



Audit & Business Committee Meeting

September 29, 2020

Roaden University Center, Room 282

This meeting will be conducted permitting Trustees' participation by electronic or other means of communication. If, due to the COVID-19 pandemic, an in-person meeting is not advisable, the meeting will be conducted via electronic means only and will be streamed live via link found on the Board of Trustees' web page at <https://www.tntech.edu/board/>. Please check <https://www.tntech.edu/board/> for updates.

AGENDA

- I. Call to Order**
- II. Approval of Minutes**
- III. Financial Update**
- IV. Engineering Building Design Presentation**
- V. Employee Performance Evaluation Analysis**
- VI. TTU Policy 511.1 (Fees, Charges, Refunds, and Adjustments)**
- VII. TTU Policy 511.2 (Student Fee Adjustments, Refunds and Appeals)**
- VIII. TTU Policy 144 (Title IX Policy and Grievance Procedures)**
- IX. Tenure Recommendation**
- X. Adjournment of Open Session and Call to Order of Executive Closed Session to Discuss Audits, Investigations, Litigation, and Matters Deemed Not Subject to Public Inspection Pursuant to T.C.A. § 4-35-108(b)(1)-(3)**
- XI. Adjournment**



Board of Trustees Meeting Audit & Business Committee

June 23, 2020

**Meeting via teleconference and streamed live via link found on the Board
web page:**

<https://www.tntech.edu/board/meetings/2020-06-23-board-meeting.php>

MINUTES

AGENDA ITEM 1—Call to Order

The Tennessee Tech Board of Trustees Audit & Business Committee met on March 12, 2020 via teleconference. Chair Johnny Stites called the meeting to order at 9:20 a.m.

Chair Stites asked Ms. Kae Carpenter, Secretary, to call the roll. The following members were present:

- Johnny Stites
- Sally Pardue
- Purna Saggurti

All participating Trustees confirmed that they could simultaneously hear and speak to the Board members, that they received the Board materials in advance of the meeting, and all except Mr. Stites confirmed that they were the only person present in the location from which they were calling. Mr. Stites stated that Dr. Claire Stinson and Becky Smith were in the conference room with him. A quorum was in attendance but not physically present.

Other board members also participated by teleconference. The meeting audio was streamed live on the Board's website.

AGENDA ITEM 2—Determination of Necessity

Chair Stites stated pursuant to Tennessee Code Annotated Section 8-44-108(b)(3) that a determination of necessity was required since a quorum was not physically present. He stated that the committee meeting was required to consider several important and time-sensitive matters, including but not limited to, emergency rules, tenure recommendations, and budgets. He stated that the Committee was meeting via teleconference in recognition of the need to limit personal contact during the COVID-19 Pandemic and in keeping with Executive Order 38 related to the pandemic. He stated these facts and circumstances necessitated that a meeting be held without a quorum being physically present. Mr. Saggurti moved that a determination of necessity existed to allow committee members to participate by electronic means. Dr. Pardue seconded the motion. With an opportunity for further discussion and there being none, Ms. Carpenter called a roll call vote. The motion carried unanimously.

AGENDA ITEM 3—Approval of Minutes

Chair Stites asked for approval of the minutes of the March 6, 2020 Audit & Business Committee meeting. Chair Stites asked if there were questions or comments regarding the minutes. There being none, Dr. Pardue moved to recommend approval of the March 6, 2020 Audit & Business Committee minutes. Mr. Saggurti seconded the motion. Ms. Carpenter called a roll call vote. The motion carried unanimously.

AGENDA ITEM 4— Naming of Student Recreation Center

Dr. Oldham stated that this new building was a signature building, state of the art and very exciting for the campus. The goal for naming buildings was to recognize and commemorate key individuals that have been influential in the development of Tennessee Tech. With honor Dr. Oldham recommended to name the new building after Mr. Marc L Burnett. He advised following TTU Policy 537 (Naming Buildings, Facilities and Organizational Units) a committee was created to review the recommendation and they approved unanimously. Mr. Burnett's history included being instrumental in working with the Student Government Association in implementing a fee that was used to fund the new student recreation center, he had served 36 years as an employee, he raised approximately \$1,200,000 for diversity scholarship fund on campus, he was instrumental in founding the Multi-Cultural Center, served as the University's first Chief Diversity Officer and was the first and only African-American Vice President. This building would be the first to be named after an African-American. Mr. Burnett holds the record for an iconic moment in athletics history by scoring the first point in the Hooper Eblen Center. He was a five-time captain of the basketball team. He holds a Bachelor and Master degree from Tennessee Tech. Mr. Burnett retired in December 2019. TTU Policy 537 eligibility states that the individual should not be an employee within the previous year but the Chair of the Board can approve an exception. Dr. Oldham advised this information was provided to Chair Harper and she waived the eligibility requirement. Chair Stites asked if there were questions or comments. There being none, he asked for a motion to send the naming of the Student Recreation Center to the Marc L. Burnett Student Recreation and Fitness Center to the Board for approval and to place on the Board's regular agenda. Mr. Saggurti made the motion. Dr. Pardue seconded the motion. Ms. Carpenter took a roll call vote. The motion carried unanimously.

Captain Wilmore wanted to see if the policy could be reconsidered regarding the one-year prior employment stipulation and if it should remain in the policy. Dr. Oldham advised a revision to the policy could be considered to remove that stipulation. Chair Harper added she supported the idea of reviewing the policy. Dr. Pardue wanted to clarify the reconsideration of the policy that

the intent of the Board was to keep the portion that stated that no current employee would be considered. Dr. Oldham stated he was open to the Board suggestion but he did not feel it was a good practice to name a building after a current employee. Ms. Harper agreed and said that was a good starting point and the Board could deliberate when the policy is brought back for approval.

AGENDA ITEM 5—Federal CARES Act and Auxiliary Income

Dr. Stinson provided an update on several items related to the budget and university resources. The university received CARES Act funds under both an emergency relief fund and the minority serving institutions funding. The emergency relief fund required that fifty percent of the funds be used for emergency grants for students. The emergency funds had to go directly to the students and could not offset costs students owed to the university. To date approximately \$3,700,000 had been distributed to 6,991 qualifying students. The awards ranged from \$217 to \$930 based on student's status of part-time or full time. The funds could not be given to students who were already fully online, international students or students that were not Title IV eligible. There was approximately \$626,000 still available to make awards to students for upcoming fall and spring. The university received fifty percent of the funds which was approximately \$4,400,000. The university used \$3,300,000 for housing and meal plans that were reimbursed in Spring 2020, \$190,000 to get courses online in the Spring and \$906,000 balance for future expenses. The funding received for the minority serving institutions was \$426,175 and allowed more flexibility on how the funds can be spent. The majority of the funds will be spent on personal protection equipment and on health services for fall semester.

Auxiliary income was affected by spring housing refunds, camps were cancelled for summer, limited activity on campus for summer and meal plan refunds from Spring. The bookstore has suffered reductions in revenues related to non-textbook merchandise sales with SOAR session being delayed until July.

This was an informational item therefore no action was required.

AGENDA ITEM 6—Endowments and Bond Financing

Dr. Stinson stated the endowments were foundation funds. This funding had typically been used by colleges when there have been other reductions in the budget. Commonfund is the company used for investments. The expendable funds are fairly liquid but the endowment funds are not. Bond financing was used for activities such as housing, fitness center and parking. Most of the debt financed projects were bonded last fall when rates were very good. Annual debt service Education & General which includes the fitness center, parking and energy projects at \$1,988,682. Debt service for auxiliary housing is \$6,000,000. There are housing reserves that will allow us to meet our debt service requirements even if we do have a reduction in the housing revenues for upcoming fall and spring.

This was an informational item therefore no action was required.

AGENDA ITEM 7—State Budget

Dr. Stinson stated our state budget had seen activity since the Governor's original presentation in February. The House and Senate approved the state's budget last week. Work was being

done to reduce the operating budget to make the changes coming from the revised state budget. The March and June revisions reduced funding for salary increases to zero, reduced the funding formula to zero, removed engineering building capital outlay project and reduced capital maintenance projects leaving only \$2,100,000 roofing projects. Reduction in state appropriations were approximately \$3,000,000 and the estimated decline in tuition revenues were \$4,000,000, which totals \$7,000,000 to remove from the FY20-21 proposed budget. Dr. Stinson advised she had worked with the Five-Year Strategic Financial Plan Committee to identify some categories where reductions could be made. Some of the reduction ideas included: budgeted salary increases removed, freeze vacant positions, freeze temporary employment, reduction in force, reduction in fringe benefits, review programs and activities and reduction in operating and travel budget. The total FY20-21 budget reductions included \$4,327,287 permanent and \$3,079,674 short term.

Mr. Saggurti asked what was included in fringe benefits. Dr. Stinson advised cell phone stipends and also a reduction in scholarships to employees who want to attend institutions outside of the university and some outside the State of Tennessee.

Dr. Stinson said there was discussion of higher education taking a twelve percent hold back on our budget. THEC, legislature and the Governors office had discussions and one of the agreements was higher education would be exempted from the holdback if they did not increase tuition rates.

Mr. Lowery asked what the overall budget percent decrease amounted to. Dr. Stinson stated the total budget was \$165,000,000.

Dr. Pardue asked if the reduction in force and review programs and activities were related. Dr. Stinson said they were partially linked, there were some areas that needed to be looked at regarding reduction in force. Dr. Pardue wanted to know if these reductions would happen immediately. Dr. Stinson stated some reductions had already begun with others happening in the near future. The freeze of vacant positions was looked at as of this point in time knowing that there will also be vacant positions going forward. As other vacant positions come open in the fiscal year they can be compared to what is currently vacant. As long as the vacant position dollar amount is the same it is not position specific.

Dr. Stinson stated that she can not guarantee this will be the final budget reduction this year. That would be determined by enrollment and if the state budget is adjusted again due to the declining economy.

This was an informational item therefore no action was required.

AGENDA ITEM 8—FY2019-20 Estimated and FY2020-21 Proposed Budgets

Dr. Stinson stated the estimated budget was the budget that finished out the FY19-20, this budget most closely reflects what will be our actual financial position at the end of this current fiscal year. The proposed budget is what FY20-21 begins with and the reductions that were previously discussed were built into this budget, but will be coming back out of the proposed budget. The budget being reviewed today does include resources of \$7,000,000 that will be backed out. The reason being we are required to submit our proposed budget in early May. It was submitted based on the best-known information at that time. Any reductions that need to be

made will come back through this committee as a part of the October revised budget which will be presented at the December meeting. That budget will reflect fall enrollment and state appropriation reductions. Assumptions for the proposed budget included: implementation of new flat-rate tuition model for first-time full-time freshman, no increase for returning students, no increase in mandatory and non-mandatory fees, implementation of new out-of-state rates.

The E & G revenues reconciliation of difference were as follows.

The revised to current estimate:

- Tuition and Fees-Conservative estimate in enrollment driven maintenance and fees \$1,348,700
- Other- Decrease in sales and services revenue \$36,800

The current estimate compared to proposed:

- Tuition and Fees- International student enrollment reduction due to COVID-19 \$(2,802,174), In-state enrollment decline \$(1,089,948) and SACF and mandatory fee decline \$(785,400)
- State Appropriations- Outcomes Base Adjustment \$404,200, Share of new funding \$1,876,800, Matching Cybersecurity Grant \$500,000 (non-recurring), Insurance adjustment \$216,900 and Salary Pool \$809,400

Dr. Stinson advised on the reconciliation of changes in expenses.

The revised to current estimate included:

- Academic Support- 15% of Online Fee transferred to Provost from colleges \$235,000, Transfer Position from ITS \$98,000, Lapse Salary transferred from departments to Dean \$180,000, Additional budget for Employee and Spouse Education benefits \$50,000, Highland Workforce and Matching Dollars \$60,000
- Student Services- Fund New Advisors \$112,000, Disability Services \$75,000, Temporary transfer of Athletics Scholarships to Operating \$300,000, Center for Career Development additional increase due to revenue increase \$80,000
- Institutional Support- positions transferred \$(98,000) and temporary savings due to vacant positions \$(193,000)
- Main & Operations-temporary savings due to vacant position \$(215,000)
- Scholarships- transfer of scholarships to athletics operating budget \$(150,000)

The Current estimate compared to proposed:

- Instruction- Faculty promotions \$215,952, One-time Carryforward removed Instruction \$(5,854,932), Provision for 1.5% salary increase \$760,000, Lawrenceburg Faculty \$78,000; Counseling & Psy \$178,000; General Engr \$320,000; Ag & Human Ecology \$182,000
- Research- One-time Carryforward removed Research \$(1,241,940) and Provision for 1.5% salary increase \$7,000
- Public Service- One-time Carryforward removed Public Service \$(141,611), Provision for 1.5% salary increase \$11,000, Temporary matching dollars removed \$(190,000)
- Academic Support- One-time Carryforward removed Academic Support \$(659,019), Provision for 1.5% salary increase \$197,000, Software escalation cost \$110,000, Online Fee –Provost portion in instruction \$(200,000), Temporary Lapse Removed for new FY \$(100,000), Dean Fine Arts – Transfer for faculty \$(40,000)
- Student Services- One-time Carryforward removed Student Services \$(462,496), Provision for 1.5% salary increase \$181,000, Seminars and Forums reduced \$(50,000),

SAF Reduction due to enrollment declines \$(300,000), Reduction in International Budgets \$(70,000), Athletics budget reset back to scholarships that was temp used in CE \$(800,000)

- Institutional Support- One-time Carryforward removed Institutional Support \$(180,890), Health Insurance cost increase \$400,000, Provision for 1.5% salary increase \$172,000, Borrow from Benefits for anticipated savings due to vacancies (\$1,000,000)
- Maintenance & Operations- provision for 1.5% salary increase \$71,000
- Scholarships- athletic scholarship reductions of \$325,000 due to new tuition and out of state tuition and international scholarship reduction due to decline in enrollment \$700,000.

The reconciliation of change in natural classification expenses for revised compared to current estimate:

- Salary and Wages-Lapse Strategic Investment Pool - \$(3.4M), Reduce e-campus budget for temporary employment due to enrollment declines \$(354,000), New Advising Counselors \$112,000
- Benefits-Increase budget for Employee Tuition Reimbursement \$400,000
- Travel-Increase budget to cover travel expenditures \$368,000
- Operating & Utilities-Lapse invested back at College/VP level \$1.2M, Strategic Investment Pool \$2.2M, Athletics transfer scholarship funds \$400,000

The reconciliation of change in natural classification expenses for current estimate compared to proposed:

- Salary and Wages-Faculty promotions \$215,952, Provision for 1.5% salary increase \$1,075,486, Re-establish lapse salaries \$3.4M, Reduce Strategic Investment Pool \$(285,381), Temporary Employment funds moved back to Operating \$(582,000)
- Fringe Benefits-TCRS and Health Insurance adjustment \$200,000, Estimated FB for 2% salary increase \$322,645, Borrow from Benefits for anticipated savings due to vacancies (\$1,000,000) to balance budget
- Travel-Remove temporary budget transfers to cover travel expenditures \$(600,000)
- Operating & Utilities-Remove temporary budgets for carryforwards (\$9.5M), Reduce budget for Utilities (\$500,000), Remove temporary budget transfer Athletic Scholarships (\$800,000)
- Scholarships-Reduce International and Athletics Scholarships (\$1.3M)

Chair Stites asked for a motion to send the FY2019-20 Estimated and FY2020-21 Proposed Budgets for approval and place it on the Board's regular agenda. Mr. Saggurti moved to recommend. Dr. Pardue seconded the motion. Ms. Carpenter took a roll call vote. The motion carried unanimously.

AGENDA ITEM 9—Disclosed Projects FY2020-21

Dr. Stinson advised these disclosed projects were projects that we need to begin working on in the upcoming fiscal year. These are campus funded projects and not funded by the state. The first projects was the campus gateway signage with an estimated total of \$490,000. Ceremonial gates would be installed at the primary entry points to campus and entry markers at secondary

entry points. This project will also include new building, street and wayfinding signage, which will be done in phases. The first phase is the gate on the corner of 7th Street and Willow Avenue in front of the Marc L. Burnett Student and Recreation Center. The second project is the data center fire suppression with an estimated cost of \$315,000. This project would install a fire suppression system for the data center in Clement Hall. The final project was football offices at a cost of \$400,000. Prefabricated portable office building would be purchased and installed for the football program. This is needed due to the leaks in the stadium after many attempts at solutions. This is a temporary emergency plan until funds are donated or raised to build a new stadium, state dollars can not be used. Dr. Pardue asked where the portable office would be located. Dr. Stinson advised the south side of the west stadium in the small parking area.

