etsu.edu">PromisePlus@etsu.edu</a> or visit <a href="#">etsu.edu/promiseplus</a> to fill out a form to request someone call you.</p>

EAST TENNESSEE STATE UNIVERSITY  
BOARD OF TRUSTEES

INFORMATION ITEM

DATE: February 21, 2020

ITEM: E-Sports Update

PRESENTED BY: Karen King  
Senior Vice Provost and Chief Information Officer

Dr. Karen King will provide an overview of ETSU Esports. Varsity esports programs began a few years ago as an interesting trend and has transformed into an exciting collegiate pursuit for many colleges and universities. Currently, more than 200 universities are members of the National Association of Collegiate Esports (NACE) which governs collegiate esports.

With a large ETSU student club already dedicated to gaming, the progression to varsity level competition expanded a popular trend started by our students and moved forward to develop an academic program in esports management and a competitive ETSU team. The ETSU vision for this initiative includes a varsity team space in the newly renovated D.P. Culp Center, high quality gaming equipment, and scholarships for varsity esports team members. The ETSU Esports team is also the first intercollegiate sport at ETSU in which persons of all genders and abilities are eligible for the varsity team.



## Varsity Esports

One of the fastest growing industries in the world

2019 League of Legends World Championship had more than  
100 million unique viewers

Non traditional media

Non traditional team composition

Governed by National Association for Collegiate Esports (NACE)  
Participation from over 200 universities

Eastern College Athletic Conference (ECAC)

Broadcast on Twitch, the ESPN of esports



# Sponsored by ETSU Online



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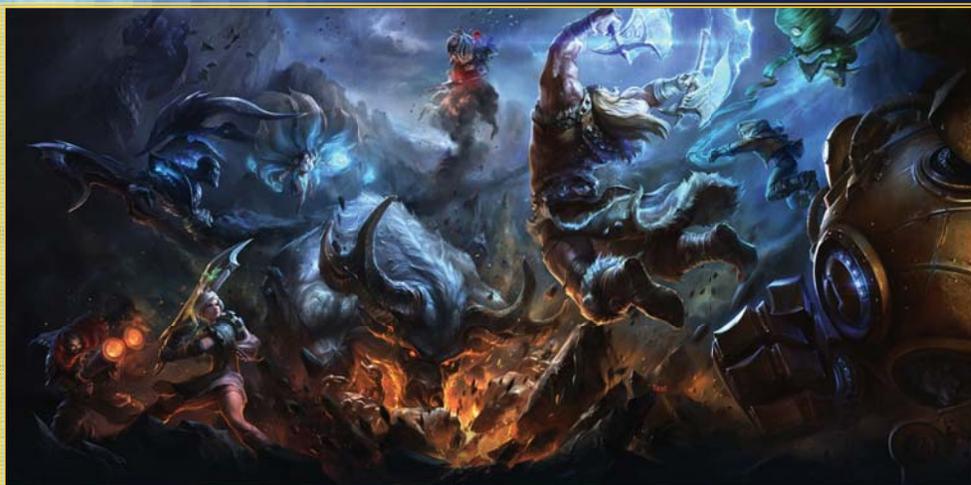
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**ETSU**  
ESPORTS

# LEAGUE OF LEGENDS



Five vs Five multiplayer game

Compete in tactical and skill-  
based battle

Team works together to leverage  
the unique abilities of each  
player

**ETSU**  
ESPORTS



**OVERWATCH**

Six vs Six multiplayer game

Each team selects a hero

Offense, defense, support, and tanks allow players to switch characters as needed



## ETSU Esports Team Facility



Team space designated in Culp Center

Video Wall on the stage in arena is 32x12

Video Wall in Culp will create an arena for tournaments



# Equipment



Alienware with 9<sup>th</sup> Gen Intel  
i7 processor

NVIDIA RTX 2080

64 GB Ram

512 GB solid state drive

25" 240 Hz refresh and  
1 ms response time monitors

HyperX Keyboard

Razer DeathAdder Elite Mouse

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# Timeline

Tryouts February – May 2020

Final Roster and schedule announced June 2020

Scholarships

Season begins in August

**ETSU**  
ESPORTS

# ETSU Point of Distinction

Online Graduate Certificate in Esports Management

Offered by

ETSU Clemmer College Sport & Recreation Management

Created for emerging professionals seeking to differentiate themselves in the fast growing esports management industry

Enrollments begin Fall 2020 pending approval



<https://www.etsu.edu/coe/serk/graduate/esport.php>

Dr. Natalie L. Smith, SARM Graduate Programs Coordinator

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439-4382; Twitter: @NatalieLSmith

*Fall 2020 Pending Approval*

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