

**Personnel Policy 1.300**

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**The Background:**

In 2020, the Board revised its Personnel Policy 1.300 to formalize a delegation of authority to settle both administrative legal matters filed under the Uniform Administrative Procedures Act and legal matters filed in state and federal courts. These revisions further clarify the process for final approval of any settlement by clarifying that settlement of matters filed in state or federal court is subject to final approval of the Attorney General and others in alignment with state law, and that settlement of administrative legal matters is subject to final approval by the Board on consent. Edits to this policy were also made to clarify the authority of the Board's staff to administer policies, rules, or laws of the state in alignment with state law.

One change was made since first reading in alignment with Public Chapter 737 of 2022. This change clarifies that the Executive Director may appoint a designee to serve as the ex officio, non-voting member of the Tennessee Higher Education Commission.

**Policy Justification:**

T.C.A. § 4-5-230 requires that justification for adopting an item as a policy instead of a rule be submitted to the chair of the Government Operations Committee. This item is proposed to be adopted as a policy because it defines or explains the meaning of a statute or rule and/or concerns only the internal management of state government that does not affect private rights or privileges.

**The Recommendation:**

The SBE staff recommends approval of this item on final reading.