Chair Stites asked for a motion to approve the FY2020-21 Disclosed Projects and place it on the Board's regular agenda. Mr. Saggurti moved to recommend. Dr. Pardue seconded the motion. Ms. Carpenter took a roll call vote. The motion carried unanimously.

AGENDA ITEM 10—Capital Budget FY2021-22

Dr. Stinson advised the capital budget involved capital maintenance, outlay and disclosed projects for FY2021-22. The capital outlay project request for state funding with institutional matching for the Engineering building will retain its priority from FY20-21 into FY21-22 as it was removed from the governor's budget for FY20-21. THEC had advised that projects previously named in the Governor's budget document and then removed when the emergency budget was passed, will retain their current ranking in the FY21-22 proposed budget, and does not need to be resubmitted. THEC requested that our capital maintenance requests be submitted at different potential funding levels. Based on the formula THEC uses TTU will receive 5.2% of available funding. The state budget contains recurring \$40,000,000 for maintenance, Tennessee Tech would be allocated \$2,080,000. THEC maintenance pool request for planning is \$150,000,000 and the university would be allocated \$7,834,000. THEC's contingency plan is for \$120,000,000 which would allocate \$6,290,000 to the university. The priorities for the projects requesting state funding are as follows:

1. Replace Steam Plant Deaerator tank- \$920,000
2. Derryberry Hall Upgrades- \$1,691,000- phase 1: Auditorium Upgrade
3. Foster Hall Demolition- \$2,150,000- demolition and re-route utilities
4. Bryan Fine Arts Auditorium Upgrades- \$1,506,000- replace seating, systems and finishes
5. Site Lighting Upgrades- \$1,567,000- replace/update site lighting along streets, pedestrian paths and parking lots.

The disclosed project, which is campus funded, is for a generator expansion and relocation for \$10,000,000. This would relocate four existing generators to the west side of campus and add two new generators. There is an agreement that would return some funding back if we take the campus onto generators and free up TVA utilities, which must be done quickly once we are notified. A part of the funding for this project would be through debt fund that would be supported by those energy cost savings. The balance of the project would be university funds. The current location of the generators is designated for new academic buildings in the master plan. Dr. Pardue asked where the new site would be located. Dr. Stinson advised it would be located across Willow Avenue on the west edge of campus near the purple zone parking lot. Dr. Pardue asked if adding the two new generators was to allow for additional capacity for future expansion. Dr. Stinson stated the existing four generators would not be able to handle the whole campus once the new lab science and new fitness center came online. The two new generators are larger than the four existing.

Chair Stites asked for a motion to send the FY2021-22 Capital Budget requests to the Board for approval and to place them on the Board's regular agenda. Mr. Saggurti moved to recommend. Dr. Pardue seconded the motion. Ms. Carpenter took a roll call vote. The motion carried unanimously.

AGENDA ITEM 11—Faculty Promotions

Dr. Bruce stated the details of the faculty promotions were provided in Diligent Tab 11. Dr. Bruce praised the faculty for the way they handled the COVID-19 pandemic and the devotion they showed to the students. Fifteen faculty members was awarded promotion by the President beginning August 2020. This included one promotion from instructor to senior instructor, seven from lecturer to senior lecturer, five from Assistant Professor to Associate Professor and one from Associate Professor to full Professor. The distribution of the ranks among the faculty including these promotions are 10% instructor, 3% senior instructor, 12% lecturer, 2% senior lecturer and 19% assistant professor, 26% Associate Professor and 28% full professor. Chair Stites asked if the faculty receiving promotion knew it was ranked on merit and performance and not length of service. Dr. Bruce advised the promotion process is very involved and faculty put together a dossier accomplishing their work, awards, research and service. Peers, College Dean, Department Chair, Provost and President review the application for promotion.

This was an informational item. No action required.

AGENDA ITEM 12—Tenure Recommendations

Dr. Bruce stated Diligent tab 12 included information on the candidates available for tenure. Eight faculty members are being recommended for tenure beginning August 2020 by the President. If these recommendations are approved by the Board the percentage of tenured faculty member in Fall 2020 will be 60%. This will include anticipated new hires. Dr. Bruce stated the tenure process was similar to the promotion process by reviewing the dossier by Provost, President, Dean, Department Chair and peers. Chair Stites asked what tenured upon appointment meant. Dr. Bruce advised that someone was being hired that had negotiated to be awarded tenure at hire. One of the eligible candidates is tenure upon appointment.

Chair Stites asked for a motion to send the Tenure Recommendations to the Board for approval and to place them on the Board's consent agenda. Dr. Pardue moved to recommend. Mr. Saggurti seconded the motion. Ms. Carpenter took a roll call vote. The motion passed unanimously.

AGENDA ITEM 13— Presidents Emeriti Contracts

Dr. Stinson stated that two individuals had Presidential Emeriti contracts with the university, Dr. Robert Bell and Dr. Angelo Volpe. The laws of State of TN require the contracts to be reviewed annually by the Audit & Business Committee and the Board of Trustees. A report for each individual and what they accomplished the past year along with a copy of their agreement for the upcoming year was provided in Diligent Tab 13.

Chari Stites asked for a motion to send the 2020-21 Emeriti contracts to the Board for approval and to place them on the Board's consent agenda. Dr. Pardue moved to recommend. Mr.

Saggurti seconded the motion. Ms. Carpenter took a roll call vote. The motion approved unanimously.

AGENDA ITEM 14—Emergency Title IX Compliance Rule 0240-09-08 and TTU Policy (Title IX Policy and Grievance Procedures)

Chair Stites stated that the Board held an informational session on June 2nd about the new federal Title IX regulations to provide a background and context for the Tennessee Tech Title IX rule that the committee is considering today.

Greg Holt advised the new rules from the Department of Education were released on May 7th which gave us approximately a 90-day time period since we have to have these in place, absent a court procedure or enjoinder, by August 14, 2020. Under T.C.A 4-5-208 (A)(4) if we do not comply with the new regulations and do not proceed with the emergency rule and policy it could jeopardize our federal funding. Given the short period of time an Emergency rule and policy was necessary.

Chair Stites asked for a motion to send the TTU Emergency Rule 0240-09-08 Title IX Compliance and TTU Policy 144(Title IX Policy and Grievance Procedures) to the Board for approval and to place them on the Board's regular agenda. Dr. Pardue moved to recommend. Mr. Saggurti seconded. Ms. Carpenter took a roll call vote. The motion passed unanimously.

AGENDA ITEM 15 —Adjournment of Open Session & Call to Order of Executive Closed Session

There being no further business, the meeting adjourned at 11:06 a.m. After a short break, the Executive Closed Session began at 11:20 a.m. Tennessee Tech Board of Trustees were present.

The following were also present for the meeting:

- President Philip Oldham
- Kae Carpenter, Board Secretary
- Deanna Metts, Director of Internal Audit
- Dr. Claire Stinson, Vice President for Planning and Finance
- Janice Scarlett, Internal Audit Administrative Associate
- Jessica Davis, Internal Auditor
- Lee Wray, Chief of Staff
- Dr. Lori Bruce, Provost
- Dr. Brandon Johnson, Vice President Enrollment Management
- Attorneys for Tennessee Tech

AGENDA ITEM 10—Adjournment

There being no further business, the Executive Closed Session adjourned at 12:20 p.m.

Approved,

Lee Wray, Secretary



Agenda Item Summary

Date: September 29, 2020

Division: Planning and Finance

Agenda Item: Financial Update

Review Action No action required

PRESENTERS: Dr. Claire Stinson, Vice President for Planning and Finance

PURPOSE & KEY POINTS:

Operating Budget Updates: Update on University finances including tuition and fee revenue projections based on fall semester enrollments. Committee will be updated on status of budget reductions implemented at the beginning of the fiscal year.

Capital Budget Updates: Matching requirement for new engineering building will be discussed with the committee and the committee will be provided an update on the status of private funds designated for the match requirement. The committee will receive a briefing on proposed new residence hall to be located on the west side of campus.



Agenda Item Summary

Date: September 29, 2020

Division: Planning and Finance

Agenda Item: Engineering Building Design Presentation

Review

Action

No action required

PRESENTERS: Garry Askew, Bauer Askew Architecture and Kim Chamberlin, Upland Design

PURPOSE & KEY POINTS:

Presentation on design drawings for the new Engineering Building.



Agenda Item Summary

Date: September 29, 2020

Division: Planning and Finance

Agenda Item: Employee Performance Evaluation Analysis

Review

Action

**No action
required**

PRESENTERS: Dr. Leslie Hardin, Associate Vice President of Human Resources

PURPOSE & KEY POINTS:

Overview of FY20 employee performance outcomes.



Agenda Item Summary

6.1

Date: September 29, 2020

Division: Planning and Finance

Agenda Item: TTU Policy 511.1 (Fees, Charges, Refunds and Adjustments)

Review

Action

No action required

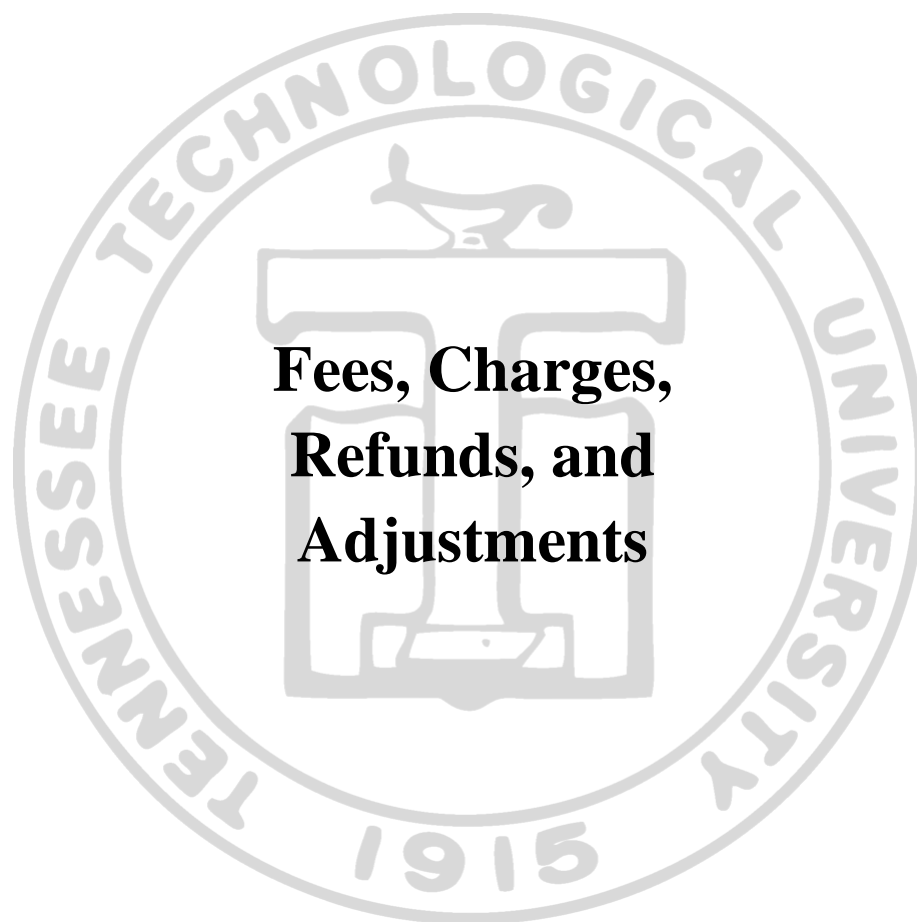
PRESENTERS: Dr. Claire Stinson, Vice President for Planning and Finance

PURPOSE & KEY POINTS:

Updated policy to reflect changes in fee structure approved in December 2019 and March 2020 by the Board of Trustees including Undergraduate Flat Rate Model, Domestic Out-of-State Tuition and simplification of mandatory fees. Addition of a miscellaneous fee category, replacement of damaged or lost Tennessee Tech property and equipment that can be approved by the President.

**Tennessee Technological University
Policy No. 511.1**

6.2



**Fees, Charges,
Refunds, and
Adjustments**

Effective Date: July 1, 2017

Policy No: 511.1

Policy Name: Fees, Charges, Refunds, and Adjustments

Revised Date: July 1, 2020

6.2

I. Purpose

The purpose of the following guideline is to outline significant provisions for consistent administration of fees, charges, and refunds at Tennessee Tech. These policies largely represent a consolidation of existing statements and practices. They are intended to serve as a reference document for institutional staff responsible for implementing and communicating fee-related matters. The policy contents include general and specific provisions for: Maintenance Fees, out-of-state tuition, debt service fees, student activity, miscellaneous and incidental fees, deposits, residence hall fees, and refunds.

II. Review

This policy will be reviewed every four years or whenever circumstances require review, whichever is earlier, by the Director of Financial Services in consultation with the Associate Vice President for Business and Fiscal Affairs and the Vice President for Planning and Finance, with recommendations for revision presented to the Administrative Council, University Assembly, and the Board of Trustees.

III. Definitions

- A. Maintenance Fees:** a charge to students enrolled in credit courses calculated based on the number of student credit hours, also known as in-state tuition
- B. Mandatory Fees:** fees consistently applied to all students regardless of major or class selection
- C. Withdrawal:** the formal process whereby a student informs Tennessee Tech of the decision to cease attendance in all classes for the term
- D. LGIs:** Locally Governed Institutions is the term used to refer to the six universities previously under the Tennessee Board of Regents that now have local governing boards after passage of the FOCUS Act including Austin Peay State University, East Tennessee State University, Middle Tennessee State University, Tennessee State University, University of Memphis, and Tennessee Tech
- E. Save Your Seat:** the program whereby students who have not sufficiently paid their fees can retain their schedule by acknowledging during pre-registration that they will attend the current semester
- F. Domestic Student:** any non-resident student as defined by Tennessee Tech Policy 253, Residency Classification, who is a United States citizen

G. International Student: any non-resident student as defined by Tennessee Tech Policy 253, Residency Classification, who is not a United States citizen

IV. Policy/Procedure

6.2

A. Establishment of fees and charges

1. The Tennessee Tech Board of Trustees must approve all institutional fees and charges unless specific exceptions are provided.
2. The Tennessee Higher Education Commission (THEC) Pursuant to T.C.A § 49-7-202(n) provides binding Maintenance Fee ranges for Tennessee Tech each year during the budgeting process. The binding ranges apply to resident, undergraduate students on the Maintenance Fee rate, as well as the sum total maintenance and Mandatory Fee changes. Rates locally approved must abide by these ranges. THEC will not issue binding recommendations on graduate, out-of-state tuition, or other fee rates.
3. The Tennessee Tech President is responsible for the enforcement and collection of all fees and charges. Fees and charges that specifically do not require Board of Trustee approval must receive formal approval by the President or his/her designee.
4. Tennessee Tech will attempt to follow a general format in publishing information on fees and charges, including, but not limited to, the following:
 - a. All statements which include the fee amount should be complete and specific enough to prevent misunderstanding by readers.
 - b. When a fee is quoted, the refund procedures should be clearly stated including all qualifying conditions. If there is no refund, it should be labeled as non-refundable.
 - c. Whenever possible, specific dates related to the payment of fees and refund procedures should be stated.
 - d. It should be made clear that all fees are subject to change at any time.

B. Approval of exceptions

1. In accordance with these guidelines, the President or his/her designee has the authority to determine the applicability of certain fees, fines, charges, and refunds and to approve exceptions in instances of unusual circumstances or for special groups.

2. All such actions should be properly documented for auditing purposes.

C. Appeals process

1. The appeals process is detailed in TTU Policy 511.2 (Student Fee Adjustments, Refunds, and Appeals).
2. Separate appeals processes may exist for different types of fees, charges, and refunds.
3. The final appeal may be directed to the Vice President for Planning and Finance.

D. Payment of student fees

1. As provided in the TTU Policy 511 (Payment of Student Fees and Enrollment):
 - a. An applicant for admission to Tennessee Tech is considered and counted as a student when all assessed fees have been paid, when the initial minimum payment due under the deferred payment plan has been paid, or when an acceptable commitment from an agency or organization approved by Tennessee Tech has been received.
 - b. An applicant shall possess an acceptable commitment when he/she has submitted a timely application(s) for financial aid with the reasonable probability of receiving such.
2. Pursuant to the above conditions, students who do not (1) prepay all fees, (2) have an approved financial aid deferment, or (3) participate in Save Your Seat will forfeit pre-registration privileges and have their schedule deleted prior to the start of classes for the semester. Students may then re-enroll under the normal registration process.

E. Maintenance Fees

1. Fees are established by the Tennessee Tech Board of Trustees.
2. The same fee is applicable to courses for which the student is enrolled on an audit basis.
3. Rates are established by the Tennessee Tech Board of Trustees and incorporated in a fee schedule by student level (undergraduate and graduate).

a. Undergraduate Students

1) Undergraduate students admitted to ~~a~~Tennessee Tech fall 2020 forward will be assessed an hourly rate for hours 1-11 or charged a flat rate once enrolled in at least 12 hours unless stated otherwise elsewhere in this policy

2) Undergraduate students admitted to Tennessee Tech prior to fall 2020 will be assessed an hourly rate for hours 1-12. The hourly rate will be discounted when undergraduate students enroll in more than 12 hours unless stated elsewhere in this policy.

b. Graduate Students

~~3.1~~ 3.1 –The hourly rate will be discounted when ~~undergraduate students enroll in more than 12 hours and~~ graduate students enroll in more than 10 hours unless stated otherwise elsewhere in this policy.

4. For summer sessions, Maintenance Fees and tuition are assessed using the current hourly rate for both undergraduate and graduate students with no maximum amount for total credit hours enrolled.
5. Maintenance Fees may not be waived; however, specific exceptions are provided in the following instances:
 - a. Pursuant to T.C.A. § 49-7-113, exceptions exist for certain disabled and elderly students, as well as state service retirees.
 - 1) For audit courses, no fee is required for persons with a permanent, total disability, persons 60 years of age or older and domiciled in Tennessee, and persons who have retired from state service with 30 or more years of service, regardless of age.
 - 2) For credit, a fee of \$70 per semester may be charged to persons with a permanent, total disability, and persons who will become 65 years of age or older during the academic semester in which they begin classes and who are domiciled in Tennessee. This fee includes all Mandatory Fees; it does not include course-specific fees such as all miscellaneous course fees, materials fees, application fee, online course fees, and parking fees. This only applies to enrollment on a space available basis, which permits registration no earlier than four (4) weeks prior to the first day of classes.
 - b. Pursuant to T.C.A. § 49-7-102, certain statutory fee exceptions exist for dependents and spouses of military personnel killed, missing in action, or officially declared a prisoner of war while serving honorably as a member of the armed forces during a period of armed conflict. If a student invokes these provisions, the correct applicable law should be determined by the

Business Office and Military and Veteran Affairs.

- c. Military reserve and national guard personnel who are mobilized to active military service within six months of attendance at Tennessee Tech and whose mobilization lasts more than six months shall be charged upon re-enrollment at such institution the tuition, Maintenance Fees, student activity fees, and required registration or matriculation fees that were in effect when such student was enrolled prior to mobilization.
 - 1) After re-enrollment, no increase in tuition, Maintenance Fees, student activity fees, or required registration or matriculation fees shall be assessed to such student until a period of time equal to one year plus the combined length of all military mobilizations has elapsed.
 - 2) In no event, however, shall a student's tuition and fees be frozen after re-enrollment for more than four years.
 - 3) To be eligible for the tuition and fee freeze, the student shall have completed military service under honorable conditions and shall re-enroll at Tennessee Tech within six months of release from active duty.
 - 4) A student eligible for the tuition and fee freeze may transfer from one state institution of higher education to another state institution of higher education one time with such student's tuition and fees calculated at the institution to which the student transfers as if the student had been in attendance at that institution before the mobilization that resulted in the student's tuition and fee freeze at the initial institution.

F. Accounting treatment and relations to other state schools

- 1. A revenue account for Maintenance Fees is used to record both the revenue assessed and refunds made.
- 2. As provided in the Governmental Accounting Standards Board (GASB) Statements 34 and 35, summer school revenues and expenditures must be accrued at fiscal year-end. Summer school activity will not be allocated to only one fiscal year.
- 3. In some cases, full fees are not assessed to students. These occur when statutes establish separate rates for such groups as the disabled, elderly, and military dependents. The difference between normal fees and special fees is not assessed. Fees not assessed in these cases do not represent revenue.
- 4. Agreements/contracts may be executed with a third party (federal agency, corporation, institution, etc.), but not with the individual student, to deliver

routine courses at a fixed rate or for the actual cost of delivering the course and may provide for fees not to be charged to individual students. Individual student fees will be assessed as usual and charged to the functional category Scholarships and Fellowships. The amount charged to or paid by the third party is credited to the appropriate Grants and Contracts revenue account.

5. In some cases, a non-credit course provides an option to grant regular credit. If a separate or additional fee is collected because of the credit, that amount is reported as Maintenance Fee revenue.
 6. Full-time employees of the Tennessee Board of Regents (TBR), the University of Tennessee systems (UT), and LGIs may enroll in one course per term at any public postsecondary institution, with fees waived for the employee.
 7. No tuition-paying student shall be denied enrollment in a course because of enrollment of TBR, UT, and LGI employees.
 8. Spouses and dependents of employees of the TBR system and other LGIs may be eligible for a student fee discount for undergraduate courses at TBR institutions, the University of Tennessee, and other LGIs.
 9. Tennessee Board of Regents institutions and the LGIs may exchange funds for tuition fees of employees' spouses and dependents who participate in a TBR and LGIs' educational assistance programs.
 10. To the extent they are not reimbursed by the State, fee waivers for full-time State employees and fee discounts to children of certified public school teachers shall be accounted for as a scholarship.
- G. Out-of-state tuition is an additional fee charged to students classified as non-residents as defined by Tennessee Tech Policy 253, Residency Classification, who are enrolled for credit courses, including audit courses. This fee is in addition to the Maintenance Fee.
1. Out-of-state tuition fee rates are established by the Tennessee Tech Board of Trustees and are incorporated in the annual fee schedule by student level:
 - a. A separate hourly rate and/or flat rate for out-of-state tuition will be set for undergraduate and graduate students.
 - b. Domestic Students
 - 1) Undergraduate students will be assessed an hourly rate for hours 1-11 or charged a flat rate once enrolled in at least 12 hours.

2) Graduate students will be assessed an hourly rate for hours 1-9 or charged a flat rate once enrolled in at least 10 hours

c. International Students

1) The hourly rate will be discounted when undergraduate students enroll in more than 12 hours.

2) The hourly rate will be discounted when graduate students enroll in more than 10 hours.

3) For summer sessions, out-of-state tuition fees are assessed using the current hourly rate with no maximum amount for total credit hours enrolled.

~~2.~~

3.2.Applicability of out-of-state tuition is determined pursuant to Tennessee Tech Policy 253, Residency Classification, governing a student's in-state and out-of-state classification for admission purposes. The business office will collect fees based upon student classification as determined by the appropriate authority within the institution.

4.3.Accounting treatment

- a. A revenue account for out-of-state tuition is used for recording both credits for fees and debits for refunds.
- b. Other accounting is the same for out-of-state tuition as that outlined under Maintenance Fees except that separate out-of-state accounts are used.
- ~~e.~~—In the case of fees not collected from students under grants and contracts, the same expense account under Scholarships and Fellowships may be used.

~~H. Recruitment focus area plan~~

- ~~1. The plan applies to admitted students (both undergraduate and graduate) who graduate from a high school located in a county within a 250-mile radius of the city in which the main campus of Tennessee Tech is located.~~
- ~~2. The out-of-state tuition rate charged to students eligible for the plan will equal the institution's state subsidy per full-time equivalent for the prior fiscal year. This rate would be capped at 12 hours for undergraduate students and 10 hours for graduate students.~~
- ~~3. The recruitment focus area rate does not impact students who otherwise qualify for border county classification or other in-state residency classification.~~
- ~~4. The Maintenance Fee and the out-of-state tuition should each be recorded as outlined in sections F and G.4 above.~~

~~I. The eRate is available to students who enroll at Tennessee Tech, who are classified as non-residents of Tennessee, and who are enrolled exclusively in online courses.~~

- ~~1. The eRate is 150% of the institution's approved undergraduate or graduate Maintenance Fee.~~
- ~~2. The hourly rate will not be discounted for students receiving the eRate and enrolling in greater than 12 undergraduate hours or 10 graduate hours.~~
- ~~3. To qualify for an eRate, students must:
 - ~~a. Meet all institution admission requirements; and~~
 - ~~b. Be verified as an online out-of-state student enrolled exclusively in courses delivered online by a procedure documented by the institution. Out-of-state students here refers to geographic location and does not include undocumented students living in Tennessee.~~~~
- ~~4. Students enrolled in any type courses other than online (on-ground, telecourse, distance education, etc.) will not be eligible for the eRate specified in this guideline and will instead incur traditional non-resident fees and charges.~~
- ~~5. Students who enroll in both online courses and other type courses and subsequently drop the other type courses will not then become eligible for the eRate.~~

~~6. Tennessee Tech enrolling eRate students as defined in this guideline must provide a method to mitigate any negative impact on the opportunity for Tennessee student enrollment in online courses.~~

~~7. Accounting treatment~~

~~a. The eRate is comprised of the Maintenance Fee and a 50% markup that represents the out-of-state tuition portion.~~

~~b. The Maintenance Fee and the out-of-state tuition should each be recorded as outlined in Sections F and G.4 above.~~

H. Program Service Fee

1. Debt service fees

a. The amount of debt service fees will be approved by the Tennessee Tech Board of Trustees.

b. For simplicity of administration and communication, Tennessee Tech may combine debt service with ~~Maintenance-Mandatory~~ Fees in quoting fee rates, in fee billings and charges, and in making refunds.

c. Revenue from debt service fees will be recorded in the unrestricted current fund and then transferred to the retirement of indebtedness fund as either a mandatory transfer or a non-mandatory transfer. The portion of debt service fee revenue used for current-year debt service will be reported as a mandatory transfer. Any additional debt service fee revenue will be transferred to the retirement of indebtedness fund as a non-mandatory transfer.

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

2. Student Activity Fees

a. A student government activity fee may be established pursuant to T.C.A. § 49-8-109. Any increase in this fee shall be subject to a referendum for student body approval or rejection. These fees will be restricted current funds additions. These fees are refundable on the same basis as Maintenance Fees or as established by Tennessee Tech Board of Trustees.

J.b. Student activity fees (other than student government activity fees) will be approved by the Tennessee Tech Board of Trustees. Such fees may be recommended based on services to be provided which are related to the activity fee. These fees will be unrestricted current funds revenues. These fees are refundable on the same basis as Maintenance Fees or as established by the Tennessee Tech Board of Trustees.:

K.3. Technology Access Fees (TAF)

- a. A fee shall be levied by Tennessee Tech for the purpose of providing student access to computing and similar technologies.
- b. TAF is refundable on the same basis as Maintenance Fees.
- c. Tennessee Tech shall establish expenditure accounts and designated revenue accounts for purposes of recording technology access fees and expenditures.
- d. The TAF should be used by Tennessee Tech for direct student benefit, for items such as new and improved high technology laboratories and classrooms, appropriate network and software, computer and other equipment, and technological improvements that enhance instruction. Examples of TAF use include the following items:
 - 1) Computers and other technical laboratory supplies, equipment, and software and maintenance.
 - 2) Network costs (WWW internet, interactive video, etc.)
 - 3) "Smart" or multimedia classroom equipment and classroom modifications.
 - 4) Lab and course staffing - student and staff assistance for lab and classroom uses.
 - 5) Renewal and replacement reserves as necessary.
 - 6) New machines for faculty use when faculty are actively engaged in developing and conducting on-line courses.
 - 7) Faculty and staff development directly related to the introduction or application of new technology that impacts students. These guidelines should have the flexibility to place instructional technology in a faculty lab where course materials are being prepared. For example, TAF funds can be used to create faculty labs to include the purchase of computers and to

conduct faculty training and course development. (Travel costs for faculty and staff are excluded; however, consultants may be hired as needed for training.)

- 8) Infrastructure (wiring, network, servers, etc.) necessary to provide students maximum computing capability. A ceiling is established of 50% of the total project costs from which TAF can be used.
- 9) Expand technology resources in library, i.e., video piped anywhere on campus, interactive video room for distance education, network for web video courses.

4. Facilities Fee

This fee will be used to improve facilities and fund expenditures such as replacing carpets in student lounges, remodeling classrooms, etc. The fee will not be used for routine maintenance, but will be used to make improvements to areas that have an impact on students. The intended projects will be disclosed during the normal budget cycles. The fee is refundable on the same basis as Maintenance Fees.

4.1. Specialized academic fees

1. Certain academic programs require expensive maintenance/updating of equipment and software and the employment of highly qualified staff. The high costs of instruction for these programs can be offset by establishing specialized academic fees, with the Tennessee Tech Board of Trustees approval.
2. To receive approval for a specialized academic fee, a program will be required to meet criteria a., High Cost of Instruction, as defined below. Additionally, the program should document meeting criteria b - g., as applicable.
 - a. High Cost of Instruction. Programs qualifying for charging specialized academic fees must demonstrate that they are more costly than other programs offered by Tennessee Tech. If appropriate, the extraordinary cost of the program must be validated including benchmarking with similar programs in the region and nation.
 - b. High Demand. The number of students enrolled in the program and the student credit hours generated are sufficient to justify additional fees.
 - c. High Cost of Updating/Maintaining Equipment and Software. Programs qualifying for charging specialized academic fees are expected to be those

that require extensive maintenance and regular updating of equipment and/or software. An average hardware/software cost per student credit hour serves as the basis for determining the amount of the fee.

- d. Accreditation. Meeting standards of specific accrediting agencies may also qualify a specialized program for charging specialized academic fees. The accrediting standards that justify a fee are those that specify the possession and use of certain equipment and unique software that are extraordinarily costly and/or the employment of faculty with specific credentials that demand high salaries.
 - e. High Recognition and Quality. The programs approved for specialized academic fees are expected to be distinctive and with a regional or national reputation. The program must demonstrate that it has achieved exceptional recognition in its particular enterprise.
 - f. High Value to Tennessee. The program must demonstrate that it is a good investment for the State of Tennessee to justify charging extra fees to the student. The graduates' earning potential and the associated benefit to the state economy should be projected, as well as the efforts taken by the institution to aid graduates in finding appropriate employment in Tennessee.
 - g. Impact on Affected Students. Through surveys, questionnaires, or other suitable means, the program must demonstrate that the charging of additional fees will not diminish enrollment. The program should demonstrate that enrolled students realize that the potential earning power in the work force justifies their additional investment.
3. Tennessee Tech's Colleges and Schools must submit documentation of the above applicable criteria when requesting approval of a specialized academic fee. Specialized academic course fee revenues are limited to funding related costs accumulated in the instruction function.

M.J. All miscellaneous fees must be approved by the Tennessee Tech Board of Trustees. Fees for courses requiring special off-campus facilities or services do not require Board approval but should reflect the cost of the facilities or services.

N.K. Incidental fees and charges are subject to approval by the Tennessee Tech Board of Trustees including:

- 5. Application fees: undergraduate \$25.00, graduate \$30.00, international \$40.00.
- 6. Returned check fees: Tennessee Tech will charge a nonrefundable returned check fee that is the maximum set by state law. This fee will apply to all returned checks received by the institution, whether from students,

faculty, staff, or other parties. The university will review state statutes each spring to determine any changes.

7. Parking: A nonrefundable fee may be levied per academic year, per fiscal year and/or per academic term for motor vehicle registration, and such fee shall be applicable to each student, faculty and staff member.

8. Traffic fines: These nonrefundable fines apply to all employees and students.

9. Applied music fees: These fees are charged for private music lessons or small group training sessions and are refundable on the same basis as Maintenance Fees.

10. Late registration fee: Up to \$100 will be charged during the entire period of late registration.

~~11. Facilities fee: This fee will be used to improve facilities and fund expenditures such as replacing carpets in student lounges, remodeling classrooms, etc. The fee will not be used for routine maintenance, but will be used to make improvements to areas that have an impact on students. The intended projects will be disclosed during the normal budget cycles. The fee is refundable on the same basis as Maintenance Fees.~~

O.L. The following fees and charges may be approved by the Vice President for Planning & Finance and the President and established and administered by Tennessee Tech. No specific approval or notification to the Tennessee Tech Board of Trustees will be required unless subject to other Board or State requirements.

1. Sales of goods and services of a commercial nature, including bookstores, food services, vending, laundry, and similar activities.
2. Rental of non-student housing and facilities.
3. Admissions fees to athletic and other events open to the public, including special events sponsored by campus organizations and activities.
4. Sales and services of educational activities such as clinical services, publications, etc.
5. Registration for conferences, institutes, and non-credit activities.
6. Fees for use of campus facilities for recreational purposes.
7. Parking permits and parking meters for use by guests and visitors.

8. Nonrefundable library fines, which will apply to students, faculty, staff, and other library users.
9. Nonrefundable thesis and dissertation fees determined based upon cost to the institution.
10. Child care fees for kindergarten, preschool, early childhood, day care, or similarly defined activities. The refund policy will be established by Tennessee Tech.
11. Nonrefundable special exam fee determined based upon cost to Tennessee Tech.
12. Nonrefundable standardized test fees determined based upon the cost for administering the tests.
13. Nonrefundable identification card replacement. There will be no charge for the original identification card. A fee may be set by Tennessee Tech to offset the cost of replacing the card. This fee applies only to student ID cards and not to faculty and staff ID's.
14. Replacement of damaged or lost Tennessee Tech property and equipment. Fee must be based on reasonable cost to replace.

P.M. Deposits

1. Breakage deposits may be recommended by Tennessee Tech for Board approval for courses in which it can be shown that there is a reasonable chance of loss or damage to items issued to students. The amount of the deposit should be related to the materials issued and subject to a 100% refund.
2. A deposit may be established by Tennessee Tech for rent or lease of buildings and facilities or for the issuance of other institutional property or equipment. Deposits should be subject to a 100% refund if no damage or loss occurs. The amount of such deposits should be related to the value of the facilities or equipment subject to loss and the general ability of the institution to secure reimbursement should loss or damage occur.
3. Tennessee Tech is authorized to require a security deposit for residence hall facilities which may be forfeited by the student for failure to enter into a residence agreement or non-compliance with applicable agreement terms.

Q.N. Student residence hall and apartments

1. All regular and special rental rates for student dormitories and student apartments will be approved by the Tennessee Tech Board of Trustees upon

the recommendation by the President. Special rates for non-student groups during summer periods may be ~~recommended~~ approved by the Vice President for Planning and Finance and the President.

2. Rental for student dormitory or residence hall units shall be payable in full in advance of the beginning of a term. However, Tennessee Tech shall offer an optional payment plan under which a prorated amount of the rental shall be payable monthly in advance during the term. A monthly service charge and a late payment charge may be assessed. Residence Hall students can participate in the deferred payment plan (TTU Policy 511.3 Deferred Payment Plan).

R.O. Tennessee Tech may submit for Board of Trustee approval of fees and charges not specifically covered by this policy.

1. **P.** Fees may be established to control the utilization of facilities and services or to offset the cost of extraordinary requirements as a result of specific programs or activities.
2. **Q.** When fees and charges are incorporated in agreements with outside contractors and vendors, specific rates, refunds, and conditions must be clearly stated.
3. **R.** Fees for auxiliary services must take into consideration that Auxiliary Enterprises should be at least a break-even operation with rates and charges generating revenue sufficient to cover all expenses as defined in operating budget guidelines.
4. **S.** Fees established for non-credit courses and activities shall be sufficient to cover the total costs incurred in providing the program, including any indirect costs, plus a minimum of 25% of the annual instructional salary costs including contractual salary costs or personal services contracts.
5. **T.** Students enrolled for six or more hours are eligible for full-time privileges, i.e., access to social, athletic, and cultural functions, pursuant to T.C.A. § 49-8-109.

S. U. Refunds and fee adjustments

1. Adjustments to all fees and charges must be in accordance with the following provisions except as previously stated, or when required by federal law or regulation to be otherwise.
2. Pursuant to T.C.A. §§ 49-7-2301 and 49-7-2302, students called to active military or National Guard service during the semester are entitled to a 100% adjustment or credit of Mandatory Fees. Housing and meal ticket charges may be prorated based on usage.
3. Maintenance Fee refunds and adjustments

- a. Refunds are 100% for courses canceled by Tennessee Tech.
- b. Changes in courses involving the adding and dropping of equal numbers of SCH's for the same term at the same time require no refund or assessment of additional Maintenance Fees, unless the dropping and adding involves TN eCampus courses.
- c. The fee adjustment for Withdrawals or drops during regular terms (fall and spring) is 75% from the first day of classes through the fourteenth calendar day of classes and then reduced to 25% for a period of time which extends 25% of the length of the term. When the first day of the academic term falls on a Saturday, the 100% refund period is extended through the weekend until the following Monday morning (12:01 am). There is no fee adjustment after the 25% period ends. Dropping or withdrawing from classes during either the 75% or the 25% fee adjustment period will result in a fee adjustment of assessed Maintenance Fees based on the total credit hours of the final student enrollment.
- d. For summer sessions and other short terms, the 75% fee adjustment period and the 25% fee adjustment period will extend a length of time which is the same proportion of the term as the 75% and 25% periods are of the regular terms.
- e. All fee adjustment periods will be rounded to whole days and the date on which each fee adjustment period ends will be included in publications. In calculating the 75% period for other than the fall and spring and in calculating the 25% length of term in all cases, the number of calendar days during the term will be considered. When the calculation produces a fractional day, rounding will be up or down to the nearest whole day.
- f. A full refund (100%) is provided on behalf of a student whose death occurs during the term. Any indebtedness should be offset against the refund.
- g. A 100% refund will be provided for students who enroll under an advance registration system but who drop a course or courses prior to the beginning of the first day of class.
- h. A 100% refund will be provided to students who are compelled by Tennessee Tech to withdraw when it is determined that through Tennessee Tech error they were academically ineligible for enrollment or were not properly admitted to enroll for the course(s) being dropped. An appropriate official must certify in writing that this provision is applicable in each case.

- i. When courses are included in a regular term's registration process for administrative convenience, but the course does not begin until later in the term, the 75%/25% fee adjustment periods will be based on the particular course's beginning and ending dates. This provision does not apply to classes during the fall or spring terms which may meet only once per week. Those courses will follow the same refund dates as other regular courses for the term.
 - j. The fee adjustment is calculated as the difference between (1) the per credit hour cost of originally enrolled hours and (2) the per credit hour cost of the courses at final enrollment after adjustments have been applied for all courses dropped. Adjustments are calculated at the full per credit hour rate less the fee adjustment credit at the applicable fee adjustment percentage (regardless of the original number of hours enrolled). Not all drops/Withdrawals will result in fee adjustments.
4. The fee adjustment provision for out-of-state tuition is the same as that for Maintenance Fees. The 75% fee adjustment period and the 25% fee adjustment period will follow the same dates as the fee adjustment periods for Maintenance Fees. When 100% of Maintenance Fees are refunded, 100% of out-of-state tuition also is refunded. Calculation procedures are the same as those specified for Maintenance Fees.
5. Program Service Fee will be subject to the same refund policy as Maintenance Fees.
6. Refund of residence hall rent after registration will be prorated on a weekly calendar basis when the student is forced to withdraw from the residence hall:
- a. Because of personal medical reasons confirmed in writing by a licensed physician, or
 - b. Full refund will be made in the case of the death of the student.
 - c. Withdrawals for other reasons will be subject to the same 75%/25% amounts and time periods as Maintenance Fees.
 - e.d. No refund will be made other than under the above conditions.
7. Residence hall reservations and any deposits will be refunded in full if:
- a. Tennessee Tech is notified by a specific date which it establishes, but which may not be later than fourteen (14) calendar days prior to the first official day of registration,

- b. The student is prevented from entering Tennessee Tech because of medical reasons confirmed in writing by a licensed physician, or
- c. Residence hall space is not available.
- d. Full refund will be made in the case of the death of the student.

8. The Tennessee Tech meal plan refund policy is described in Policy 511.2 (Student Fee Adjustments, Refunds, and Appeals).

V. Interpretation

The Vice President for Planning and Finance or his/her designee has the final authority to interpret the terms of this policy.

VI. Citation for Authority for Policy

T.C.A. § 49-8-113; T.C.A. § 49-8-201(f)(8)(C); TBR Guideline B-060; TBR Rule 0240-1-2.01 et seq.; T.C.A § 49-7-2301; T.C.A § 49-7-2302;

Approved by:

Administrative Council: February 22, 2017

University Assembly: April 19, 2017

Board of Trustees: March 23, 2017

President on September 3, 2020, pursuant to Policy 101, Section VII.A.

Received by:

Administrative Council:



Agenda Item Summary

Date: September 29, 2020

Division: Planning and Finance

Agenda Item: TTU Policy 511.2 (Student Fee Adjustments, Refunds and Appeals)

Review **Action** **No action required**

PRESENTERS: Dr. Claire Stinson, Vice President for Planning and Finance

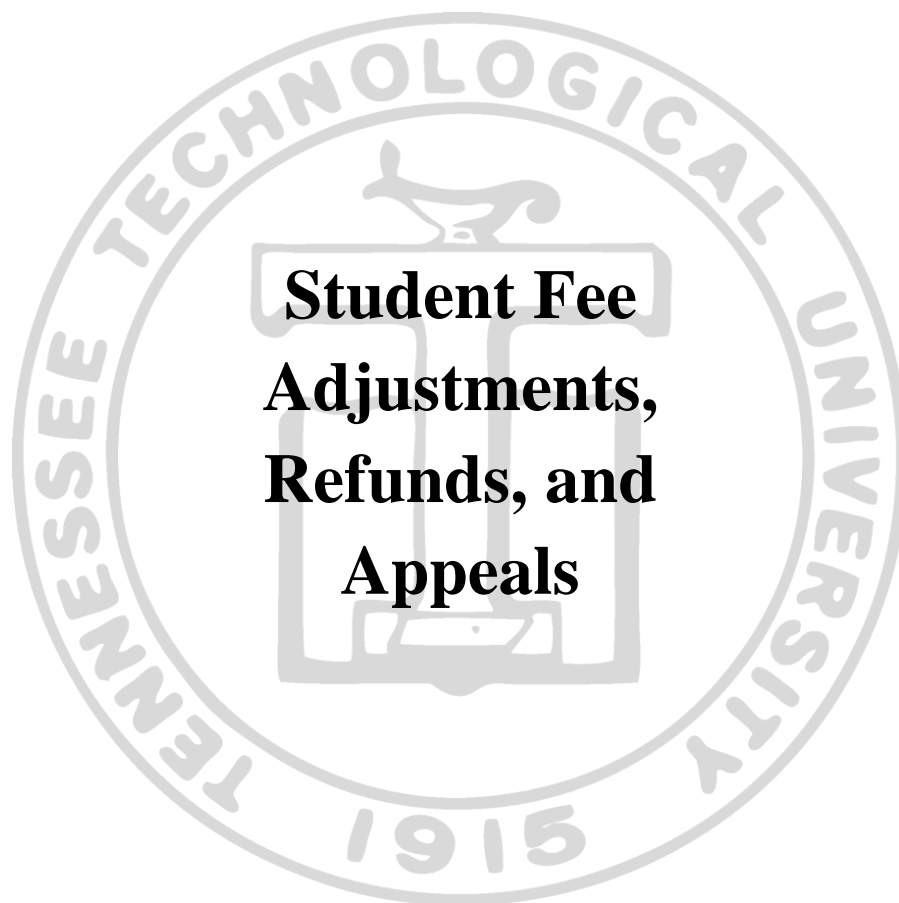
PURPOSE & KEY POINTS:

Removal of two definitions to reflect changes in fees structure approved in March 2020 by the Board of Trustees regarding the Undergraduate Flat Rate Model.

7.1

**Tennessee Technological University
Policy No. 511.2**

7.2



Effective Date: July 1, 2017

Policy No.: 511.2

Policy Name: Student Fee Adjustments, Refunds, and Appeals

Revised Date: July 1, 2020

I. Purpose

This policy describes the procedures for making fee adjustments and refunds.

II. Review

This policy will be reviewed every four years or whenever circumstances require review, whichever is earlier, by the Director of Financial Services in consultation with the Associate Vice President for Business and Fiscal Affairs and the Vice President for Planning and Finance, with recommendations for revision presented to the Administrative Council, University Assembly, and the Board of Trustees.

III. Scope

This policy applies to refund calculations related to student registration fees, dormitory rent and prepayment, and meal plan adjustments.

IV. Definitions

~~—Base Maintenance Fees: Maintenance Fees assessed for the first twelve (12) hours of undergraduate enrollment and for the first ten (10) hours of graduate enrollment~~

~~B.A.~~ Direct Deposit: electronic transmittal of funds directly to a student's bank account

~~C.B.~~ DMBA: Distance Master of Business Administration Program

~~D.C.~~ Dropping a Course: a schedule change involving deletion of a single course from a student's class schedule

~~E.D.~~ Equal Exchange: the dropping and adding on the same day of an equal number of student credit hours, for the same Part-of-Term, within the same program (campus, DMBA, or TN eCampus)

~~F.E.~~ Excess Aid: the amount by which federal financial aid, grants, or scholarships credited to a student account exceeds Tennessee Tech charges for the semester

~~G.F.~~ Maintenance Fees: also known as tuition, charges to students enrolled in credit courses calculated based on the number of student credit hours

~~H.G.~~ Mandatory Meal Plan: required meal plan for freshmen living in the residence halls for the first two semesters of enrollment, excluding summer

~~H. Over-base Maintenance: Maintenance Fees assessed at a reduced per hour rate for enrollment beyond the first twelve (12) hours of undergraduate enrollment and beyond the first ten (10) hours of graduate enrollment~~

~~I.H.~~ Part-of-Term: the time frame over which a course is delivered and may cover a full semester, a portion of the semester, or the time period between semesters

~~J.I.~~ Refund Penalty: the reduced refund students receive when they reduce their schedule, usually twenty-five percent (25%) or seventy-five percent (75%), as determined by the date of the schedule change

~~K.J.~~ TN eCampus: online learning program administered by the Tennessee Board of Regents

~~L.K.~~ Withdrawal: the formal process whereby a student informs Tennessee Tech of the decision to cease attendance in all classes for the term

V. Policy/Procedures

- A. Fees, conditions of assessment, and refund policies are subject to change by action of the Tennessee Tech Board of Trustees without prior notice.
- B. Except as provided in this policy, refunds and adjustments of refundable fees are processed in accordance with provisions outlined in TTU Policy 511.1 (Fee Charges, Refunds, and Fee Adjustments), as may be amended from time to time.
- C. The following are additional requirements and clarifications for Tennessee Tech to carry out TTU Policy 511.1 (Fee Charges, Refunds, and Appeals) with regard to registration fee adjustments and refunds.
 1. The following are changes that may result in refunds:
 - a. Dropping a Course
 - b. Withdrawal from Tennessee Tech
 - c. Cancellation of a class by Tennessee Tech
 - d. Death of the student.
 2. Schedule changes involving Equal Exchanges do not require a refund or assessment of additional Maintenance Fees, but adjustment of related

special course fees may be required. Schedule changes between campus courses and DMBA and TN eCampus courses are not equal exchanges.

3. In adherence to TTU Policy 1203, students must file a formal application for withdrawal to apply for a refund, if applicable. For the purposes of this policy, Withdrawals are effective on the date the student formally files the application.
4. There are three refund percentage periods: 100%, 75% and 25%. TTU Policy 511.1 (Fee Charges, Refunds, and Fee Adjustments), as may be amended from time to time, defines the period calculation for each. Reference the University Calendar to review official Tennessee Tech refund deadline dates. Examples of commonly occurring refund calculations are shown here.

D. Residence hall rent adjustments are processed in accordance with TTU Policy 511.1 (Fee Charges, Refunds, and Fee Adjustments) and TTU Policy 305_(Student Housing), as may be amended from time to time.

E. Refund of meal plan charges

1. Students may change their meal plan selection once during the first two weeks of each semester without a Refund Penalty. Students opting for a more extensive meal plan are obligated to pay the difference in price. Freshmen dormitory residents who are required to have a meal plan may select only other Mandatory Meal Plans.
2. Beginning with the day residence halls officially open for the semester, meal plan charges will be refunded according to the following schedule:

a.	0 days – 14 days	100% of plan cost minus used meals and dining dollars
b.	15 days – 22 days	75% of plan cost minus used dining dollars
c.	23 days – 30 days	25% of plan cost minus used dining dollars
d.	After 30 days	0%
3. The same refund schedule described in Section V.E.2. applies to students who move from a residence hall to a Tech Village apartment and choose to delete their meal plan. The Mandatory Meal Plan requirement does not apply to residents of Tech Village.
4. Tennessee Tech will refund one hundred percent (100%) of the meal plan charge on behalf of a student whose death occurs during the term.
5. Exceptions to the above stated meal plan refund policy will be at the discretion of Dining Services.

F. Refund processing

1. Students are required to participate in the Direct Deposit process for delivery of excess aid and other refunds. Procedures to sign up for direct deposit are available on the Bursar web page. Direct Deposit excess aid refunds are available beginning the last working day before classes begin.
2. In accordance with federal regulations, for students who fail to set up Direct Deposit, paper checks will be available beginning no later than fourteen (14) days into the term.
3. Tennessee Tech will process a refund of credit card payments as a credit back to the card. When more than one card is used to pay an outstanding balance, the refund will be credited to the last card used for the amount charged on that card. Any remaining refund after all cards are refunded is delivered via Direct Deposit or paper check.
4. As an exception, excess aid resulting from federal aid credited to the student account after fees have been paid with a credit card will be delivered to the student by direct deposit rather than as a credit back to the card.
5. A Parent Loan for Undergraduate Students (PLUS) excess aid credit is delivered either to the student or to the parent in accordance with the parent's directive. If the parent chooses to receive the credit, a paper check is mailed to the address provided by the parent on the loan application.
6. No refunds for less than \$1.00 will be issued unless specifically requested.

G. Appeals process

1. Students appealing a refund decision due to exceptional circumstances must submit the Fee Refund Request Form to the Office of the Registrar Fee Refund Committee. Proof of extenuating circumstances must accompany the completed form.
2. Students must submit their appeal within two full academic semesters (Fall & Spring) after the term for which they want a refund. The following link presents examples of deadlines. No appeal will be considered beyond this deadline, absent good cause.
3. The Committee meets at least biweekly if appeals are pending. The Business Office will notify each student in writing within one week of the Committee's decision. If the appeal relates to a prior term, the Committee may require additional time. Any necessary transcript or financial adjustments will be applied to the student's record.

4. If the Committee denies the appeal based on insufficient documentation, the student may resubmit the appeal as described in Section V. G.1. with additional documentation for further review.
5. If the Committee denies the appeal for any other reason, students may submit a written request for final review to the Vice President for Planning and Finance within ten (10) business days after the denial notification, absent good cause. The Vice President for Planning and Finance will issue a written decision within ten (10) business days of receipt of the student's request, absent good cause. The decision by the Vice President for Planning and Finance is final.

7.2

VI. Interpretation

The Vice President for Planning and Finance or his/her designee has the final authority to interpret the terms of this policy.

VII. Citation of Authority

T.C.A. § 49-8-203 (a)(1)(C)

Approved by:

Administrative Council: February 22, 2017

University Assembly: April 19, 2017

Board of Trustees: March 23, 2017

President on August 24, 2020, pursuant to Policy 101, Section VII.A.

Received by:

Administrative Council:

University Assembly:



Agenda Item Summary

Date: September 29, 2020

Agenda Item: TTU Policy 144 (Title IX Policy & Grievance Procedures)

Review

Action

No action required

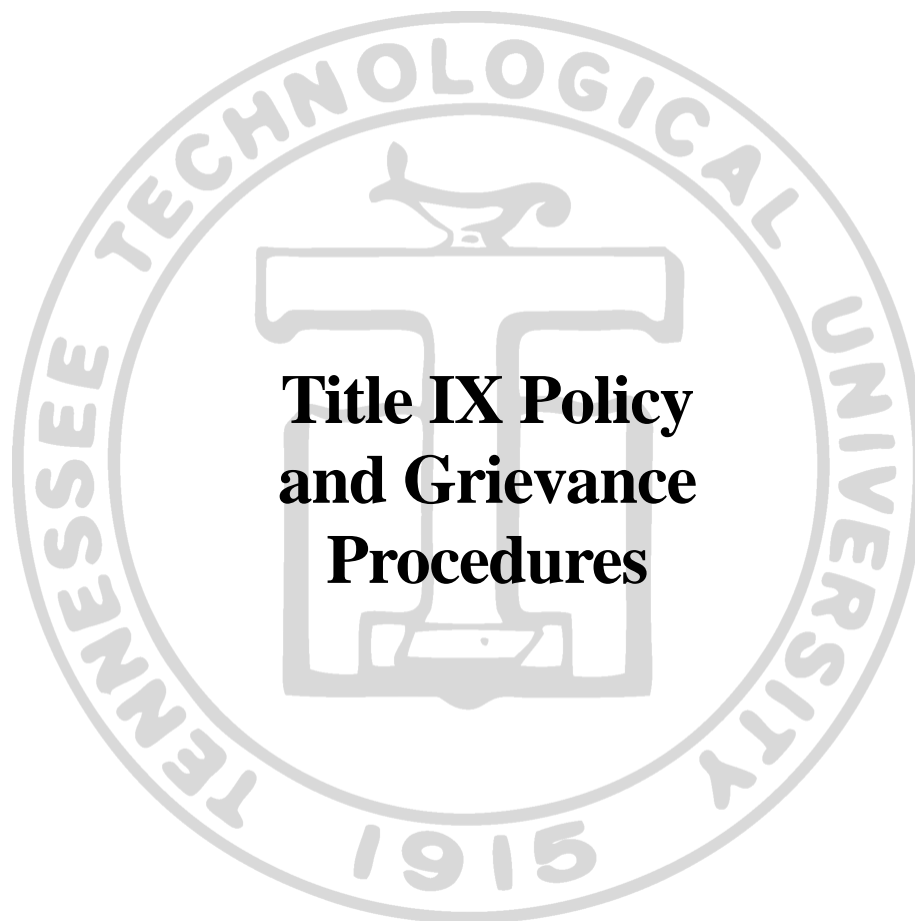
PRESENTER: Dr. Claire Stinson, Vice President for Planning & Finance

PURPOSE & KEY POINTS:

TTU Policy 144 (Title IX Policy and Grievance Procedures) reflects the Title IX rule requirements and provides additional details as required by the federal regulations. This policy is substantially the same as the policy approved by the Board at its June 23, 2020, meeting. The only changes are in the definitions of certain crimes, which have been updated to reflect the current statutory language.

Tennessee Technological University Policy No. 144

8.2



Title IX Policy and Grievance Procedures

Effective Date: August 14, 2020

Policy No: 144

Policy Name: Title IX Policy and Grievance Procedures

Revised Date: September 29, 2020

I. Purpose

This policy is intended to provide a single, easily accessible, and user-friendly document for students, employees, and others affected by sexual harassment to find information regarding Tennessee Tech's rules and procedures related to the offenses defined herein.

8.2

II. Scope

Allegations of prohibited discrimination or harassment not within the scope of this policy are subject to the procedures described in Tennessee Tech Policy 141 (Prohibited Discrimination and Harassment).

III. Definitions

- A.** Actual knowledge -- notice of sexual harassment or allegations of sexual harassment to Tennessee Tech's Title IX Coordinator or any Tennessee Tech official who has authority to institute corrective measures on behalf of Tennessee Tech. This definition is not met when the only Tennessee Tech official with actual knowledge is also the respondent.
- B.** Complainant -- an individual who is alleged to be the victim of conduct that could constitute sexual harassment. Complainant does not mean the Title IX Coordinator when the Title IX Coordinator signs a formal complaint or is not otherwise an alleged victim of sexual harassment. References in this rule to the singular "complainant" include the plural, as applicable.
- C.** Consent -- a clear and unambiguous agreement, expressed outwardly through mutually understandable words or actions, to engage in agreed upon sexual activity. An individual who is asleep, unconscious, mentally or physically incapacitated either through the effect of drugs or alcohol or for any other reason, or who is under duress, threat, coercion, or force cannot give consent. Past consent does not imply future consent. Consent can be withdrawn at any time.

~~**D.** Dating violence -- as defined under [federal law \(34 U.S.C. 12291\(a\)\(10\)\)](#) <https://www.tntech.edu/titleix/definitions.php>, ~~violence committed by a person:~~~~

D.

~~1. Who is or has been in a social relationship of a romantic or intimate nature with the victim; and~~

~~2. Where the existence of such a relationship shall be determined based on a consideration of the following factors:~~

~~a. The length of the relationship;~~

~~b. The type of relationship; and~~

~~c. The frequency of interaction between the persons involved in the relationship.~~

- E. Deliberately indifferent -- a response that is clearly unreasonable in light of the known circumstances.
- F. Disciplinary Sanctions -- remedies and penalties that Tennessee Tech may impose upon a respondent following a determination of responsibility are as follows:
 - 1. A student who violates this policy is subject to the disciplinary sanctions set forth in Tennessee Tech Policy 302, Student Conduct. These include:
 - a. Informal Warning
 - b. Official Warning
 - c. No Contact Order
 - d. Restitution
 - e. Restriction of Privileges
 - f. Educational Action
 - g. Disciplinary Probation
 - h. Housing Probation, Suspension or Cancellation of Housing Contract
 - i. Other Interim Measures

~~j.~~ Expulsion

~~i.~~

2. An employee who violates Tennessee Tech Policy 144, Title IX Policy and Grievance Procedures, is subject to the disciplinary sanctions set forth in Tennessee Tech Policy 650, Disciplinary Action. These include:
 - a. Verbal or Written Warning
 - b. Suspension with Pay
 - c. Suspension without Pay
 - d. Demotion
 - e. Disciplinary Probation
 - f. Termination

3. Students or employees found guilty of violating this policy may also face criminal prosecution.

8.2

~~G.~~ Domestic violence -- as defined under [federal law \(34 U.S.C. 12291\(a\)\(8\)\)](https://www.tntech.edu/federal-law-34-u-s-c-12291-a-8) <https://www.tntech.edu/titleix/definitions.php>, ~~includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.~~

~~G.~~

~~H.~~ Education program or activity -- locations, events, or circumstances over which Tennessee Tech exercised substantial control over both the respondent and the context in which the sexual harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by Tennessee Tech.

~~I.~~ Formal complaint -- a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting

Tennessee Tech investigate the allegation of sexual harassment. As used in this definition, the phrase “document filed by a complainant” means a document or electronic submission that contains the complainant’s physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint.

I.

- J. Hearing officer -- the person(s) who conducts the live hearing and is the decision-maker with respect to the determination of responsibility. A hearing officer cannot be the same person(s) as the Title IX Coordinator or the investigator(s).
- K. Officials with Authority -- Tennessee Tech employees who have the authority to institute corrective measures to redress sexual harassment or allegations of sexual harassment on behalf of Tennessee Tech. Tennessee Tech Officials with Authority are:
 1. The President
 2. The Title IX Coordinator
 3. The Dean of Students
 4. Associate Vice President of Human Resources
- L. Respondent -- as defined under federal law an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment. References in this rule to the singular “respondent” include the plural, as applicable.

~~M. Sexual assault -- as defined under [federal law \(20 U.S.C. 1092\(f\)\(6\)\(A\)\(v\)\)](#) <https://www.tntech.edu/titleix/definitions.php>, an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.~~

M.

- ~~1. Forcible sex offenses are defined as any sexual act directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent. Forcible sex offenses include:~~
 - ~~a. Forcible Rape -- (Excluding statutory rape). The carnal knowledge of a person, forcibly and/or against that person's will or not forcibly or against the person's will in instances~~

8.2

~~where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity.~~

~~b. **Forcible Sodomy -- Oral or anal sexual intercourse with another person, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.**~~

~~c. **Sexual Assault With An Object -- To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.**~~

~~d. **Forcible Fondling -- The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent.**~~

~~e. **Dating violence, domestic violence and stalking.**~~

~~2. Nonforcible sex offenses are defined as nonforcible sexual intercourse. Nonforcible sex offenses include:~~

- ~~a. **Incest -- Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.**~~
- ~~b. **Statutory Rape -- Nonforcible sexual intercourse with a person who is under the statutory age of consent.**~~

~~N. Sexual harassment -- conduct on the basis of sex that satisfies one or more of the following:~~

- ~~1. A Tennessee Tech employee conditioning the provision of an aid, benefit, or service of Tennessee Tech on an individual's participation in unwelcome sexual~~

conduct;

- 2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to Tennessee Tech’s education program or activity; or
- 3. Sexual assault, dating violence, domestic violence and stalking as defined by federal law.

~~Q. Q. Stalking — as defined under by federal law (34 U.S.C. 12291(a)(30)) <https://www.tntech.edu/titleix/definitions.php>. — engaging in a course of conduct directed at a specific person that~~

~~O.~~

—

~~1. Would cause a reasonable person to fear for his or her safety or the safety of others; or~~

—

~~2. Suffer substantial emotional distress.~~

—

P. Supportive measures -- non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to Tennessee Tech’s education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or Tennessee Tech’s educational environment, or deter sexual harassment. Supportive measures may include but are not limited to counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

Q. Title IX Coordinator -- the person designated and authorized by Tennessee Tech to coordinate its efforts to comply with its Title IX responsibilities.

IV. Policy

A. As required by law, no student, employee, or applicant for admission or employment will be excluded, on the basis of sex, from participation in, be denied the benefit of,

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or be subjected to discrimination under any Tennessee Tech education program or activity.

- B.** When a person reports sex discrimination committed against a person while in the United States, Tennessee Tech will follow its rules, procedures and processes used for Title VII sex discrimination allegations, which provide for the prompt and equitable resolution of complaints alleging sex discrimination.
- C.** If Tennessee Tech has actual knowledge of sexual harassment in an education program or activity committed against a person while in the United States, Tennessee Tech will respond promptly and follow its grievance procedures in a manner that is not deliberately indifferent.
- D.** If the allegations in a formal complaint do not meet the definition of sexual harassment, or did not occur in the school's education program or activity against a person while in the United States, Tennessee Tech will dismiss such allegations for purposes of Title IX but may still address the allegations in any manner deemed appropriate under all Tennessee Tech policies.
- E.** Where a person alleges both sex discrimination and sexual harassment committed against a person while in the United States, Tennessee Tech will follow its rules, procedures and processes for responding to a formal complaint of sexual harassment. If the formal complaint is dismissed at any point in the process, Tennessee Tech will follow its rules, procedures and processes used for Title VII sex discrimination allegations.
- F.** As required by law, Tennessee Tech will not restrict rights protected under the U.S. Constitution, including the First Amendment, Fifth Amendment, and Fourteenth Amendment.

V. Notification and Publication Requirements

- A.** Tennessee Tech will notify applicants for admission and employment, students, and employees, that:
 - 1. It does not discriminate on the basis of sex in its education programs or activities and will provide the name, title, office address, electronic mail address, and telephone number of the Title IX Coordinator in that notification;
 - 2. Inquiries regarding the application of Title IX may be directed to the Title IX Coordinator, the U.S. Department of Education, or both;

3. Its grievance process, including how to report or file a complaint of sex discrimination, how to report or file a formal complaint of sexual harassment, and how Tennessee Tech will respond; and
 4. The contact information for the Title IX Coordinator and its Title IX policies and procedures.
- B.** These notifications along with other information related to Title IX will be placed on Tennessee Tech’s website and in each handbook or catalog that it makes available to applicants for admission and employment, students, and employees.
- C.** The Title IX Coordinator is responsible for coordinating the effective implementation of the notification and publication requirements.

VI. Confidentiality

- A.** Tennessee Tech will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted or required by federal or state law, or to carry out the purposes of this rule and attendant policies, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder.
- B.** Tennessee Tech will maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality does not impair Tennessee Tech’s ability to provide the supportive measures.

VII. Immediate Steps a Complainant Should Take After Sexual Assault

- A.** In the immediate aftermath of a sexual assault, domestic violence, dating violence or similar event, the complainant should first get to a safe place and to call 911 if in immediate danger.
- B.** The complainant should next seek medical attention, regardless of whether a complainant has decided to report the crime to the police. It is very important for the complainant of sexual assault to seek medical attention immediately so that the complainant can be screened for sexually transmitted diseases/pregnancy/date rape drugs, obtain emergency contraception, and receive treatment for any physical injuries.

- C. The complainant has the right to accept or decline any or all parts of a medical exam. However, critical evidence may be lost or missed if not collected or analyzed.

- D. Valuable physical evidence can be obtained from the complainant's clothing. Every effort should be made to save anything that might contain the respondent's DNA. Therefore, if at all possible, a complainant of sexual assault should not:
 - 1. Bathe or shower;
 - 2. Wash his or her hands;
 - 3. Brush his or her teeth;
 - 4. Use the restroom;
 - 5. Change clothes;
 - 6. Comb hair;
 - 7. Clean up, move things, or change anything associated with the crime scene; or
 - 8. Move anything the offender may have touched.

- E. Regardless of whether the complainant has decided to report the crime, receiving a forensic medical exam and keeping the evidence safe from damage will improve the chances that law enforcement can access and test the stored evidence should the complainant choose to prosecute at a later date.

- F. The complainant is encouraged to preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if any, that would be useful to investigators.

VIII. Reports of Sex Discrimination or Sexual Harassment

- A. Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone,

or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.

- B. A report may be made at any time (including during non-business hours) to the Title IX Coordinator at 931-372-3112, titleix@tntech.edu, 1 William L. Jones Drive, Box 5037, Cookeville, TN 38505 or to the U.S. Department of Education, Office of Civil Rights, 800-421-3481, OCR@ed.gov, 400 Maryland Avenue, SW, Washington D.C. 20202-1100.

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IX. Supportive Measures

- A. Upon receipt of a report of sexual harassment or upon the filing of a formal complaint the Title IX Coordinator will promptly contact the complainant and:
 - 1. Discuss the availability of supportive measures;
 - 2. Consider the complainant's wishes with respect to supportive measures;
 - 3. Inform the complainant of the availability of supportive measures with or without the filing of a formal complaint; and
 - 4. Explain the process for filing a formal complaint.
- B. In cases where a formal complaint is filed, and an investigation is commenced, Tennessee Tech will offer supportive measures to the respondent as well.
- C. Mutual restrictions on contact between the parties may be obtained through the Title IX Coordinator.
- D. In cases where a formal complaint is filed Tennessee Tech may remove a respondent from an education program or activity on an emergency basis only after the Title IX Coordinator, in consultation with appropriate personnel, undertakes an individualized safety and risk analysis, determining that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and providing the respondent with notice and an opportunity to challenge the decision immediately following the removal.
- E. Tennessee Tech may place a non-student employee respondent on administrative leave during the pendency of a grievance process.
- F. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

X. Grievance Procedures

A. Regarding its grievance procedures, Tennessee Tech will:

- 1.** Apply its grievance procedures and requirements equally to both parties;
- 2.** Presume that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process;
- 3.** Apply a preponderance of the evidence standard throughout the grievance process;
- 4.** Assume the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility;
- 5.** Require an objective evaluation of all relevant evidence – including both inculpatory and exculpatory evidence and prohibit credibility determinations based on a person’s status as a complainant, respondent, or witness;
- 6.** Treat complainants and respondents equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent, and by following its grievance process before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent;
- 7.** Design remedies to restore or preserve equal access to Tennessee Tech’s education program or activity. Such remedies may include supportive measures; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the respondent;
- 8.** Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney; however, the advisor may not participate in the proceeding other than to render advice to the party or to cross examine the other party or witnesses during a live hearing;
- 9.** Provide to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews, or other meetings with a party, with sufficient time for the party to prepare to participate;

10. Provide parties written notice of the grievance process, including informal resolution; and
11. Ensure that the Title IX Coordinator, investigator, hearing officer, or decision-maker does not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

B. Timeframe for the Grievance Process

Tennessee Tech will make reasonable efforts to conclude the grievance process, including the investigation, hearing and appeal within ninety (90) calendar days following receipt of the complaint, absent good cause. The anticipated timeframe for the investigation hearing appeal or informal resolution are:

1. Investigation -- 45 calendar days
2. Hearing -- 30 calendar days
3. Appeal (if applicable) -- 15 calendar days
4. Informal Resolution (if applicable) -- 30 calendar days

XI. Formal Complaint

- A. Only a complainant or the Title IX Coordinator may file a formal complaint.
- B. If Title IX Coordinator files a formal complaint, the Title IX Coordinator is not considered a complainant or a party during a grievance process.
- C. A formal complaint must contain:
 1. the complainant's physical or digital signature, or otherwise indicate that the complainant is the person filing the formal complaint; and
 2. a written notice of the allegations potentially constituting sexual harassment, including sufficient details known at the time; sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known.
- D. Upon receipt of the formal complaint, Tennessee Tech will provide the parties written notice of the allegations potentially constituting sexual harassment, including

sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known.

- E.** In addition, the written notice to the parties shall include statements that:
- 1.** The respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made at the conclusion of the grievance process;
 - 2.** The parties may have an advisor of their choice, who may be, but is not required to be, an attorney; however, the advisor may not participate in any investigative interview or proceeding other than to render advice to the party or to cross examine the other party or witnesses during the live hearing;
 - 3.** The parties may inspect and review evidence; and
 - 4.** Identifies any provision in its codes of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.
- F.** If, during the course of an investigation, Tennessee Tech decides to investigate allegations about the complainant or respondent that were not included in the initial written notice, Tennessee Tech will provide notice of the additional allegations to the parties.
- G.** Tennessee Tech may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.
- H.** Tennessee Tech may dismiss a formal complaint or any allegations therein, if at any time during the investigation, a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein, the respondent is no longer enrolled or employed by Tennessee Tech; or specific circumstances prevent Tennessee Tech from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.
- I.** If Tennessee Tech dismisses a formal complaint during the investigation, Tennessee Tech will promptly send written notice of the dismissal and reason(s) therefore simultaneously to the parties.
- J.** If the conduct alleged in a formal complaint would not constitute sexual harassment even if proved, did not occur in Tennessee Tech's education program or activity, or

did not occur against a person in the United States, Tennessee Tech must dismiss the formal complaint with regard to that conduct for purposes of sexual harassment under Title IX; such a dismissal does not, however, preclude action under another provision of Tennessee Tech's codes of conduct or other policies.

XII. Investigative Reports

- A.** Tennessee Tech will investigate, to the extent necessary or possible, the allegations in a formal complaint and create an investigative report that fairly summarizes relevant evidence.
- B.** During the investigatory process, both parties will have an equal opportunity to:
 - 1.** Present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence; and
 - 2.** Inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which Tennessee Tech does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.
- C.** Tennessee Tech will not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.
- D.** Prior to completion of the investigative report, Tennessee Tech will:
 - 1.** Send the investigative report along with the evidence subject to inspection and review in an electronic format or a hard copy to each party and the party's advisor, if any;
 - 2.** Allow the parties 10 business days to submit a written response to the investigative report, which the investigator will consider prior to completion of the investigative report; and
- E.** At the conclusion of 10 business days, the Title IX Coordinator will send the investigative report along with the evidence subject to inspection and review in an electronic format or a hard copy to the Hearing Officer.

XIII. Formal Complaint Hearing

- A.** A live hearing of formal complaints not dismissed will be conducted by a hearing

officer that meets the requirements set forth in Tennessee Code Annotated Section 4-5-324.

- B.** Live hearings may be conducted with all parties physically present in the same geographic location or, at Tennessee Tech's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other.
- C.** Either party may request that the live hearing to occur with the parties located in separate rooms with technology enabling the hearing officer and parties to simultaneously see and hear the party or the witness answering questions.
- D.** Tennessee Tech will create an audio or audiovisual recording, or transcript, of any live hearing and make it available to the parties for inspection and review.
- E.** At least seventy-two (72) hours prior to a live hearing, Tennessee Tech will provide both parties with written notice of the following:
 - 1.** The time, place, and date of the hearing and electronic access information, if applicable;
 - 2.** The name of each witness Tennessee Tech expects to present at the hearing and those Tennessee Tech may present if the need arises;
 - 3.** Their right to request a copy of the investigative file; and
 - 4.** Their right to request copies of all documents, copies of all electronically stored information, and access to tangible evidence that Tennessee Tech has in its possession, custody, or control and may use to support claims or defenses.
- F.** When notice is sent by United States mail or courier service, the notice is effective on the date that the notice is mailed or delivered to the courier service. When notice is hand delivered to the parties from the institution, notice is effective on the date that the notice is delivered to the parties. When notice is sent by email, the notice is effective on the date that the email is sent to the parties' institution-provided email account.
- G.** The hearing officer may allow a temporary delay of the grievance process or the limited extension of time frames for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action. Good cause may include but is not limited to considerations such as the absence of a party, a party's advisor or a witness, concurrent law enforcement activity, or the need for language assistance or accommodation of disabilities.
- H.** In cases that involve more than one respondent, the hearing officer may, consistent

with the requirements of Title IX, consider whether separate proceedings are necessary to avoid undue prejudice to the respondents.

- I.** During the hearing, the hearing officer will make evidence subject to review and inspection during the investigation phase available to give each party equal opportunity to refer to that evidence, including for purposes of cross-examination.
- J.** Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.
- K.** Only relevant cross examination and other questions may be asked of a party or witness. Before a complainant, respondent, or witness answers a cross-examination or other question, the hearing officer will first determine whether the question is relevant and explain any decision to exclude a question as not relevant.
- L.** The hearing officer will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.
- M.** Notwithstanding any limitations to the contrary that Tennessee Tech has placed on the advisor's participation in the hearing, the hearing officer will permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross-examination at the live hearing will be conducted directly, orally, and in real time by the party's advisor of choice and never by a party personally.
- N.** If a party does not have an advisor at the live hearing, Tennessee Tech will provide without fee or charge to that party an advisor of Tennessee Tech's choice, who may be, but is not required to be, an attorney, to conduct cross-examination on behalf of that party
- O.** If a party or witness does not submit to cross-examination at the live hearing, the hearing officer will not rely on any statement of that party or witness in reaching a determination regarding responsibility; provided, however, that the hearing officer cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.
- P.** The hearing officer may dismiss the formal complaint or any allegations therein, if at any time during the hearing a complainant notifies the Title IX Coordinator in writing

that the complainant would like to withdraw the formal complaint or any allegations therein, the respondent is no longer enrolled or employed by Tennessee Tech, or specific circumstances prevent Tennessee Tech from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

- Q.** If the hearing officer dismisses the formal complaint during the grievance process, the hearing officer will promptly notify the Title IX Coordinator who will promptly send written notice of the dismissal and reason(s) therefore simultaneously to the parties.

XIV. Determination of Responsibility

8.2

- A.** The hearing officer will issue a written determination regarding responsibility simultaneously to the parties. The written determination will include:
 - 1.** The allegations potentially constituting sexual harassment;
 - 2.** A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
 - 3.** The findings of fact supporting the determination;
 - 4.** The conclusions regarding the application of Tennessee Tech’s rules, policy and if applicable, code of conduct to the facts;
 - 5.** A statement of, and rationale for, the result as to each allegation, including a determination of responsibility, any disciplinary sanctions Tennessee Tech imposes on the respondent, and whether remedies designed to restore or preserve equal access to Tennessee Tech’s education program or activity will be provided to the complainant; and
 - 6.** The procedures and permissible bases for the complainant and/or respondent to appeal.

XV. Appeals

- A.** Both parties may appeal a determination of responsibility or the dismissal of a formal complaint or any allegations therein.
- B.** A party wishing to appeal a determination or the dismissal must file a written appeal with the Title IX Coordinator within 10 business days of the date of the determination or dismissal. The written appeal must identify the basis or bases for the appeal and

explain with specificity the facts supporting the basis or bases of the appeal.

C. The following are the only bases for an appeal:

1. A procedural irregularity affected the outcome of the matter;
2. New evidence that could affect the outcome of the matter that was not reasonably available at the time the determination or dismissal was made; and
3. A conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent by the Title IX Coordinator, investigator(s), or hearing officer that affected the outcome of the matter.

D. As to all appeals, the Title IX Coordinator will:

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties;
2. Ensure that the decision-maker(s) for the appeal is not the same person as any investigator(s) or the hearing officer that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator;
3. Ensure that the decision-maker(s) for the appeal complies with the standards set forth in Section X.

E. If a party is a student, the Vice President for Student Affairs is the appeal decision maker. If a party is an employee, the Vice President for Planning and Finance is the appeal decision maker,

F. The respective Vice President will issue a written appeal decision describing the result of the appeal and the rationale for the result within the anticipated timeframe, absent good cause.

G. The Title IX Coordinator will provide the written appeal decision simultaneously to both parties.

XVI. Informal Resolution

A. After the filing of a formal complaint, the Title IX Coordinator may facilitate the informal resolution process, such as mediation, that does not involve a full investigation and adjudication. The informal resolution process may go forward only if the Title IX Coordinator:

1. Obtains the parties' voluntary, written consent to the informal resolution process;

2. Provides to the parties a written notice disclosing the allegations, the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared; and
 3. Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.
- B. Prior to agreeing to an informal resolution, a party may withdraw from the informal resolution process and resume grievance procedures with respect to the formal complaint.
 - C. Tennessee Tech will ensure that an individual designated to facilitate an informal resolution process does not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.
 - D. The informal resolution process will conclude within 30 days of the parties agreeing to participate, absent good cause.
 - E. Tennessee Tech will not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment.

8.2

XVII. Retaliation

- A. Neither Tennessee Tech nor other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing.
- B. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or this rule, constitutes retaliation.

- C. The exercise of rights protected under the First Amendment does not constitute retaliation.
- D. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance process does not constitute retaliation. However, a determination regarding responsibility, alone, is insufficient to conclude that any party made a materially false statement in bad faith.
- E. Complaints alleging retaliation may be filed with the Title IX Coordinator who will follow the procedures and processes used for Title VII retaliation allegations as set forth in Tennessee Tech Policy 141, Prohibited Discrimination and Harassment.
- F. Retaliation will result in disciplinary measures up to and including termination or expulsion.

8.2

XVIII. Interpretation

The Tennessee Tech Compliance Officer or his/her designee has the final authority to interpret the terms of this policy.

XIX. Citation of Authority for Policy

T.C.A. § 49-8-203(a)(1)(E); Tennessee Tech Policy 006 (Nondiscrimination Policy); Title IX of the Education Amendments of 1972 and its regulations, Section 485(f) of the Reauthorization of Education Act as amended, by Section 304 of the Violence Against Women Reauthorization Act of 2013; 34 CFR § 668.41, § 668.46, and Appendix A to Subpart D of Part 668.

Approved by: President on June 17, 2020 and September 2, 2020, pursuant to Policy 101, Section VII.A.

Board of Trustees: June 23, 2020;

Received by:

Administrative Council: September 2, 2020

University Assembly:



Agenda Item Summary

Date: September 29, 2020

Division: Planning and Finance

Agenda Item: Tenure Recommendations

Review

Action

No action required

9.1

PRESENTERS: Dr. Lori Bruce, Provost

PURPOSE & KEY POINTS:

Recommendations and supporting documentation for granting tenure to an eligible faculty member. This tenure recommendation is being presented at the September Board meeting, as Dr. Tester was hired after the June Board meeting. Dr. Tester was hired as Associate Professor in the Department of General and Basic Engineering. The filling of this position was critical because of its role in the new Master of Science in Engineering Management program.

J O H N T . T E S T E R , P H D

CV

John T. Tester, Ph.D.

Professor

████████████████████
████████████████████

Degrees

- Ph.D. Industrial & Systems Engineering, Virginia Tech, 1999
- M.S. Systems Engineering, Air Force Institute of Technology, 1990
- B.S. Mechanical Engineering, Tennessee Technological University, 1983

Academic Experience (details follow Industry Experience)

Professor (09/16 – present)

Mechanical Engineering Department, College of Engineering, Forestry and Natural Sciences (CEFNS), Northern Arizona University

Chair, Mechanical Engineering Department, 08/17-08/18

Design4Practice Director, College of Engineering, Forestry, and Natural Sciences, 08/07-08/09

Associate Professor (06/00 – 09/16)

Special Appointments—

National Renewable Energy Laboratory Visiting Faculty (09/08 – 06/09)

Renewable Fuels and Lubricants (ReFUEL) Laboratory, Denver, CO

Boeing Welliver Faculty Summer Fellow (06/05 – 08/05)

Primary site location: Boeing Rotorcraft Division, Mesa, AZ

NASA/ASEE Summer Faculty Fellow (06/04 – 08/04)

Marshall Space Flight Center (MSFC), Flight Projects Directorate, Pressurized Carriers Group, Huntsville, Alabama.

Visiting Professor (08/99 – 06/00)

Industrial and Systems Engineering (ISE) Department, Virginia Tech

Graduate Instructor, Research and Teaching Assistant (08/95 – 08/99)

Doctoral Candidate, Industrial and Systems Engineering Department, Virginia Tech

Instructor, Taught Manufacturing labs, Aerospace Manufacturing class, Linear Programming

9.2

J O H N T . T E S T E R , P H D

Industry Experience***Mechanical / Manufacturing Engineer (08/92 - 07/95 and 5/97 - 8/97)****Amtech Systems Corporation, Albuquerque, NM*

- Broad responsibilities in this startup company; primary areas of expertise included CAD, injection-molded product design, finite element analysis (FEA), packaging assembly and electronics and mechanical test analysis.
- Designed electronic packaging and enclosures for new radio identification (RFID) systems. Managed transition-to-production of the newly developed products. Designed, analyzed, scheduled and tested manufacturing tooling for these products.
- Developed and conducted mechanical vibration and environmental tests for new design verification.
- While doctoral candidate at VPI: Returned to Amtech for summer of 1997 as a contracted engineer, in order to resolve ongoing MRP (production) conflicts associated with the introduction of new products. Recommended capital investment alternatives to handle increases in electronic assembly production.

Space Systems Logistics Analyst (03/91 - 07/92) (Captain, US Air Force)*Air Force Operational Test and Evaluation Center (AFOTEC), Kirtland AFB, NM.*

- Managed the logistical testing of space satellite and ground support systems. Evaluated test data through either statistical analysis or computer projections through simulations. Logistics test analyst for all Strategic Defense Initiative (SDI) subprograms.
- Programs included:
 - Global Positioning System (GPS) Operational Equipment. Managed the test program, which collected reliability data on the Air Force's newly installed GPS equipment and satellites.
 - Command Systems Operations Center (CSOC). Located at Falcon Air Force Base, the facility tracked and received data from most of the Air Force's satellite systems. The test program evaluated the reliability, maintainability and suitability of the site under operational conditions.
 - Global Protection Against Limited Strikes (GPALS). A spin-off of the Strategic Defense Initiative (SDI), or "Star Wars," AFOTEC projected the system's reliability and maintainability.
 - Cheyenne Mountain Upgrade. This program upgraded the computer and communication capabilities of the Cheyenne Mountain complex. Managed the on-site test team during a phased equipment installation program.

Masters Graduate Student (04/89 - 3/99) (while serving as USAF Captain)*Air Force Institute of Technology (AFIT), Wright Patterson Air Force Base, OH*

- Thesis topic: Designing and Modeling of a Large Space Structure, sponsored by Boeing Aerospace, Seattle, Washington.
- Conducted research in the "bond graph" graphical modeling approach to dynamic mechanical system simulation, integration and control.
- Conducted postgraduate studies in reliability engineering and logistics.

9.2

J O H N T . T E S T E R , P H D

Mechanical & Processes Engineer (04/84 - 04/89) (USAF Captain, final rank)*Ogden Air Logistics Center, Scientific and Technical Division, Hill AFB, UT*

- Advanced Composites Engineer and Program Manager for the facility. Wrote the composites patch repair section of Air Force Composites Repair Handbook, 1988.
- Conducted redesign of F-16 parts for injection molding and other manufacturing processes.
- Developed wing trailing edge repair procedures for the Boeing Air Launched Cruise Missile.
- Assisted in the first implementation of CAD/CAM processes for the logistic center's landing gear refurbishment facility which was particularly targeted towards CNC milling.
- Improved the injection molding facility at military aircraft depot. Conducted personnel training, equipment procurement and facility layout.
- Human Factors Engineering Program Manager for the facility.

Co-op Engineering Intern (03/81 - 12/81)*Babcock & Wilcox Nuclear Power Generation Division (BWNPGD), Lynchburg, VA*

- CAD Drafting intern, creating engineering change order documentation for BWNPGD to support Three Mile Island federal and industry reviews.

ACADEMIC CAREER DETAILS***University Faculty Advisor, Intercollegiate Student Competitions***

- SAE Mini-Baja Competitions; represented NAU and mentored student teams at 29 intercollegiate student competitions since Spring 2003. Supported 7 additional teams, but arranged travel for other faculty and staff to attend those competitions.
 - American Institute of Aeronautics and Astronautics (AIAA) Unmanned Aerial Vehicle (UAV) Intercollegiate student competition. Dayton, OH, July 2007.
 - SAE AeroDesign Competition
 - Fort Worth, TX: [2005](#), [2011](#),
 - Van Nuys, CA: [2006](#), [2007](#), [2009](#), [2012](#), [2013](#), [2015-Micro](#), [2015-RegularClass](#) , 2018 Regular Class, 2018 Micro Class, 2019-Regular Class, 2019-Micro Class.
 - SAE-Baja Competition
 - Tucson, AZ: 2020
 - [Gorman, CA: 2019](#)
 - [Portland, OR: 2018](#)
 - [Gorman, CA: 2017](#)
 - [Portland, OR: 2015](#)¹
 - [El Paso, TX: 2014](#)
 - [Bellingham, WA: 2010](#)
 - [Burlington, WI: 2009](#)²
 - [Portland, OR 2006](#)
 - [Green Valley, AZ: 2005](#)
 - [Portland, OR: 2004](#)

¹ Team designed and built vehicle, but did not attend event that year.² Dr. Tester did not attend due to Sabbatical.

J O H N T . T E S T E R , P H D

- [Provo, UT: 2003](#)
- SAE SuperMileage Car Competition
 - Detroit, MI: [2007](#), 2008
- Shell Ecomarathon
 - Pasadena, CA: [2007](#), [2008](#)
 - Houston, TX: [2010](#), [2011 \(two teams\)](#), [2012](#) (two teams, one vehicle), [2013](#), [2014](#)
- NASA Human Exploration Rover Challenge – [Montgomery, AL: 2015](#)
- ASME Human Powered Vehicle (HPV) competition – San Jose, CA: 2008.

Patents

- **John Tester and Andrew Dethlefs (2015). Cable Manipulator. [Publication No. US 20130193389 A1](#).**
- **John Tester and Andrew Dethlefs (2013). Electrical cable portable rotary manipulator. [Publication No. US8444115 B2](#); also under [US20090134266](#), [US20130193389](#).**

*Peer Reviewed Disseminations*³

Trevas, David; Tester, John; Improving Machine Design Instruction by Developing Computational Design Tools, ASEE Pacific Southwest (PSW) Conference, Los Angeles, CA, April, 2019

Tahir Uzma, Hessel Anthony L., Lockwood Eric R., Tester John T., Han Zhixiu, Rivera Daniel J., Covey Kaitlyn L., Huck Thomas G., Rice Nicole A., Nishikawa Kiisa C., “Case Study: A Bio-Inspired Control Algorithm for a Robotic Foot-Ankle Prosthesis Provides Adaptive Control of Level Walking and Stair Ascent,” *Frontiers in Robotics and AI*, v5, pg36, 2018, DOI=10.3389/frobt.2018.00036

Hessel AL, Tahir U, Petak J, LeMoyne RC, Han Z, Tester J and Nishikawa KC, A Neuromuscular Algorithm for a Powered Foot-Ankle Prosthesis Shows Robust Control of Level Walking and Stair Ascent, 2015 Dynamic Walking, June 2015 Columbus, OH

Tester, J; Development of a Product-oriented Manufacturing Processes Laboratory, American Society of Engineering Education (ASEE) Conference and Exposition, Seattle, WA, June 14-18, 2015

Tester, J; Design of an Assembly for a Manufacturing Processes Laboratory, ASEE Pacific Southwest (PSW) Conference, San Diego, CA, April 10-11, 2015

LeMoyne R, *Petak J*, Tester JT, Nishikawa KC (2014). Simulation of a computational winding filament model with an exponential spring to represent titin, 36th Annual International IEEE EMBS Conference, Chicago, IL, August 26-30, 2014.

Petak J, Heckathorne N, LeMoyne R, Dyer J, Yeo SH, Pai D, Tester J & Nishikawa K (2013). Winding filament muscle model for musculo-skeletal simulations. American Society of Biomechanics. September 2013, Omaha, Nebraska.

LeMoyne R, *Hessel A*, Tester J, Nishikawa K; Arizona Physiological Society; Ankle rehabilitation system using bio-inspired model actuator (Phoenix, AZ; November, 2013)

³ Author in italics indicates student advisee

JOHN T. TESTER, PHD

Tester JT, Yeo SH, Pai DK, Nishikawa KC; A new muscle model with implications for actuation and control. Dynamic Walking, Pensacola, FL, 2012.

John T. Tester, Rand Decker, "A Collaborative Examination of Engineering Education and STEM issues by the Engineering Schools of the West Initiative (ESWI) Affiliates," Proceedings of the 2012 ASEE PSW Section Conference, April 20, 2012, Cal Poly - San Luis Obispo.

Aaron Williams (NREL); Jonathon Burton (NREL); Earl Christensen (NREL); Bob McCormick (NREL); John T. Tester (Northern Arizona University), "Emissions from Various Biodiesel Sources Compared to a Range of Diesel Fuels in DPF Equipped Diesel Engines," Proceedings of the ASME 2011 Internal Combustion Engine Division Fall Technical Conference, October 2-5, 2011, Morgantown, WV, USA. ICEF2011-60106.

Xin He, John C. Ireland, Bradley T. Zigler, Matthew A Ratcliff, Keith E. Knoll, and Teresa L. Alleman (NREL) and John T. Tester (Northern Arizona University), "The Impacts of Mid-level Biofuel Content in Gasoline on SIDI Engine-out and Tailpipe Particulate Matter Emissions," SAE 2010 Powertrains, Fuels & Lubricants Meeting, October 25-27, 2010, San Diego, CA.

Xin He, John C. Ireland, Bradley T. Zigler, Matthew A Ratcliff, Keith E. Knoll, and Teresa L. Alleman, Jon H. Luecke (NREL) and John T. Tester (Northern Arizona University), "The Impacts of Mid-level Alcohol in Gasoline on SIDI Engine-out and Tailpipe Emissions," Proceedings of the ASME 2010 Internal Combustion Engine Division Fall Technical Conference, September 12-15, 2010, San Antonio, Texas, USA.

Urban, Jillian; Tester, John; "Using two-dimensional edge detection to produce three-dimensional medical prototypes from MRI data," 25th Southern Biomedical Engineering Conference 2009, Miami, Florida, May 15-17, 2009

Denzine, G.; Hamann, J.; Marley, R.; Munoz, D.; Plumb, C.; Porter, D.; Tester, J.; Wang, E.; "Perception of teaching excellence by faculty and administrators in the Engineering Schools of the West", Frontiers In Education (FIE), October 18-21, 2009, San Antonio, TX.

Tester, John T., "Management of a Large Team-Design and Robotics-Oriented Sophomore Design Class," Proceedings, 38th ASEE/IEEE Frontiers in Education Conference, October, 2008, Saratoga Springs, NY.

Tester, John T.; Wood, Perry G., "Assessing the Motivational Impact of Including Rapid Prototyping into a Freshman CAD Class," ASEE Pacific Southwest Conference, April, 2007, Flagstaff, AZ.

Tester, J., Hatfield, J., "Using an IR Network in a Robotic Competition Class," 36th ASEE/IEEE Frontiers in Education Conference, October 28 – 31, 2006, San Diego, CA.

Tester, John T., "Management of a Large, Robotics-Oriented Design Class," ASEE PSW Conference, April 11-13, 2007, Reno, NV.

Guo, Boyun; Holder, Donald W.; Tester, John T.; "Two-Phase Oxidizing Flow in a Volatile Removal Assembly Reactor under Microgravity Conditions," American Institute of Aeronautics and Astronautics (AIAA) Journal, 2005.

Tester, J., Haden, C., Hatfield, J., "Enhancement and Assessment of a Non-Traditional Engineering Design Course," ASEE 2005 Annual Conference and Exposition, Portland, OR, Jun 12-15 2005.

J O H N T . T E S T E R , P H D

Hatfield, J., Tester, J., "LEGO Plus," ASEE 2005 Annual Conference and Exposition, Portland, OR, Jun 12-15 2005. .

Tester, J., Hatfield, J., "The Design4Practice Sophomore Design Course: Adapting to a Changing Academic Environment," ASEE 2005 Annual Conference and Exposition, Portland, OR, Jun 12-15 2005. .

John T. Tester, David Scott, Jerry, Hatfield, Rand Decker, Fonda Swimmer; "Developing Recruitment and Retention Strategies Through "Design4Practice" Curriculum Enhancements," 34th ASEE/IEEE Frontiers in Education Conference, Savannah, GA, Oct. 2004. .

Hatfield, Jerry M.; Tester, John T., "Assessing individual performance within a team using peer evaluations," Proceedings, ASEE 2004 Annual Conference and Exposition, Salt Lake City, UT, Jun 20-23 2004.

Tester, J., and *Hargroder, T.*, "Reducing Distortion in simulated injection-molded wind turbine blades," ASME Wind Energy Symposium Technical Papers AIAA Aerospace Sciences Meeting and Exhibit, Reno, Nevada, Jan 5-8, 2004. .

Slack, R., Acker, T., Duque, E.P.N., and J. Tester, "Development of a Renewable Energy Engineering Instructional Laboratory," Proceedings of the World Renewable Energy Congress VIII, Denver, CO, August 23-27, 2004.

Tester, J., and *Hargroder, T.*, "Reducing Warp in Injection-Molded Wind Turbine Blades through Simulation and Design of Experiments," American Wind Energy Association (AWEA) Windpower 2003 Conference, Austin, Texas, 2003. .

Tester, J. T., "Combining renewable energy and design-for-manufacturing research in an undergraduate research project," Frontiers in Education, 2003. FIE 2003 33rd Annual, 5-8 Nov. 2003, S1E - 10-15 vol.3, Westminster, CO.

Tester, J. T., "Adaptation of a Cutting Stock Pattern Generation Algorithm to the PCB Panel Design Problem," Proceedings of the International Conference on Flexible Automation and Intelligent Manufacturing (FAIM'01), Ed: M. El-Baradie, T. Szecsi, W.G. Sullivan, M.M. Ahmad, Dublin, July 16-18, 2001.

Tester, J. T., "Reducing electronic panel assembly time via panel design selection," International Journal of Flexible Automation and Integrated Manufacturing, 7, Begell House, Inc., 1999, p. 47-66.

Mitchiner, R. J. and Tester, J. T., "Introducing Plastic Product Design into the Machine Design Curriculum," 1998 American Society for Engineering Education (ASEE) Annual Conference, Session 2566 Mechanical Engineering, Seattle, WA, June 1998. .

Tester, J. T., "The Need for Optimized Panel Design in the Electronic Assembly Process," *Seventh* International Conference on Flexible Automation and Intelligent Manufacturing (FAIM), Portland, OR, USA, June 1998.

Tester, J. T., "Industrial Engineering Research and Automation in Electronic Product Manufacturing," *Sixth* International Conference on Flexible Automation and Intelligent Manufacturing (FAIM), Middlesbrough, England, June 1997

J O H N T . T E S T E R , P H D

Tester, J. T. and Robinson, D. G., "Multidisciplinary Design of a Space System," IEEE International Conference on Systems Engineering, Fairborn, Ohio, August 1991. .

Posters

Romero, I, Tester, J, November 2017. Design of a Simple Test Fixture for a Powered Foot-Ankle Prosthesis. 5th ASU Rehabilitation Robotics Workshop, Tempe, AZ.

Tahir U, Petak JL, Tester, J, Nishikawa KC November 2015. A biologically inspired controller for a robotic prosthesis provides robust control during level walking and stair ascent. Graduate student symposium Northern Arizona University

Tahir U, Petak JL, Tester, J, Nishikawa KC November 2015. A biologically inspired controller for a robotic prosthesis provides robust control during level walking and stair ascent. Arizona physiological society annual meeting. *Best graduate student presentation awarded.*

Tahir, U, Petak JL, Tester J, Nishikawa KC. October 2015. A novel neuromuscular model for a robotic prosthesis based on velocity-dependent muscle activation. Society for neuroscience annual meeting

Hessel AL, Tahir U, Petak J, LeMoyne RC, Han Z, Tester J, Nishikawa KC. July 2015. Powered Ankle-Foot Prosthesis with a Bio-inspired Control Algorithm Successfully Produces Human Walking and Stair Ascent. Dynamic walking annual meeting

Hessel AL, Tahir U, Petak J, Tester J, Nishikawa KC. June 2015. A bioinspired control algorithm for a powered foot ankle prosthesis: robust control of level walking and stair ascent. Arizona Board of Regents Meeting.

Tester J, *Lockwood E, Petak J, Hessel A*, and Nishikawa K, Comparison of Ankle Torque Reporting Methods for a Robotic Prosthesis, , 2015 Dynamic Walking, June 2015 Columbus, OH .

Tahir U; Petak JL; Tester J; Nishikawa KC; Can a biologically-inspired control algorithm for an active prosthetic device improve the metabolic cost of transport in humans? AZ Bio Expo 2014.

Tester J, *Petak J, Tahir U*, LeMoyne R, Nishikawa K. July 2014. Implementation of a Winding Filament Muscle Model into a Robotic Ankle Prosthesis. World congress of biomechanics.

Tahir U, Petak J, Tester J Nishikawa KC, September 2014. Cost of transport using a biologically-inspired control algorithm for an active prosthetic device. AZ bio Expo

LeMoyne, *R; Hessel; A*; Tester, JT; Nishikawa, K; , September 2014. Ankle Rehabilitation System using Winding Filament Model Actuator, AZ bio Expo

LeMoyne R., *Lemons D., Andaya J., Hessel A.*, Tester J., Nishikawa K.; Ankle rehabilitation device using 3D printing for therapy of ankle dorsiflexion, Arizona Physiological Society Meeting, July 2014.

Petak JA, Heckathorne N, LeMoyne R, Dyer JM, Yeo SH, Pai DK, Tester JT & Nishikawa K (2013). A new muscle model for neuro-musculo-skeletal simulations. 2013 Dynamic Walking. June 2013 Pittsburg, PA.

J O H N T . T E S T E R , P H D

Awbrey, D. A.; Tester, J. T., "Modeling of a Multi-Dimensional Simulation Platform," MSC 2009 Virtual Product Development Conference, Phoenix, AZ, April 20, 2009.

Professional & Technical Publications (non-refereed)

John Ireland, Aaron Williams, and Robert L. McCormick, (NREL), John Tester (NAU), Preliminary Measurement of Particle Size and Number Emissions from a DPF Equipped Heavy-Duty Engine, National Renewable Energy Laboratory, Non-Petroleum Based Fuels Program, FY2010 Milestone Report for Subtask 4: Effect of Biodiesel on PM Size/Number Emissions, September 2010.

John T. Tester, Sabbatical Project Report: Particulate Matter (PM) Test System Design for ReFUEL, delivered to the National Renewable Energy Laboratory (NREL) Renewable Fuels and Energy Laboratory (ReFUEL), May 15, 2010.

John T. Tester, "Observations and Comments from the Boeing Welliver Faculty Summer Fellowship at Mesa," submitted to The Boeing Corporation, August 10, 2005.

Hahn, Randall L.; Harter, Nathan W.; Mastrangelo, Christina M.; Mobolurin, Ayodele O.; Onyebueke, Landon C.; Petrick, Irene J.; Stutts, Daniel S.; Tester, John T. "Boeing Welliver Faculty Summer Fellowship, Group Report," submitted to The Boeing Corporation, August 10, 2005.

John T. Tester, "RACK DISTRIBUTION EFFECTS ON MPLM CENTER OF MASS—EXTENDED REPORT," NASA Technical report to Marshall Space Flight Center, Flight Projects Directorate, Pressurized Carriers Group, August 22, 2004.

John T. Tester and Jon Holladay, "RACK DISTRIBUTION EFFECTS ON MPLM CENTER OF MASS," Contribution to 2004 NASA/ASEE Summer Faculty Fellowship Program Final Report, Marshall Space Flight Center, Flight Projects Directorate, Pressurized Carriers Group, August 5, 2004.

Grant research proposals funded

- John Tester-Northern Arizona University, Krishna Muralidharan-University of Arizona, Bruno Azeredo-Arizona State University, "Advancing Additive Manufacturing Frontiers on Earth and Beyond," Regent Innovation Funds Grant Proposal. 2019-2020, \$350,000. NAU \$48,000.
- Kiisa C. Nishikawa (PI), John T. Tester (Co-PI), Kyle N. Winfree (Co-PI), Katherine Strausser (Co-PI; Ekso Bionics), "PFI: AIR-TT: Preflex versus Reflex Control of a Multijoint Robotic Exoskeleton," NSF 16-583, 2017-2018, \$199,903
- Zhiu (PI, iWalk, Inc.), Nishikawa, K., (Co-PI), Tester, J. (Senior Personnel) (2014) *STTR: Emulating Biological Actuation*, NSF STTR; \$199,000.
- Tester, J. (2014-present) RAPIDLab ongoing budget (not counted as grant revenues after 2014).
- Catherine Propper, Biology. (2013) Co-PI: John T. Tester, Mech. Engineering; Niranjana Ventrakaman, Elect. Engineering. *Ultra-sensitive Assay System for Evaluation of Water Contaminants: Functionalization and Field Testing*. Arizona Technology Research and Innovation Fund (TRIF), \$59,140.
- Tester, J. (PI), & Nishikawa, K. (Co-PI) (2012-present. *Emulating Biological Actuation*. NSF Partnership for Innovation (PFI) - \$599,804.
 - Tester, J. (2013 & 2014) *Research Experience for Undergraduates (REU) Supplement, to NSF PFI grant*; \$32,000 total
- Tester, J. (2013) RAPIDLab Proposal-- Personnel support for prototyping development. TRIF \$86,763.

9.2

JOHN T. TESTER, PHD

- Tester, J.(PI), Nishikawa, K. (Co-PI), Venkatraman, N. (Co-PI) (2012). Developing the muscle-emulating robotic actuator. TRIF - \$99,994 (Tester Portion: \$49,600)
- Tester, J. (2012), RAPIDLab CAD Support Expansion. TRIF \$12,490.
- Tester, J. (2012). RAPIDLab Proposal--3D Printer with high detail. TRIF \$54,761.
- Tester, J. (2012) RAPIDLab Proposal-- Benchtop injection molding machine. TRIF \$28,937
- Nishikawa, K. (PI), & Tester, J. (Co-PI) (2011) Intellectual Property Development (IP-Dev), Robotic Actuator Post-doctorate support. NAU Office of Vice President for Research (OVPR), \$150,000.
- Propper, C (PI), Tester, J. (Co-PI) (2011). *Ultra-sensitive Assay System for Evaluation of Water Contaminants: Functionalization and Field Testing*. TRIF \$15,091 (Tester Portion \$4300).
- Tester, J. (PI) (2011), *Equipment Proposal for Research Instrumentation and Small Business Innovation Support* , NAU OVPR, \$26,552.
- Tester, J. (PI) (2011), *RAPIDLAB Computer Numerical Control Mill*, NAU OVPR, \$65,421.
- Tester, J. (PI) (2011), *RAPIDLAB Polymer Based Material 3D Printer*, NAU OVPR, \$134,705.
- Tester, J. (PI) (2010), *RAPIDLAB Building Utilities Upgrades*, Unsolicited proposal to NAU OVPR, \$215,000.
- Tester, J.; (PI) (2006)“Use of Robotic-assisted Insulated Cable (RIC) Manipulator Device to Mitigate Soft Tissue Repetitive Motion Injuries (STRMI) – Detailed Design & Field Testing,” sponsored by the Salt River Project, Inc. (SRP). (2006). \$40,000

Grants, Other funded:

- Acker, T.(PI), Tester, J. (Co-PI), Kipple, A. (Co-PI), (2013), *National Collegiate Wind Competition NAU Team Proposal*, National Renewable Energy Laboratory, \$24,986.
- *Urban, Jillian*; Tester, J (mentor); (2008) *Two-Dimensional Edge Detection to Produce Three Dimensional Medical Prototypes from MRI Data*, NASA Space Internship Proposal. \$2700.
- Tester, J.; APS Capstone Educational Donation, Mechanical and Multidisciplinary Design Projects. \$20,000.
- Tester, J.; Marley Entrepreneurship Education Planning Grant, NAU Business School, (2008), \$800 0
- Tester, J.; “The Northern Arizona University Skyjacks AIAA UAV Competition,” Air Force Research Laboratory. USAF/AIAA, (2006) \$7,000.
- Tester, J.; “Travel Grant for NAU/NMSU Engineering Education Collaboration,” Engineering Schools of the West Initiative (ESWI) Sustainable Collaboration grant, (2006) \$5000.
- SAE@NAU Student Chapter; Dr. John Tester, Advisor: Shell EcoMarathon Competition successful early entry award. Shell Oil, (2006) \$10,000.
- SAE@NAU Student Chapter; Dr. John Tester, Advisor: Arizona Community Foundation/ GeoFund donation to the SAE Student branch, (2006) \$5,000
- Tester, J.; “Restructuring EGR 286 for Retention and Outreach: The Next Steps,” from the NAU CENS Hewlett Pipeline Committee; Co-PI Jerry Hatfield. 2004, \$42,500.
- Tester, J.; NASA Space Grant for Undergraduate Research—“Simulation of system dynamics for small wind turbines,” \$4800, Funded: 2004.
- Tester, J.; Hooper Undergraduate Research Assistantship sponsor—“Development of new course materials for sophomore design course,” \$5,040, Funded: 2004.
- Tester, J.; “Support for SAE Mini-Baja Student Competition and Outreach,” from the NAU CENS Hewlett Pipeline Committee; Funded: 2004, \$3,000.
- Tester, J.; “Restructuring EGR 286 for Retention and Outreach,” from the NAU CENS Hewlett Pipeline Committee; Co-PI Jerry Hatfield. Funded: 2003, \$34,000.

J O H N T . T E S T E R , P H D

- Tester, J.; “Sustainable Product Realization,” from NAU ERDENE. Investigate developing an NAU technical group with resources to assist and stimulate renewable energy-related business growth in Arizona. Funded: 8/03, \$30,000.
- Tester, J.; NASA Space Grant for Undergraduate Research—Investigation of twist in injection molded wind turbine blades, \$7850, 2002.
- Tester, J.; Hooper Undergraduate Research Assistantship sponsor—CAD Simulation of twist in injection molded wind turbine blades, \$6700, 2002.
- Tester, J.; Arizona Tri-University Distance Masters Course Development Grant for Product Realization course, \$5300, 2002.
- Tester, J.; Turbine blade development for the Sustainable Energy Systems (SES) research group, Summer 2000, \$8,100; 2002, \$3200.
- Tester, J.; Arizona Tri-University Distance Masters Course Development Grant for Manufacturing Systems Engineering course, \$5300, 2001.

Professional Service

- Board Director, ASEE PSW (American Society of Engineering Education-Pacific Southwest) Division, 2017-present
- Chair, Faculty Awards, ASEE PSW (American Society of Engineering Education-Pacific Southwest) Division, 2010-2017
- Chair, Student Awards, ASEE PSW (American Society of Engineering Education-Pacific Southwest) Division, 2008-2010
- Reviewer, ASEE National Conference, 2001-Present
- Reviewer, ASEE PSW Conference, 2004 – Present
- Reviewer for Frontiers in Education (FIE), 2003- 2011
- Hewlett Foundation Engineering Schools of the West workshops
 - Palo Alto, CA 2009
 - Sedona, AZ 2011
 - Bozeman, MT 2013
- Western Association of Graduate Schools Innovation in Technology Award, Dissertation reviewer, 2010-2011

Membership

- Member, ASEE, 2000-Present
- Member, SAE, 2000-Present
- Member, ASME, 2000-2016

Professional Development

- HAAS CNC mill training, Tempe, AZ, Fall 2011, Fall 2012, Fall 2015.
- Training for operation of Objet Pro 3D printing system; PADT, Inc., Tempe, AZ, Fall 2013.
- Hewlett Foundation-sponsored Engineering Schools of the West (EWSI) workshop, Bozeman, Montana, “First year Engineering Education Classes Best Practices” 7/22-24, 2012
- Fortus 400mc additive manufacturing system training; PADT, Inc., Tempe, AZ, Spring 2012
- D4P Workshop, NAU campus, Fall 2012, Fall 2013
- NSF MILL pre-proposal workshop. 11/4/10-11/5/10.
- Veterans in Education Workshop, University of San Diego. September 2010.
- CMS Training Fall 2011
- SUCEED Workshops participant, Flagstaff, AZ, 2008, 2009, 2006

JOHN T. TESTER, PHD

Courses list

Undergraduate courses, Northern Arizona University

Dates	Course	Credit Hours	Student level	Typical Enrollment	Comments
Fall 2006, Fall 2007, Fall 2008	Mechanical Engineering Capstone Design I ME 476C	3	Senior	32	First Semester of Senior Capstone Design course.
Spring 2007, Spring 2008, Spring 2009	Mechanical Engineering Capstone Design II ME 486	3	Senior	32	Second Semester of Capstone Design course. Also required development and planning for the NAU Undergraduate Research and Design Conference.
Fall 2002, 2006, 2008, 2010, 2011, 2013, 2014, 2015, 2017, 2018, 2019, Spring 2004	Manufacturing Processes (lecture) ME 467	3	Junior, Senior	81	Introduction to basic materials-based manufacturing methods. An integrated weekly hands-on laboratory was part of the offering (4 hours total) in 2002, 2004 and 2006). Today, lecture hall styled class, with laboratory separate, due to increased enrollment.
Fall 2008, 2010, 2011, 2013, 2014, 2015, 2018	Manufacturing Processes Lab ME 467L	1	Junior, Senior	18	Oriented to making a simple, final product, using manual and CNC machining, welding and assembly.
Fall 2004, Spring 2003, 2006, 2012, 2014, 2016, 2017	Kinematics and Synthesis of Mechanisms ME 484	3	Junior, Senior	50	Analysis and design of mechanisms. Incorporating computer 3D modeling tools, such as Solidworks, ADAMS, I-deas, and Unigraphics
Fall 2012 Spring 2002, 2005, 2007, 2011, 2014, 2019	Advanced CAD/CAM ME 482 (was 381)	3	Junior, Senior	33	Introduction to the mathematics, programming, and applications behind Computer-Aided Design and Manufacturing (CAD/CAM).
Fall 2010, 2011, 2018, 2010 Spring 2012,	Engineering Graphics (CAD) ME 180	3	Freshman	30	Introduction to CAD. Currently using SolidWorks, in past led transitions to SDRC I-deas, Unigraphics, SolidEdge, then SolidWorks.

9.2

JOHN T. TESTER, PHD

Dates	Course	Credit Hours	Student level	Typical Enrollment	Comments
2018, 2019					
Spring 2001, 2002, 2003, 2004, 2005	Mechanical Engineering Design ME 386	3	Junior	35	Technical, project-oriented design with engineering analysis tools, including CAD, CAM and FEA.
Fall 2013, Spring 2013, 2015	Engineering Design EGR 386W	3	Junior	35	Redesigned EGR 386 course to incorporate basic technical writing skills; multidisciplinary for Mechanical, Electrical, Civil, and Environmental Engineering
Fall 2006, Spring 2006	Student Project Development ME 399	1	Under-grad	3	Students, other than senior capstone students, earned credit for national engineering competition project work (aka, SAE, ASME).
Fall 2003	Automotive Engineering ME 399	2	Under-grad	6	Modular Learning —collaborative effort with visiting international exchange professor from Dresden, Germany, in Automotive Engineering.
Fall 2000	Materials Science ME 340	3	Junior	35	Emphasis on materials science in manufacturing processes.
Fall 2000, 2001, 2003, 2004, 2006, 2011, Spring 2001, 2004, 2006, 2007, 2011, 2012, 2013	Engineering Design EGR 286	3	Soph	30-60	Team design in engineering-oriented projects. Concentrating on presentation skills, documentation, and ethics through a mechatronics-oriented project.

Graduate courses, Northern Arizona University

Dates	Course	Credit Hours	Student level	Typical Enrollment	Comments
Spring 2014, 2015, 2016	Advanced Engineering Design EGR 502	3	Grad ⁴	16	Multidisciplinary Design, focusing on system optimization and simulation. Includes graduate students in Electrical, Mechanical, Civil, and Environmental Engineering.

⁴ Masters of Science was highest level of degree in Mechanical Engineering until 2018

J O H N T . T E S T E R , P H D

Dates	Course	Credit Hours	Student level	Typical Enrollment	Comments
Fall 2001, 2003, Fall 2005	Mfg Systems Engr & Mgmt ME 555	3	Grad	12	Manufacturing systems. Elective in masters program. <i>Archived with increased enrollment</i>
Fall 2002, 2003	Product Realization ME 550	3	Grad	8	Introduction of product realization analysis and management tools. <i>Archived, given increased undergraduate enrollment assignments.</i>

9.2

Undergraduate courses, Virginia Tech

Dates	Course	Credit Hours	Student level	Typical Enrollment	Comments
					<u>Virginia Tech Courses taught as post-doctoral graduate.</u>
Spring 2000	Deterministic Operations Research ⁵	3	Soph	30	Mathematics course required for Industrial Engineering undergraduate students
Spring 2000	Aerospace Manufacturing ⁵	3	Junior and Senior	18	Joint class with Aerospace Engineering department. Knowledge-based course (no laboratory). Field trips to nearby aerospace companies.
Fall 1999 ⁶	Manufacturing Processes Laboratory ⁵	1	Soph	260	Introduction to classic manufacturing processes. Thirteen laboratories, one per each weekly, 3-hour session.

⁵ Offered at Virginia Polytechnic Institute and State University

⁶ Twelve sections required; in charge of seven graduate student instructors who taught some labs, graded most assignments, and reports with my solution keys and directions.

Tennessee Tech University

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FACULTY TENURE CERTIFICATION STATEMENT

One faculty member is hereby recommended for tenure upon appointment.

If this recommendation is approved, the percentage of tenured faculty members at Tennessee Tech University in Fall 2020 will be 60%.

DATE: September 2, 2020

Tennessee Tech University
Board of Trustees



FACULTY TENURE RECOMMENDATIONS FOR 2020 – 2021

Recommended personnel are listed alphabetically by last name. An asterisk indicates faculty also being recommended for promotion.

	Name	Department/Division	Current Rank
1	Tester, John	General and Basic Engineering	Associate Professor